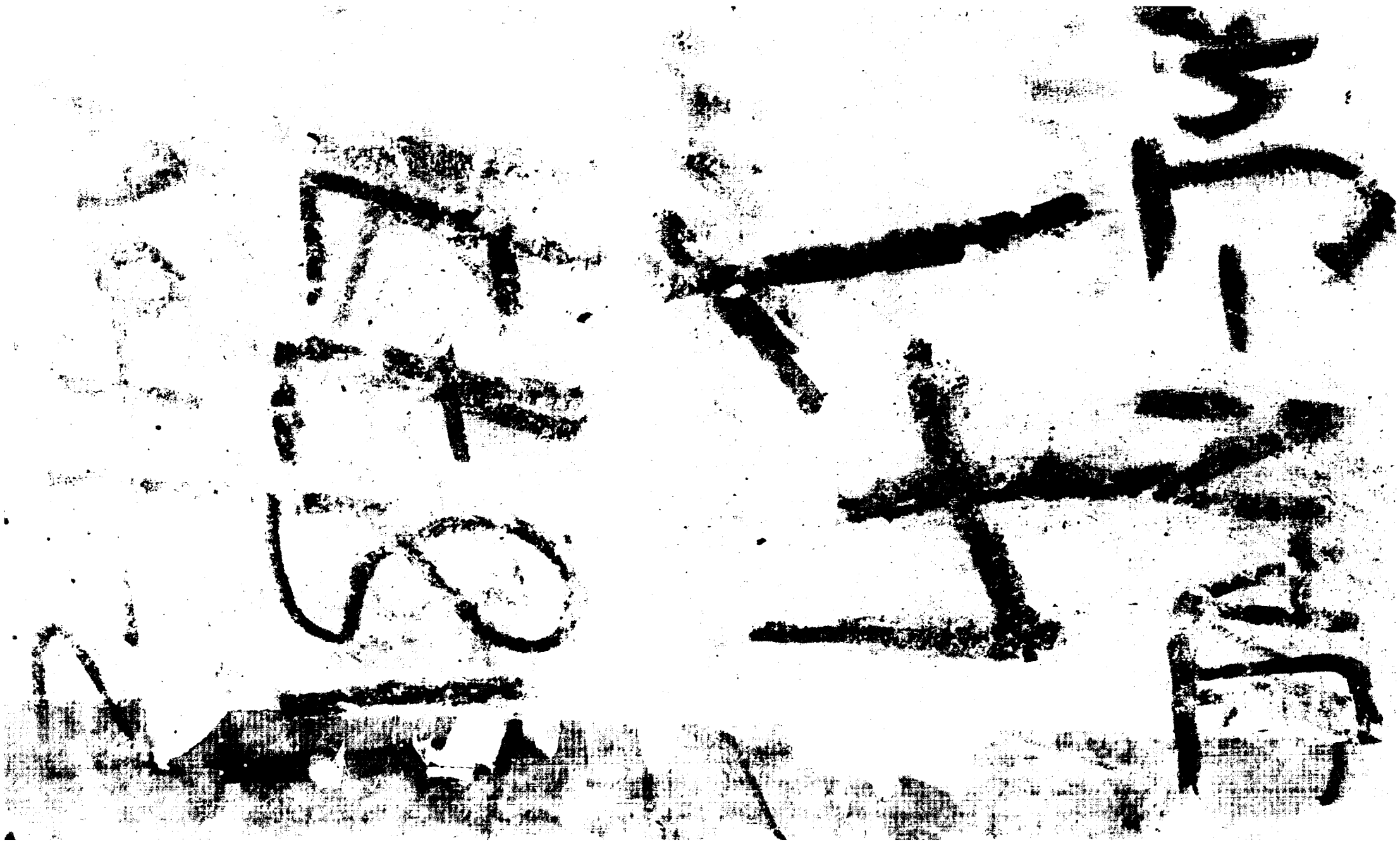


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CALCUTTA, FRIDAY, JANUARY 12, 1877. | Register No. 33.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

No. 10.

Fort William, the 11th January 1877.

The following Notification of this date issued by the Military Secretary to His Excellency the Governor General is published for general information.

By Order,

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

His Excellency the Viceroy and Governor General will arrive in Calcutta by a special train at 4 P. M., Railway time, on Saturday, the 13th January 1877.

His Excellency will be received at the Howrah Railway Station by the Chairman of the Justices and Commissioner of Police for the Town of Calcutta and the Magistrate of Howrah, and at Government House by the Lieutenant-Governor of Bengal, Members of His Excellency's Council, the principal Civil and Military Officers and other Gentlemen who are desirous of attending.

A Guard of Honor of the East Indian Railway Volunteers will be drawn up on the platform at the Howrah Railway Station, and a Guard of Honor of Native Troops with Band and Color outside the Station.

The route taken will be by the Hooghly Bridge, Strand Road and Esplanade Row.

The Body-Guard will form the Escort.

A Guard of Honor of British Troops with Band and Color will be drawn up in front of Government House.

A Viceregal Salute of 31 guns will be fired as His Excellency alights at Government House.

Full dress will be worn by Officers entitled to uniform. Gentlemen not entitled to wear uniform will appear in morning dress.

By Command,

G. POMEROY COLLEY, *Colonel*,
Military Secretary to the Viceroy.

Calcutta, January 11, 1877.

Printed and Published for the Govt. of India *at the Office of* Supdt. Govt. Printing, 8, *Hastings Street, Calcutta.*

The Gazette of India,

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CALCUTTA, TUESDAY, JANUARY 16, 1877. { Register No. 33.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

THE DISTRESSED DISTRICTS OF THE MADRAS AND BOMBAY PRESIDENCIES.

No. 46, dated Fort William, the 16th January 1877.

RESOLUTION—By the Government of India, DEPT. OF REVENUE, AGRICULTURE AND COMMERCE.

Read the following papers—

No. 45, dated 16th January 1877.

From—The HON'BLE T. C. HOPE, C.S.I., Additional Secy. to the Govt. of India, Dept. of Revenue, Agriculture and Commerce,

To—The HON'BLE SIR RICHARD TEMPLE, BART., K.C.S.I., Lieutenant-Governor of Bengal (on a special mission).

His Excellency the Governor General in Council having been pleased to depute you on a special mission for the purpose of inspecting the districts suffering from scarcity in the Presidencies of Madras and Bombay, and conferring personally with the Governments of those Presidencies regarding the measures which are being carried out, and which will have to be carried out, for the relief of distress, I am directed to communicate to you the following observations, indicating the general views of the Government of India on some of the more important questions with which you will have to deal.

2. I am to observe in the first place, that while it is the desire of the Government of India that every effort should be made, so far as the resources of the State admit, for the prevention of deaths from famine, it is essential in the present state of the finances that the most severe economy should be practised. The distress is so wide-spread, extending over twenty-one districts in the two Presidencies, and more or less affecting a population of twenty-seven millions, and threatens to be protracted for so many months, that the utmost care is necessary to restrict the expenditure to the absolute requirements of the case. Even, however, if financial considerations were less overpoweringly strong, it would still be true that a Government has no better right in times of scarcity than in other times to attempt the task of preventing all suffering, and of giving general relief to the poorer classes of the community. False and mischievous ideas on this subject have become so prevalent, that the Government runs some risk of being charged with inhumanity, when it declares that these are the principles by which it intends to be guided. The Governor General in Council will not be deterred by such considerations as these from a course of action which he knows to be right. Everyone admits the evils of indiscriminate private charity, but the indiscriminate charity of a Government is far worse. The Government of India is resolved to spare no efforts which may be necessary and

practicable, with reference to the means at its disposal, to save the population of the distressed districts from starvation, or from an extremity of suffering dangerous to life; but it will not sanction a course of action which must tend to demoralize the people themselves who are passing through a time of temporary trial, and inevitably lead to the imposition of heavy and permanent burdens on the industry of the country. Even for an object of such paramount importance as the preservation of life, it is obvious that there are limits which are imposed upon us by the facts with which we have to deal. If the estimates of the Local Governments are to be accepted, the relief of the existing scarcity in the Madras and Bombay Presidencies, including loss of revenue, will not cost less than six and a half millions sterling. Considering that the revenues are barely sufficient to meet the ordinary expenditure of the empire, and that heavy additional taxation is both financially and politically impracticable, we must plainly admit that the task of saving life, irrespective of the cost, is one which it is beyond our power to undertake. The simple fact is this, that the recurrence of a few famines such as that from which the country is now suffering, or such as that which occurred three years ago in Behar, would, if measures of relief were carried on upon that principle, go far to render the future Government of India impossible. The embarrassment of debt, and the weight of taxation, consequent on the expenditure thereby involved, would soon become more fatal to the country than famine itself. Happily, however, the Government are not placed in any such dilemma. They believe that from the history of past famines, rules of action may be learnt which will enable them in the future to provide efficient assistance for the suffering people without incurring disastrous expenditure.

3. One of the first points which should engage your attention is the extent to which relief is given, and the principles on which it is afforded.

Madras—			
On relief works	...	1,125,117	
Fed gratuitously	...	119,363	
			1,244,480
Bombay—			
On relief works	...		287,000
			1,531,480

The numbers on the relief works are so great, that the Government of India see reason to apprehend that many persons must be employed to whom such relief is not absolutely essential, and who without it would have been able to maintain themselves, at all events for some time to come. The Governor General in Council does not for a moment doubt the reality of the calamity that has fallen upon the country, a calamity which unhappily threatens to become ere long still more disastrous. But it is necessary to remember that the mere collection of enormous numbers of people on relief works in seasons of scarcity is in itself no sufficient proof of serious actual suffering. If relief works are carried on upon wrong principles; if labour is not strictly exacted from all who are physically able to work; if proper supervision is wanting, and people find that they can obtain, almost for the asking, and in return for next to no work at all, wages in money or in grain, there is hardly any limit to the numbers who even in prosperous times may be attracted to them. "When," as Sir George Campbell has observed, "a lax system is established, and everyone down to the merest child gets paid for the merest pretence of work, with probably a good many abuses besides, the thing becomes too attractive, the whole country tends to come on the works, the numbers threaten to be absolutely overwhelming. The people, too, become demoralized; works where real work is exacted, are deserted, and many evils follow." A good illustration of this may be found in the official narrative of the scarcity of 1873-74 in the North-Western Provinces. "In a season of considerable pressure, but not of absolute famine, the relief works in Gorakhpur and Basti were for some weeks daily thronged by more than 200,000 men, women and children, who found an attraction in the light work, in the liberty of going at night to their houses after attending a sort of vast picnic during the day, and in the wages earned at a time when ordinarily they had no employment in the fields, and had to live on their harvest savings. But when the wages were cut down to a mere subsistence allowance, when a full day's labour was insisted on, and when the liberty of living at their homes was threatened, these immense crowds melted away as rapidly as they had collected, and it was found that there was hardly any one who really stood in need of relief." The Governor General in Council does not assert that a

similar condition of things now exists in any of the districts of Madras or Bombay, but the matter is one which requires the most careful observation.

4. The general principles on which operations for the relief of famine in India should be conducted, have been established beyond question by past experience. When, as may easily happen, at the commencement of a period of distress, it is a matter of doubt whether serious scarcity is actually threatening a tract of country, it may be desirable, in the first instance, to open, as a tentative measure, small and well supervised local works. The Government may thus avoid the risk of finding itself committed to serious expenditure on large public works which there was no immediate necessity for undertaking. It was for reasons of this kind that the Government of India, at the commencement of the present scarcity, and while still in doubt regarding the extent to which relief operations might ultimately become necessary, thought it right, both in the Madras and Bombay Presidencies, to encourage, in the first instance, the organization of works of a local character in preference to those of greater magnitude. But when it becomes no longer a matter of doubt that serious scarcity is impending, and that relief will have to be provided upon an extensive scale, the great difficulty of insuring adequate supervision for numerous scattered works renders it necessary to resort to large works on which large gangs of labourers can be employed, and on which adequate labour tests can be exacted. As soon, therefore, as it is clear that the Government will have to undertake serious measures for the relief of scarcity, no time should be lost in giving to the people, to the greatest extent practicable, the means of employment on large public works. Such works supply the means of subsistence to the able-bodied poor; they prevent, instead of merely relieving, distress.

5. In choosing such works it is obviously of great importance that those selected shall be of a permanently useful and remunerative character; for it is in the last degree unsatisfactory that when the necessity for employing great multitudes of people is forced upon the Government, their labour, which might have been devoted to works which would have conferred lasting benefit on the country, should be thrown away. The works should also be such as are calculated to absorb in comparison with their entire cost a sufficient proportion of labour during the anticipated period of famine. They need not always be in the distressed districts, or near the homes of the people who require relief. When railways or other thoroughly good means of communication are available, it may sometimes be easier and wiser to carry the people to the works and to their food, than to carry the food to the people. Temporary migration from their homes has always, in times of scarcity, been the natural and one of the best remedies to which the people have had recourse, and the organization of public works in places where food is plentiful, and to which access is not difficult from the distressed districts, may in some cases be more useful than works at places where the supply of food is already insufficient. No apprehension need be felt that the people will not return to their homes when the period of distress has passed away. It will be for you to consider how far these principles are being acted on, and if necessary to recommend to the Local Governments the discontinuance of any works, or system of works, which, in your opinion, cannot be usefully proceeded with.

6. When, by undertaking large public works, employment has been provided for the able-bodied poor, it may still be necessary, even before the pressure of famine has become extreme, to afford means of support to persons who are physically unable to give a full amount of labour in return for the wages they receive. These must either be employed in poor-houses or on roads and other easy work, every effort being made to prevent relief being given to any one who does not really require it. It has often been found a most useful test of actual distress to insist, when charitable relief is necessary, that it shall ordinarily be given in the shape of cooked food.

7. It should be added that when distress becomes extreme, and a state of absolute famine has been reached, that large public works may become insufficient to afford relief to the numbers of people in need of it. At such a time the Government may be driven to set up relief works near the homes of the people on a scale inconsistent with careful supervision or searching tests. Such mea-

sures as may be practicable must then be adopted for reducing to a minimum the inevitable evils that will then arise. The Governor General in Council leaves it to you to communicate to the Local Governments the results of your own experience in regard to this very difficult part of the question.

8. A very satisfactory feature in the course taken by the Bombay Government in dealing with the present famine is their adherence to the principle of non-interference with private trade, which up to the present time they have acted on with marked success. In Madras a different policy has been observed. At an early stage in the scarcity, the Government of Madras contracted through a local firm for a supply of 30,000 tons of grain, to be used as a reserve to meet deficiencies in the local markets. Applications for authority to make further similar purchases have since been received, but have not been sanctioned, the Government of India being of opinion that such purchases are seriously calculated to discourage the operations of private trade, and to increase, instead of diminishing, the difficulty of procuring the supplies which will be necessary to augment the deficient food-supply of the Presidency. Enquiry has been made whether this objection would apply to the Government advertizing for tenders for the supply and delivery of grain in the immediate neighbourhood of certain works on which gangs of labourers are employed at a distance from all local markets. The answer must of course be in the negative. There is no more objection to such purchases than there is to the Government making purchases through the Commissariat for the troops. The objection is to the Government entering into transactions which may excite apprehensions on the part of traders, that the Government are about to take their place, and so to disarrange the bases on which they found their calculations of profit. This objection is especially applicable to purchases of a secret character. In such cases the fact that the Government are in the market is almost certain to become known, and thereupon doubts are raised as to the nature and extent of the transaction, and private trade is paralysed. In regard not only to this but all other matters connected with the management of famines, the general rule should be that the operations of the Government, and the reasons on which those operations are based, shall receive full and complete explanation and publicity.

9. One of your most important duties in connection with the present state of things in the Madras Presidency will be to ascertain how far private trade, if left perfectly unfettered, may be counted on to supply the wants of that Presidency. As at present informed, the Governor General in Council entertains a strong opinion that the supply of that Presidency from foreign sources, such as Burma, Bengal, &c., should be left altogether to private trade, and that the intention of the Government so to act should be widely made known, together with full and frequent information regarding the prices of food-grains and other articles of consumption in the distressed and other districts. It is possible, however, that in certain localities at a distance from the lines of Railway and from large markets, it may be requisite for the Government to intervene by making purchases at the nearest local depôt to which the trade will convey the grain. In such cases, where the local trade, from whatever cause, is not active, the direct intervention of the Government may probably tend rather to facilitate than to discourage the importation of grain, by affording confidence to the trade that importations will find a certain purchaser. Finally, it must not be overlooked that there is a great advantage in paying labourers on relief works in money, wherever and so long as this mode of relief is practicable.

10. The Governor General in Council would have hoped that it was hardly necessary to impress upon local officers the importance of exercising no interference of any kind with the object of reducing the price of food; but cases have come to his notice which show that a warning on this point may not be uncalled for. It is obvious that, especially in a time of scarcity, nothing could be more mischievous than such interference, and that high prices, by reducing consumption and encouraging the importation of fresh supplies of food, are not only necessary but highly beneficial.

11. Another matter of importance is the question of transport of grain, both on the Railways and to parts of the country with which the existing means of communication are insufficient, as well as of providing additional facilities for landing it at the ports. These matters, the Government of India

have reason to believe, have not been at all overlooked by the Local Governments, but it is probable that your experience will enable you to offer valuable suggestions on the subject.

12. There is one other subject to which the Governor General in Council thinks it desirable to refer, not because it is one with which you will have at present in any way to deal, but because he wishes to place you generally in possession of the views which are held by the Government of India on all the more serious questions connected with the treatment of Indian famines.

You will observe that His Excellency in Council, in my letter to the Government of Bombay, No. 5A., dated the 5th instant, has laid down the principle that if any great irrigation works or other works of local and provincial importance, involving heavy future responsibilities for their completion and maintenance, be undertaken, certain rules will be held applicable, which will hereafter be prescribed, in regard to the enforcement of provincial responsibility for meeting the charges for extraordinary public works. This is not a convenient time for entering into a full discussion of these questions, but His Excellency in Council desires to take the present opportunity of declaring his opinion, not only that the main portion of the charges incurred on public works which protect the people against famine, and which add greatly to their wealth, should be borne by the people protected and benefited, and not by the general tax-payer, but also that every province ought, so far as may be practicable, to be held responsible for meeting the cost of the famines from which it may suffer. The Governor General in Council believes that until these principles are enforced, the only real security for wise and economical management will be wanting. When Local Governments and local officers understand that the inevitable consequence of unnecessary expenditure will be the imposition of heavy burdens upon their own people, and not upon those of other provinces, a powerful and most useful check upon extravagance will have been established. On this subject the opinions of Her Majesty's Secretary of State for India have been expressed in a passage which may properly be quoted here*:—

"There is a further point, though not one to fall within the scope of such an enquiry as that which you have directed to be made, which should, in my opinion, be carefully considered by Your Excellency's Government before the questions that arise in connexion with the occurrences of 1873-74 can be regarded as fairly met. I refer to the proper incidence of the charges that are necessarily incurred in providing for the requirements of the population of a district in a period of drought. However plain may be the primary obligation on the State to do all that is requisite and possible towards preserving the lives of the people under such circumstances, it would be most unwise to overlook the great danger of tacitly accepting, if not the doctrine, at least the practice, of making the general revenues bear the whole burden of meeting all local difficulties or of relieving all local distress, and of supplying the needful funds by borrowing in a shape that establishes a permanent charge on the general revenues for all future time. In Bengal, where (as the Lieutenant-Governor observes in reference to the objections of the Government in relation to emigration) the beneficial interest of the Government in the land is limited by the permament settlement, these considerations are of special and more pressing application.

"The question which is thus raised, of how to make local resources aid in meeting local wants, is no doubt one of great difficulty and complexity, particularly in a country like India. But the difficulty of providing any satisfactory solution of it should not be allowed to obscure the perception of its vital importance to the future well-being of the country, as well as of the troubles to the Government and the demoralization of the people which must necessarily result from postponing too long the introduction of some system under which shall be suitably recognised the undoubted responsibility which rests on the people themselves to provide for their own support and well-being. The duty of the State does not extend further than to see that the needful means are supplied for giving effect to this principle, and for distributing the local burdens arising from its practical application in the manner which shall be most equitable and least onerous to those who have to bear them."

The manner in which these principles shall be carried into practical effect is under the consideration of the Government. It is sufficient at present to say that the Governor General in Council is of opinion that they ought to be kept in view in connection with the present scarcity, and that a considerable portion, if not the whole, of the permanent charges which relief operations now in progress may entail ought to be borne by the Presidencies in which the expenditure is being incurred.

* Despatch from Secretary of State to Government of India, No. 59 (Revenue), dated 25th November 1875.

13. The above are the only observations that the Government of India deem it at present necessary to place on record in connection with the onerous and delicate duty which you have undertaken; and they have been made, not so much with the view of advising you on a subject which you have probably studied more thoroughly than any other public officer in India, as for the purpose of furnishing you with a statement of the views of the Government of India, to which you can refer in your communications with the Local Governments. I am directed, in conclusion, to convey to you the cordial thanks of the Governor General in Council for the promptitude with which on this, as on other occasions, you have responded to the call made upon you.

No. 2, dated the 12th January 1877.

From the Government of India, to Her Majesty's Secretary of State for India.

In our Despatch of the 5th instant, and the telegram of the same date, we reported that, after personal conference with the Governors of Madras and Bombay, we deemed it necessary, in view of the rapidly increasing numbers on the relief works, the doubtful expediency of the policy of importing grain favoured by the Madras Government, and the heavy estimates of relief expenditure received, to depute Sir Richard Temple on a special mission to the distressed districts. Sir Richard Temple started from Delhi for Bombay on the following day, accompanied by Mr. C. E. Bernard as Secretary.

2. Our weekly Despatches, together with those forwarded by the Governments of Bombay and Madras, will have conveyed to Your Lordship in detail all the information regarding the famine which is at present in our possession. This information is not, in some respects, as complete as could be desired, and will not be materially supplemented until the receipt of the detailed accounts of the condition of the distressed districts, which were called for in our letter of the 30th November last, and which will not be due until the 15th instant. These accounts are to be distinct for each taluka (or sub-division of a district), shewing fully its condition and prospects, the measures undertaken and required, and the probable number of persons for whom relief must be provided at successive periods up to the next year's harvest. In the meantime we may submit the following brief review.

3. About the middle of August the scantiness of the rainfall in certain Collectorates of the Deccan and Southern Mahratta Country excited some apprehension, and early in September the necessity for relief in portions of the Poona district, together with the existence of distress in the adjacent districts of Ahmednagar and Sholapur, were brought to the notice of the Government of India, but it was not until the latter part of October that the hopes which had been entertained of a fall of rain sufficient to save portions of the withering crops and to enable the *rabi* sowings to be begun were dissipated, and that serious and extended distress was recognized as inevitable.

Bombay.

4. It was soon apparent that the area which was to a greater or less degree affected comprised Khandesh and eight districts of the Bombay Deccan, as specified in the margin, with a population of eight millions, and a revenue, from land and excise, of a million and a half. Moreover, the affected districts

Districts.	Area.	Population.	Land Revenue realizable by Government in 1874-75?	Excise Revenue.
	Sq. M.		Rs	Rs.
Khandesh	10,162	1,028,642	30,21,890	2,13,605
Násik	8,140	734,586	11,67,169	65,824
Ahmednagar	6,647	773,938	13,30,602	22,745
Poona	5,099	907,235	12,83,771	1,59,962
Sholapur	3,925	662,986	10,44,010	46,801
Kaládgi	5,695	816,037	12,18,256	1,82,643
Satara	5,378	1,116,050	16,53,126	27,320
Belgaum	4,591	938,750	12,59,977	1,27,455
Dharwar	4,564	988,037	19,60,635	2,20,366
Total ...	54,203	7,966,061	1,39,39,446	10,16,821

enclosed Native States under our political control, and in some instances under our management, containing a population of nearly two millions more.

5. The failure of crops has of course varied greatly throughout this large tract, and we have not as yet any precise statistics on the subject; but according to returns received in November, the failure was almost entire in 21 out of 91 talukas (or sub-divisions of districts), it amounted to half but less than the whole in 59 more, and was under half in 11 only. Taking the districts by name, in Sholapur the failure was complete, in Kaladgi very nearly so, Dharwar came next and not far behind these; then Belgaum and Poona. Ahmednagar had talukas both well and ill off. In Khandeish and Nasik the loss was believed to be about one-half, and Satara on the whole had suffered least of all. These estimates were extremely rough, and have in some instances been since modified for the better. Regarding the Native States we have no detailed information, but they are believed to be in much the same condition as the adjacent British districts.

6. Recently we received accounts of distress in certain parts of the Colaba and Ratnagiri districts, which are on the coast below the Ghâts, but we have every hope that it will be confined in area and moderate in severity.

7. The relief which has as yet been afforded has been principally in the form of minor works, intended not to draw large bodies of people away from their homes, as we consider such to be the best form of relief at the commencement of a scarcity, before its limits have been fully ascertained. In October last we informed the Government of Bombay that we did not consider that sufficient grounds then existed to justify the commencement of the Dhond and Manmar Railway, which they desired, or of other works involving heavy expenditure after the necessity for relief had ceased. More recently however the ascertained importance of the scarcity, together with the representations of the Bombay Government that minor works were in some districts becoming exhausted, have induced us to approve of the commencement of large projects, on the understanding that any excess of expenditure over relief requirements will be borne by provincial funds. As regards the grain trade, we have supported the determination of the Bombay Government to leave the trade entirely free, the result of which is that supplies have poured into the distressed districts from all quarters, and are offered to an extent in excess of the carrying powers of the railways, while prices have been considerably lowered in consequence. By a fortunate coincidence, the harvests in other parts of India, except Madras, have been excellent.

8. The Bombay Government have placed a sum of Rs. 25,000 at the disposal of each of the Collectors of the most distressed districts for the purpose of charitable relief to the aged, infirm and others unable to work; but Government assistance of this kind has not as yet been much needed, partly in consequence of the very liberal efforts which have been made by private individuals and public subscription.

9. The want of rain having very materially affected the sources of water-supply, the condition of the cattle, which are very numerous, nearly equalling the population in the affected districts, caused from an early period much anxiety, and many thousand head are reported to have perished. The Government forest reserves have however been thrown open for grazing, under as few restrictions as possible; arrangements have been made for sending the cattle to them from all quarters, under certificates from the several Mamlutdars, and the privilege has been availed of to an extent which affords reason to hope that a large proportion of the more valuable cattle at least will be saved.

10. According to the latest returns which are available, the number of persons on the relief works was about 287,000, and the famine expenditure, exclusive of about six lakhs borne by Provincial, Local, and Municipal Funds, amounted to Rs. 12,15,359. The total loss of revenue and relief expenditure is estimated by the Local Government at two crores and six lakhs of rupees.

	1876-77.	1877-78.	Total.
	Lakhs.	Lakhs.	Lakhs.
Loss of revenue ...	46	20	66
Relief expenditure ...	54	86	140
Total ...	100	106	206

Madras.

11. The south-west monsoon having been but scanty in the Ceded Districts of the Madras Presidency (Bellary and Cuddapa) and in Kurnool, distress appeared there in August last, and a few relief works were set on foot, as also the distribution of food to the aged and others unable to work. To this failure of rain was gradually added that of the north-east monsoon also, which, it had been hoped, might have saved a portion of the fast withering crops, and facilitated larger sowings than usual of the later crops usually produced under its influence. The condition of these three districts, which had already, it may be remarked, suffered from two previous bad seasons, thus became, by the end of October, extremely critical.

12. The failure of the north-east monsoon above alluded to has also extended to a large portion of the rest of the Madras Presidency. In some quarters the failure has been complete, in others only partial, and although rain has very lately fallen to a limited extent in some of the southern districts, severe distress has overtaken large masses of the population.

13. Two tracts are thus affected. The first, consisting of the Ceded Districts and Kurnool, is compact and well defined, and the distress is far more severe in it than elsewhere; the second comprises nine districts, within which the distress depends upon the varying local failures of the north-east monsoon, regarding which no details are available sufficient to enable the population actually affected to be stated. The general statistics of the districts are given in the margin. Only eight districts in the whole Madras Presidency are thus as yet free from actual famine; but even among these, a certain amount of distress, accompanied by high prices, has appeared in South Arcot, Tinnevelly and Malabar, and causes apprehension regarding the future.

Districts.	Area in square miles.	Population.	Land Revenue.	Excise on Spirits and Drugs.
			Rs.	Rs.
Bellary	11,007	1,668,006	23,43,386	6,89,841
Kurnool	7,358	959,640	14,27,653	3,31,272
Cuddapah	8,367	1,351,194	17,71,726	2,07,108
Total first tract ...	26,732	3,978,840	55,42,765	12,28,221
Kistna	8,036	1,452,374	38,46,936	1,64,585
Nellore	8,462	1,376,811	24,73,598	89,773
Chingleput	2,753	938 184	16,32,688	1,57,129
North Arcot	7,139	2,015,278	26,91,778	3,15,342
Salem	7,483	1,966,995	21,88,827	3,06,113
Madura	9,502	2,266,615	19,24,196	1,37,974
Coimbatore	7,432	1,763,274	25,01,180	2,80,718
Trichinopoly	3,515	1,200,408	15,54,787	1,49,363
Tanjore	3,654	1,973,731	39,89,490	4,94,555
Total second tract ...	57,976	14,953,670	2,17,03,480	20,95,582
Grand total ...	84,708	18,932,510	2,72,46,245	33,23,803

Ganjam. Vizagapatam. Godavery. South Arcot. Tinnevelly. Nilgiris. Malabar. South Canara.

14. The distress in the Ceded Districts and Kurnool far exceeds, as has been said above, that elsewhere. Taking the remaining districts in rough order, Nellore and Chingleput appear to come first, North Arcot and Salem next, followed by Coimbatore and Madura, while Tanjore, Trichinopoly and Kistna are comparatively well off.

15. Speaking in general terms, the Madras Government has followed the policy of previous famines in that Presidency by commencing with relief works at the head-quarters of taluks and districts, and giving charitable relief freely, and then extending its operations to minor works in the villages. At the end of October that Government also requested permission to commence the earthwork of the railway from Bellary to Guduk in the Dharwar District of the Bombay Presidency, but we withheld our sanction on the same grounds as those which led us to a similar course in the case of the proposed Dhond and Manmar line. The Madras Government then commenced the remaining eighty-five miles of the east coast canal, the conversion of the Arconum-Conjeveram Railway to the metre gauge, and a canal in the town of Madras.

16. The Madras Government likewise purchased, at the beginning of November, 30,000 tons of grain, which it would appear was intended for use either in payment of wages on relief works, or for sale to the general public, as circumstances might be. We lost no time in intimating our disapproval of this transaction, which was effected without previous communication with the Government of India, and have since negatived two proposals for further purchases, and emphatically expressed our desire that no interference with the operations of trade should be attempted.

17. The number of persons on the relief works, according to the latest accounts, was 1,125,117, to which must be added 119,363 persons receiving charitable relief almost entirely at the expense of the State. The relief expenditure already sanctioned by the Madras Government up to the 30th ultimo was Rs. 55,69,059. The Local Government, in their more recent reports, estimate the total relief expenditure which will be required up to the end of September 1877 at Rs. 3,41,05,875, and the loss of revenue at Rs. 1,17,00,000, making, with extra establishments, a probable total of above four and a half millions sterling.

Mysore and Coorg.

18. The province of Mysore, like portions of Madras, is undergoing a second year of scarcity, and the failure of both monsoons during the current year has affected the whole province except a few taluks to the westward, the crops dependent on irrigation from tanks suffering almost as much as the others. The absence of water has also destroyed the pasturage for cattle, the mortality of which, in one district alone, in one month, has been estimated at 11,400 head. The area of Mysore is 27,346 square miles, the population 5,055,000, and the land, forest and excise revenue Rs. 70,39,819. Relief works were started at an early stage, and in addition to extensive transfers in the budget of the year, special grants, amounting to three lakhs of rupees, have at various times been sanctioned. Expenditure in Mysore does not, of course, fall on imperial revenues. The Chief Commissioner has carefully abstained from all interference with private trade in grain.

In the adjoining district of Coorg, which is British Territory, no failure of crops has as yet occurred sufficient to warrant the commencement of relief operations.

Hyderabad.

19. The western and southern portions of the territories of His Highness the Nizam have not escaped the effects of the deficient monsoon. In October last we were urged through the Resident to reduce the freight of grain carried by railway to Hyderabad districts, but did not sanction the measure, as it was deemed by both the Bombay and Madras Governments to be unnecessary. The Nizam's Government has since started relief works, which suffice, as far as we are aware, to meet the exigencies of the case.

Summary.

20. It will have been seen from the above brief sketch that the entire area of British Territory affected by scarcity is 138,911 square miles, the population 26,898,571, and the realizable annual revenue Rs. 4,54,26,315. The estimated loss of revenue is 183 lakhs, and the estimated relief charges 481 lakhs, or a total, including establishment and various unestimated charges, of probably not less than six and a half millions sterling. The number of persons in receipt of relief is 1,531,480.

Sir Richard Temple's mission.

21. The prospect is thus serious in the extreme. While the necessity of preventing, as far as practicable, death by starvation is paramount, the financial embarrassment which must in any case arise will be most difficult to overcome, and any departure from the most rigid economy, or from the principles in dealing with famine which experience has confirmed as sound, may aggravate it to a degree which cannot be estimated. These considerations, together with doubts which

we entertained regarding the policy of the Madras Government respecting the purchase of grain and the sufficiency of existing restrictions on employment on the works in both Madras and Bombay, have, as already stated, induced us, after personal conference at Delhi with the Governors of the two Presidencies, to depute Sir Richard Temple on a special mission to visit the distressed districts, confer with the local Governments, and offer to them such suggestions as he may deem the occasion demands. We have every hope that, under his advice, and by the light of the complete review and forecast above referred to as shortly to be received, the operations may be confined within limits commensurate with the occasion, and that both loss of life and an extravagant outlay may be avoided.

ORDER.—Ordered, that the above papers be published as a *Gazette of India Extraordinary*.

T. C. HOPE,
Addl. Secy. to the Govt. of India.

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FINANCIAL STATEMENT FOR 1877-78.

PART I.—SPEECH IN THE LEGISLATIVE COUNCIL OF HIS EXCELLENCY THE VICEROY, BY THE HONORABLE SIR JOHN STRACHEY, K.C.S.I.

MARCH 15TH, 1877.

Preliminary.

MY LORD; For the first time since 1872, a Statement regarding the Finances of British India is made before the public, and in this Council. During the last five years, no legislation has been proposed in connection with the Budget, and, under those circumstances, no Statement could have been made in the Legislative Council, without infringing the provisions of the Act of Parliament by which the Council was constituted: the Government is glad, on the present occasion, to be able to return to the practice which formerly prevailed.

I do not, however, propose to submit to the Council the whole of the details which explain the Accounts of the Revenue and Expenditure and Receipts and Disbursements of 1875-76, and the Regular Estimates for 1876-77. They are more than usually voluminous; and it seemed desirable to keep them separate from my present Statement. The first year for which your Excellency as Viceroy is financially responsible, is now about to commence, and this is the first opportunity which I have myself had, since I assumed my present office, of stating the opinions which I have formed: the time is especially fitting for making the examination of our existing financial position, and of the operations of the past and the present year, as complete as possible: but I could not do this without entering into a mass of details, which, however valuable and interesting they may be, would be out of place, and sometimes hardly intelligible, in a statement made orally to this Council. I have, therefore, thrown them into a separate Minute: it has been published to-day, and it is now in the hands of the Members of the Council: in it I have endeavoured to give the fullest information in my power regarding the Accounts and Estimates of the two years which are now about to close. I propose to give to the Council a brief summary only of some of the main results which that Minute shows, and to confine myself now for the most part to an explanation of the Estimates of the coming year; to a statement of the facts necessary for a clear understanding of our present position; to noticing some of the more important principles by which the Government of your Excellency proposes to direct its future financial policy; and to describing the measures by which we hope to improve the existing condition of affairs: some of those measures will require the sanction of this Council.

CHANGES IN THE FORM OF THE ACCOUNTS.

I must, before going further, quote from my Minute an explanation which is there given at greater length. "The Abstract Statements of the Accounts of the Revenue and Expenditure of 1875-76 and the Estimates of 1876-77 and 1877-78 differ in form from the Statements prepared during the last seven years.

"From the 1st April 1871, the Government of Lord Mayo entrusted to the management of the Local Governments and Administrations certain important

Preliminary.

services, with Consolidated Allotments from the Imperial Revenues for their support, and the revenues connected with these services were, at the same time, surrendered for provincial uses. It was thought inexpedient to retain in the Imperial Accounts and Estimates the details of the revenue and expenditure thus made over to the Local Governments: accordingly, since 1871-72, these transferred Heads of Revenue and Expenditure have been excluded from the General Estimates and Accounts, the whole transactions respecting them being represented there by a single net entry under the head *Allotments for Provincial Services*. The details thus omitted have been published in subsidiary Statements, and each Local Government has given due publicity to its own Provincial Estimates and Accounts.

"The Government of India now sees reason to regret the method then employed, because, by this method, figures of interest and importance are relegated to subordinate Statements; the General Accounts and Estimates become incomplete; and the character of the arrangements between the Imperial and the Local Governments is not truly represented, nor their operation sufficiently illustrated. The Government of India has, therefore, resolved to re-introduce into the Imperial Accounts and Estimates all the details omitted therefrom since 1871-72. Thus, henceforth, any one desiring to ascertain the gross revenue and expenditure of British India, under the several recognised Heads of Account, will be able to do so from the General Accounts and Estimates. It seems to me that this will be an advantage, and that the re-combination of the Accounts of the Imperial and Provincial Governments into one Imperial Account, will make the whole more intelligible, and enable both the Government of India to control the Revenue and Expenditure, and the public to criticise the Accounts, more effectually than heretofore."

I have one more preliminary remark to make. I ask the attention of the Council to the observations made in my Minute, regarding the use of Pounds Sterling in our Accounts and Estimates: for the reasons there given, I came to the conclusion that it was better to state all the figures in Rupees; and I have done this in my detailed review of the Accounts of 1875-76 and of the Regular Estimates of 1876-77. In spite of the apparent inconsistency, I shall to-day usually speak to the Council of Pounds sterling, on the old assumption that the English pound is equal to ten rupees, because I shall thus make myself more readily intelligible to my audience; and, as the figures which I shall have to give will, for the most part, represent estimates only, exact accuracy is less important: it must, however, always be borne in mind that, when I speak of Pounds sterling, I am really using a conventional term of account, and that the Pound sterling of my Statement means ten rupees, a very different thing from the English pound.

Accounts, 1875-76.

The Accounts of 1875-76 show a surplus on the ordinary account of £1,668,882. If the extraordinary expenditure on Public Works be included, this surplus becomes a deficit of £2,601,740.

Regular Estimates, 1876-77.

In 1876-77 a deficit is expected on the ordinary account of £2,278,300. Including the extraordinary expenditure, the deficit is £6,078,300. The result on the ordinary account is worse than the original estimate by £2,422,300. This is due to the famine in Madras and Bombay, which is now expected to cost in loss of revenue and in direct expenditure £5,250,000. Of this sum, £3,100,000 belong to 1876-77, and £2,150,000 to 1877-78. If there had been no famine, there would be a surplus on the ordinary account of £624,800 which exceeds the original estimate by £480,800.

Estimates, 1877-78.

I come now to the Estimates of *Revenue and Expenditure* in 1877-78, and the *Ways and Means* whereby it is proposed to make provision for the service of the year.

General Estimates of Revenue and Expenditure and Receipts and Disbursements, 1877-78.

We estimate that the Revenues of 1877-78 will amount to £52,192,700, and the Expenditure to £56,442,400. Thus we expect a Deficit in 1877-78 of £4,249,700, of which, however, £3,628,000 has been granted for the construction of Extraordinary Public Works. Excluding this outlay, we expect a Deficit on the Ordinary Account of £621,700. We estimate the cost of the Famine in 1877-78 at £2,150,000.

Effect of Famine on Estimates, 1877-78.

Thus it appears, *primâ facie*, that, but for the Famine, our Estimates would show a Surplus of £1,528,300. I am obliged, however, at once to dispel the flattering impression that might be gathered from this statement, by the observation that one of the indirect consequences of the Famine is the reduction of the entry under the adjusting Head *Loss by Exchange* by an amount which I cannot estimate at less than £700,000: there would, however, be a set-off to this, if there were no Famine, in a lower charge for interest by perhaps £100,000: thus I am led to think that, but for the Famine, our Estimates, as they stand, would have shown a surplus of £928,300. But this really represents the facts in too favorable a light, because the Expenditure on Extraordinary Public Works includes a sum of £1,206,300 to be spent on works which will not be remunerative, and which, as I shall explain further on, ought, therefore, in my opinion, to be looked on as ordinary: if these charges had been so treated, the estimated Surplus of £928,300 would have been converted into a Deficit of £278,028. It will also be seen, immediately, that I am estimating Opium at net £250,000 more than it was estimated for the current year; and also that the causes of apprehension in regard to the value of silver are, unhappily, by no means removed.

Still, making all allowances, these general results are decidedly encouraging: the expenditure on unremunerative public works has never been hitherto treated as an Ordinary Charge; and it is highly satisfactory that the Estimates of the year should give us reason to believe that our income will not only cover the whole of the charges which have always been classed as Ordinary, but will go far towards paying for those great public works which, although required for the service of the Empire, are not expected to be directly profitable.

The Famine is, altogether, so serious a disturbing cause, that it seems hardly worth while to make general comparisons; however, I place together the Revenue and Expenditure of the three years as follows:—

	Revenues.	Expenditure.	Deficit.		Excluding Public Works Extraordinary.	Excluding Public Works Extraordinary and Famine.
	£	£	£		£	£
						Surplus.
1875-76	52,515,789	55,117,536	2,601,747	Surplus	1,668,882	2,177,437
1876-77. Regular Estimate	51,206,700	57,285,000	6,078,300	Deficit	2,278,300	624,800
1877-78, First Estimate...	52,192,700	56,442,400	4,249,700	Deficit	621,700	928,300

Land Revenue.

I. Land Revenue, shows an improvement, compared with the Regular Estimates, of £934,500, but is still below the Original Estimates of 1876-77 by £441,400. Elsewhere than in *Madras* and *Bombay*, there is a small improvement of £3,300 compared with last year's Estimates: the loss, therefore, is entirely caused by the Famine, which is expected by the Local Governments to affect their Land Revenue adversely, in 1877-78, by £495,100.

Tributes.

II. Tributes.—Compared with the present year's Original Estimates, the decrease is only £2,100, which is owing to the postponement of the Nawanagar Tribute in Bombay on account of the Famine.

Forests.

III. Forest, shows a decrease of Revenue, compared with the Regular Estimates, of £32,800, and a decrease of charge amounting to £20,600: the decrease of Net Revenue is thus £12,200. It occurs in *Burmah*, where we cannot depend upon a continuance of the high Revenue of the present year.

Excise.

IV. Excise.—The increase of Revenue (£74,200) is due partly to the arrangements made with Local Governments, which I shall presently describe, whereby an increase of £15,000 is guaranteed to the Imperial Treasury in *Bengal*, the *North-Western Provinces*, and *Oudh*; but chiefly to the expectation that the *Excise* Revenue will not suffer in 1877-78 from the Famine so much as it is expected to suffer in 1876-77: the increase compared with the Original Estimates of 1876-77 is only £36,700; which is not nearly equal to a full year's normal growth of the revenue under this Head.

Customs.

VI. Customs.—The small increase of £17,700 is in *Burmah*, where the Revenue is, this year, unusually low, owing to the export of rice being late.

Salt.

VII. Salt.—Following the usual custom, I do not propose to estimate any increase of *Salt* Revenue.

Opium.

VIII. Opium.—The recent Estimates under this important Head have been for net round sums, as follows:—

	Millions.
1874-75	5½
1875-76	5¼
1876-77	6

The details of the Estimates have, in fact, been adjusted to the total Net Estimate, instead of the Estimate being based upon the details. The actual Net Revenue obtained in past years seems to me to justify the expectation that

Estimates, 1877-78. *Revenue.*

we shall receive at least (net) £6,250,000 in 1877-78; and I have entered this sum. I am aware that it is important to those engaged in the trade to know the number of chests of Bengal Opium that the Government intends to sell in future; and that, at the present moment, a peculiar interest attaches to the intentions of the Government, owing to the large reserve of 35,315* chests which it already possesses, with the prospect of another good crop this year.

OPIUM RESERVE.

This reserve has been accumulated in the pursuit of a policy long ago deliberately adopted, the object of which was to enable the Government to make the supply of Bengal Opium to the market as far as possible steady, and independent of calamities of season. The great crop of 1876 has placed the Government in a position to obtain this object earlier than there was any reason to expect; and we have been, for some time past, engaged upon an enquiry what number of chests we can, hereafter, offer to the market without risk of failure and without objection in other ways. It has been, once again, satisfactorily ascertained by the independent testimony of the Revenue Officers, that the cultivation of the poppy is a source of prosperity to the agricultural population in Behar and the North-Western Provinces, and is popular with them, and that it does not tend to any objectionable consumption of the drug by them. But the enquiries necessary to enable the Government of India to determine its permanent policy are not quite completed; and I regret that I can say, at present, nothing more definite than that, in the calendar year 1878, the Government will certainly not sell less than 50,000, or more than 54,000 chests of Bengal opium. We shall not leave the market in uncertainty as to our intentions for a day longer than is absolutely necessary.

STAMPS

IX. Stamps.—It is usual to estimate no increase under this Head, although a normal increase is to be expected: the increase of £32,400 which I enter to-day, is the consequence of the engagements with the Local Governments of *Bengal*, the *North-Western Provinces*, and *Oudh*, which I shall presently describe, and is guaranteed to the Imperial Treasury by these Governments.

MINT.

X. Mint.—The net revenue from the Mints is estimated to be about the same as this year, the decreased receipts being counterbalanced by decreased charges.

POST OFFICE.

XI. Post Office shows an increase of Revenue, £22,100, and a rather larger increase of charge, £30,600: this occurs in England, and is chiefly for the manufacture of the half-anna envelopes, the popularity of which is so great that we have been unable to supply the demand for them: the Government of India was aware that the concession of a labelled envelope for the price of the label only was a substantial reduction of the rate of postage: we may be well satisfied with the complete success of this measure, which will, I doubt not, eventually affect the revenue favorably.

TELEGRAPH.

XII. Telegraph.—The provision for this Service is £180,000 net: the Telegraph Department would have been very glad of a larger grant; but we could not, under the circumstances of the year, supply it: it has been arranged, however, that if the Revenue should, as is not improbable, grow during the year, the excess may be added to the grant for expenditure; in other words, we have made a quasi-contract with the Department for a net grant of £180,000 for the year.

GAIN BY EXCHANGE.

XIX. Gain by Exchange.—The decrease of £74,800 follows the decrease in the Revenue from the *Guaranteed Railways*, which I shall presently explain.

MISCELLANEOUS.

XX. Miscellaneous.—The Regular Estimate contains an item of £49,500 for premium on Government shares sold to the Bank of Bengal: this will not be repeated; sundry exceptional receipts in England also are not expected to recur: hence the decrease of £97,900 under this Head.

PUBLIC WORKS ORDINARY RECEIPTS.

Public Works Ordinary Receipts.—Of the increase (£65,400) £18,000 is in consequence of a contract to supply the Great Indian Peninsula Railway with 36,000 tons of coal from the Warora Colliery at Rs. 5 a ton. The rest is in Bombay, the Government of which Presidency has reserved for Provincial purposes certain tolls on roads estimated to yield £53,348, which have hitherto been recorded under Local Funds.

IRRIGATION REVENUE.

Irrigation.—The improvement of £50,900 under *Irrigation* is the ordinary growth of this source of Revenue.

		Chests.
* Behar ...	...	18,087
Bhurtee ...	...	17,228
TOTAL ...	...	35,315

Estimates, 1877-78. *Revenue.*

PROVINCIAL CONTRIBUTIONS.

Provincial Contributions are expected to produce £415,100: of this, the sum of £374,700 is contributions from the Governments of Bengal (£274,700) and the North-Western Provinces (£100,000) in discharge of the responsibility which, as I shall presently explain, the Government of India is about to impose upon them for the interest on the capital expended on Extraordinary Public Works: the Balance (£40,400) is the estimated draft upon separate provincial Resources in support of the Services administered by the Local Governments.

BALANCES OF LOCAL GOVERNMENTS.

Including a further grant of £25,000 to Burmah, *the Balances of the Local Governments* are expected to increase by the net sum of £69,100.

Expenditure.

RETRENCHMENT FROM LOCAL GOVERNMENTS.

On the EXPENDITURE Side, the sum of £101,700 has been retrenched, as will presently be explained, from the Grants to be made over to the Governments of *Bengal*, the *North-Western Provinces*, and *Oudh*, for the additional Services to be entrusted to them. This retrenchment has been *pro formâ* thus shown in the Estimates; but the Local Government may redistribute it at their discretion—

	Bengal.	N. W. Provinces.	Oudh.	TOTAL.
	£	£	£	£
Land Revenue	...	5,000	...	5,000
Law and Justice ...	10,000	5,000	...	15,000
Police	20,000	...	...	20,000
Education	4,000	...	...	4,000
Stationery and Printing	5,000	...	...	5,000
Public Works ...	20,000	9,400	...	29,400
Balances Decreased ...	...	16,000	7,300	23,300
TOTAL ...	59,000	35,400	7,300	101,700

INTEREST ON DEBT.

Interest shows an increase of £235,800, which will be explained by the proposed loan operations of the year.

INTEREST, OTHER ACCOUNTS.

The satisfactory decrease of £26,500 under *Interest on other Accounts*, is owing to the relief obtained by the Treasury from the charge for interest upon the Guaranteed Railway Revenue Balances; the Government of India had never admitted the right of the Companies to this interest: Her Majesty's Government have acknowledged the force of the arguments used by the Government of India; and the Railway Companies have acquiesced in the withdrawal of the privilege. The charge was only real when the Companies earned surplus Revenue; in other cases, it went to swell the Net Traffic Earnings made over to the Government of India towards meeting the *Guaranteed Interest*, and so diminished the net charge upon the Revenues for that item; therefore, in its bearing upon the Estimates of the year, this saving must be taken in connection with the estimated charge for *Guaranteed Interest, less Net Traffic Receipts*, which must show some corresponding increase. The measure is, however, calculated to save at least £6,000 a year.

REFUNDS.

3. Refunds and Drawbacks.—The Imperial portion of this Grant is always fixed at £300,000; the increase of £15,000 is the amount necessary to make up this sum.

LAND REVENUE.

4. Land Revenue.—The decrease of £20,600 is owing to the completion of settlements, and the retrenchment of £5,000 in the North-Western Provinces.

SALT.

8. Salt.—The increase of £82,200 is nominal, the decrease in 1876-77 having been casual: it occurs chiefly in *Madras*, to provide for petty construction and repairs omitted this year.

ADMINISTRATION.

14. Administration.—The decrease of £36,000 is estimated in the hope that the expenditure in 1876-77 may prove to have been abnormally high: the amalgamation of Oudh and the North-West Provinces has caused some saving under this Head.

MINOR DEPARTMENTS.

15. Minor Departments.—The excess of £9,500 is for Chinchona operations in Darjeeling.

LAW AND JUSTICE.

16. Law and Justice.—The excess of £37,300 would have been £52,300, but for the retrenchments in Bengal and the North-Western Provinces: the excess is to some extent balanced by excess receipts (£34,400): the remainder is for a large increase to the establishment of Law Officers in Bengal, the result of the recommendations of an influential Committee under the presidency of

Estimates, 1877-78. *Expenditure.*

our colleague Sir Arthur Hobhouse, which recommendations have been approved by the Secretary of State for India.

POLICE. *17. Police.*—The decrease of £22,400 under *Police* is owing to the *pro formâ* exhibition under this Head of part of the retrenchment from the Government of Bengal: that Government may, possibly, effect the retrenchment in some other way.

MARINE. *18. Marine.*—There is a decrease of £21,700, which is partly counterbalanced by a decrease of £6,700 under Receipts.

EDUCATION. *19. Education.*—Including the grant for *Education* from Local Funds (net £274,000) the net expenditure on education is estimated at £913,400.

ECCLESIASTICAL. *20. Ecclesiastical.*—Adding the Grant under this Head in the *Army* Estimates, the total Grant for *Ecclesiastical Services* is £196,600.

MEDICAL. *21. Medical.*—The increase of £6,500 is almost entirely in the Provincial portion of this Grant, and does not, therefore, require explanation: adding the Grants for *Medical Services* in the *Army*, net £324,300, and from Local Funds, net £93,500, the total estimated expenditure under this Head in 1877-78 is £1,016,400.

STATIONERY AND PRINTING. *22. Stationery and Printing.*—The excess of £49,000, notwithstanding the retrenchment of £5,000, is in the Provincial portion of the Grant; it is evident that the expenditure in 1876-77 has been unusually low.

POLITICAL AGENCIES. *23. Political Agencies.*—The expenditure connected with the assumption of the Imperial Title in 1876-77 explains the decrease of £137,100 in 1877-78. In the review of the Regular Estimates for the current year, in my separate Minute, I have shown that the total charges incurred throughout the whole of India on this account, under all heads, will probably not exceed £100,000: the exact net cost of the Delhi Assemblage cannot now be stated, but, according to an estimate lately made, it will be about £50,000: considering the great political importance of the event, I think that this expenditure was very moderate.

SUPERANNUATIONS. *26. Superannuations.*—The excess of £12,200 is for the most part in England, where the payments on account of the Military Funds and of the annuities of Covenanted Civil Servants are still increasing.

LOSS BY EXCHANGE. *27. Loss by Exchange.*—I have already said that the large diminution under this Head is connected with the loan operations of the year. The estimate here is that the Secretary of State will raise 12¼ millions Sterling by Bills for Rs. 13,85,00,000: any one can, of course, calculate that these figures involve an estimate that our Bills will yield 1*s.* 9·23*d.* the rupee; but it is uncertain how much will really be drawn; and the estimate is not intended to indicate that the Government expects that its remittances will be effected at any particular rate. Either by bills, or by borrowing, the Secretary of State must get £16,000,000 for the Home Treasury in 1877-78; and I cannot say, with certainty, how much he will raise by bills and how much by borrowing.

ADJUSTING RATE, 1877-78. The rate for the adjustment of transactions with the Imperial Government and of furlough allowances and family remittances during the year is fixed at 1*s.* 9½*d.*

MISCELLANEOUS. *28. Miscellaneous.*—The expenditure on account of the visit of His Royal Highness the Prince of Wales, which is recorded in the Accounts of 187677, will be absent in 1877-78: this is the chief item of the decrease of £40,100 under this Head: the remainder is in the provincial portion of the Estimates.

FAMINE RELIEF. *Famine Relief*—Is expected to cost £486,000 less in 1877-78 than in 1876-77. I have given in my review of the Regular Estimates for 1876-77, in the Minute now before the Council, details showing the estimated charges for the famine in the current and in the coming year. The gross estimated cost is £3,735,400 in Madras and £1,809,700 in Bombay, making a total of £5,545,100, of which £2,209,100 is loss of revenue and excess cost of army supplies, and £3,336,000 is direct expenditure on measures of relief. Deducting the estimated addition to the earnings of the railways, consequent on the famine, the total estimated net cost of the famine is £5,250,000, of which £3,100,000 will fall on this year, and £2,150,000 on 1877-78.

THE ARMY. *The Army* shows no improvement in 1877-78 as compared with 1876-77; but, on the contrary, an increase of net charge amounting to £49,500. The other items in the Statement which I have explained in the review of the Regular Estimates for 1876-77, in the Minute now before the Council, are,

however, more favorable; and the true net cost of the Army, according to that Statement, will be £145,907 less in 1877-78 than in 1876-77. I have entered at some length in that Minute into the question of Army expenditure, and have shown how extremely serious the question is.

Estimates, 1877-78. *Expenditure.*

PUBLIC WORKS ORDINARY. *Public Works Ordinary.*—The decrease of £70,000, as will be apparent upon reference to the Table given in the review of the Regular Estimates, is partly nominal, and partly in the *Irrigation* Grant.

TOTAL GRANTS FOR PUBLIC WORKS. The entire Grants for expenditure on Public Works in India during 1877-78 aggregate £11,489,774, as follows:—

	At Home.	In India.	Total, converting Pounds into Rupees at the average rate of exchange for the year.
	£	Rs.	Rs.
Public Works Ordinary	102,700	3,86,69,000	3,98,30,139
Less Receipts	18,100	18,14,000	20,18,641
Net ...	84,600	3,68,55,000	3,78,11,498
Net grant from Local Funds ...	...	1,37,57,000	1,37,57,000
Public Works Extraordinary	734,500	2,89,35,000	3,72,39,347
Guaranteed Railways; Current Account; as calculated in my separate Minute	...	1,39,24,964	1,39,24,964
Ditto Capital Expenditure ...	747,200	—12,83,000	71,64,934
Loans to Public Bodies	...	50,00,000	50,00,000
Total			11,48,97,743

STATE RAILWAYS. *State Railways* show a net improvement of £87,600, the Net Revenue of the year being estimated at £191,800, a satisfactory improvement: as I have shown in reviewing the Regular Estimates for 1876-77, the growth of the revenue from these lines is highly encouraging.

LAND AND SUPERVISION. *Land and Supervision.*—Decrease, £13,200: this item must now diminish as the Guaranteed Railways approach completion: but the charge for Supervision alone is upwards of £50,000.

GUARANTEED RAILWAY, &c. INTEREST. The *Guaranteed Interest* payable by the Government is expected to increase by £580,700, and the Gain by Exchange to diminish by £74,300; altogether the Estimate for 1877-78 shows a burden of £610,700 in excess of that of 1876-77. The true burden is, as I have shown in my remarks upon the Regular Estimates, £1,392,496, and the true excess, owing to a more favorable estimate of exchange, only £443,260. Some portion of the decrease of the Net Traffic Earnings is nominal: the half-yearly Accounts of the Railway Companies are made up on the 30th June and 31st December, when any surplus found due to the Companies is paid to them: but the Finance and Revenue Accounts of the Government of India do not, in this respect, follow the contracts, but record the transactions of the financial year: thus the Estimates which I have presented for 1876-77 include all the earnings of the Railways to the 31st March 1877. Moreover, it takes some time to complete and audit the Accounts of the Railway Companies and to send them to England; and the surplus due to the Companies is not paid until they have been examined and accepted there. Thus it happens that the large surplus of £400,000 due to the Railway Companies in respect to the period embraced in our Regular Estimates will not be paid till next year, when it will appear in reduction of the Net Traffic Receipts recorded in the Finance Accounts of that year. The surplus payments recorded in the Finance Accounts in 1876-77 are estimated at £299,400, so that the Estimates of 1877-78 are adversely affected by this item to the extent of £100,600.

I beg to call the special attention of the Council and of the public to the facts and figures regarding these railways which are given in the review of the Regular Estimates for 1876-77 in my separate Minute; I will not repeat them here; but they possess the highest importance and interest; the increase in the traffic, the decrease in the working expenses, and the diminution of the burden imposed on the Revenues of the Empire, are most satisfactory; and I look upon the progress of these Railways as one of the most hopeful and important facts connected with the future of our finances.

Estimates, 1877-78. *Expenditure.*

PUBLIC WORKS EXTRAORDINARY.

The Delhi Assemblage is estimated to have added a sum of £90,000 to the Net Traffic Earnings of 1876-77, and lastly, the chief part of the Famine Traffic will, it is believed, fall into 1876-77.

Public Works Extraordinary.—The Grant is £3,628,0000, of which £128,000 is to cover a payment at Home postponed from 1876-77 to 1877-78: the effective Grant is thus only 3½ millions, of which £2,728,000 is for Railways, and £900,000 for Canals. We are most anxious not to check the progress of these beneficial works, and we shall be glad to grant a little more money in the course of the year, if we find ourselves in a position to do so. Of the present Grant of £3,628,000, £1,206,300 is for expenditure on the *Punjab Northern* and *Indus Valley* State Railways. There will still remain the sum of £1,487,800 to be spent before these Railways, which are not reproductive works (although we hope to reap a small revenue from them) are completed. The programme of State Railway construction operations during the year is as follows:—

	£		£
Rajputana line ...	150,000	Northern Bengal ...	290,300
Western Rajputana ...	100,000	Tirhoot	95,600
Neemuch	196,000	Rangoon	158,500
Holkar	100,000	Punjab Northern ...	272,500
Warda Valley ...	22,700	Indus Valley	933,800
Sindhia	205,400		

I am very glad that the Government is at last able to commence the important work of connecting the lines from Northern India and Rajputana with those of the Bombay Presidency, by Ahmedabad and Neemuch; and I trust that it may be found possible to push the work forward rapidly to completion.

IRRIGATION WORKS.

The total grant for Irrigation Works in 1877-78 is as follows:—

	Grant, 1877-78. £
Ordinary	900,600
Extraordinary	900,000
TOTAL ...	1,800,600

Of the Ordinary grant £143,808 is to be spent on Works, £401,579 on Repairs, £342,292 on Maintenance, Conservancy Establishment, and Establishment for collection of revenue, and the balance on tools and plant and State expenditure on guaranteed Irrigation Works. The Extraordinary expenditure (£900,000) is to be incurred principally on the following projects:—

	£		£
Sirhind Canal ...	140,900	Sone	191,000
Western Jumna ...	74,900	Orissa	63,400
Baree Doab ...	24,800	Midnapore ...	20,500
Swat River ...	30,500	Godavery Deltas ...	28,600
Ganges	80,000	Kistna Deltas ...	14,800
Agra	10,000	Moota Canal ...	31,900
Lower Ganges ...	170,000		

Ways and Means, 1877-78.

I have now to explain the *Ways* and *Means* whereby it is proposed to make provision for the service of the year 1877-78: in doing so, I must invite attention to the Abstract Tables in the right-hand corner at foot of Statements IV, V, and VI, which contain the figures of which I have now to speak.

LIABILITIES.

I have stated that the Expenditure of the year is expected to exceed the Revenue by the sum of £4,249,700; £283,300 must be provided from the remaining Balances of the Military Funds to supply the difference between the subscriptions to the Funds recorded under XVIII, *Receipts in aid of Superannuation Allowances*, and the payments to the beneficiaries of the extinct Funds for which the State is now liable: £500,000 is required for *Loans to Native States and Public Bodies*, such as Municipal Corporations, Port Trusts, and the like: the *Guaranteed Railway Companies* will draw upon us for £618,900.

Ways and Means, 1877-78.

It is expected that the Balances of these Companies in our Treasuries on the 31st March will be only £421,000: it is satisfactory to observe that we now owe the Companies little; and that, in the course of a few months, we shall owe them nothing.

The *Deposit and Remittance Accounts* are estimated to result in the net withdrawal of £470,900 from the Public Treasury.

PUBLIC BALANCES.

Lastly, we want the sum of £823,400 in order to raise our Balances to the lowest amount necessary for carrying on the service of the year. The Government of India is not responsible for the management of the Home Treasury by the Secretary of State in Council; but I remark that the transactions of that Treasury during the year are expected to end in a reduction of the Secretary of State's Balances by £136,900, leaving them at only £1,011,200. With reference to the large transactions of the Home Treasury (aggregating £34,000,000 a year), and to past experience, this amount cannot but be considered moderate.

THEIR PROPER AMOUNT IN INDIA.

The amount of the working balance that the Government of India ought to have at its credit or in its treasuries in India at the beginning of the financial year, has been the subject of frequent discussion: like the balances which any private individual keeps ready at his command, the amount which the Government of India requires must obviously depend upon the sum of its transactions and upon their geographical distribution, and upon various other considerations: if transactions are concentrated in one or two treasuries, a much smaller aggregate working balance will suffice than if they are spread over a multitude of treasuries scattered over vast distances.

The following Statement of the public Receipts and Disbursements since 1869-70 will be useful in an investigation of the proper amount of the working balance of the Government of India:—

Receipts and Disbursements at the Treasuries of the Government of India at Home and in India.

	Receipts.			Disbursements.			Balances at close of the year.		
	England.	India.	Total, assuming £1=Rs. 10.	England.	India.	Total, assuming £1 = Rs. 10.	England.	India.	Total, assuming £1 = Rs. 10.
	£	Rs.	Rs.	£	Rs.	Rs.	£	Rs.	Rs.
1869-70 ...	17,621,822	90,30,62,700	107,92,80,920	17,755,320	86,54,16,230	104,29,69,430	2,692,468	13,94,04,510	16,83,29,340
1870-71 ...	19,473,577	99,89,89,680	119,16,25,450	19,060,068	96,81,06,780	115,87,07,640	3,305,972	16,81,87,430	20,12,47,150
1871-72 ...	15,740,339	118,45,72,750	134,19,76,140	16,225,220	113,27,83,030	129,50,35,230	2,821,091	21,99,77,150	24,81,88,060
1872-73 ...	15,712,672	107,36,30,160	123,07,85,880	15,535,319	110,57,39,380	126,10,92,570	2,998,444	18,78,76,930	21,78,61,370
1873-74 ...	16,121,090	105,08,65,300	121,20,76,200	17,105,896	109,84,07,810	126,94,66,770	3,013,688	14,03,31,420	16,01,70,800
1874-75 ...	17,194,897	108,35,17,120	123,54,66,090	16,412,165	105,20,73,400	121,61,95,050	2,796,370	15,17,78,140	17,97,41,840
1875-76 ...	15,693,341	103,05,46,292	118,74,79,712	17,569,813	101,27,99,495	118,84,97,815	919,899	16,95,24,940	17,87,23,930
1876-77 ...	19,166,300	99,50,32,000	118,66,95,000	18,938,100	104,91,60,000	123,85,41,000	1,148,100	11,53,97,000	12,68,78,000
1877-78 ...	16,861,100	101,33,58,000	118,18,69,000	16,988,000	100,37,55,000	117,36,35,000	1,011,200	12,50,00,000	13,51,12,000

NO. OF TREASURIES.

There are in India 233 treasuries, besides 1,048 revenue sub-divisions of districts, at many of which there is some kind of a treasury, and besides outlying treasure-chests.

LAND REVENUE ACCRUES IRREGULARLY.

A preponderating share of the land revenue is received in India in the spring; but the expenditure and the bills of the Home Government go on, more or less evenly, all the year round: the result of this peculiarity is that the balances of the Government in India, if not recruited by loans, or sustained by interruptions of the Secretary of State's drafts, subside rapidly from about June, till they reach their lowest point about the end of October, the balances at the end of which month may be expected to fall at least £3,000,000 below the balances at the end of March.

Having regard to the magnitude of the transactions at our Public Treasuries, (aggregating upwards of £200,000,000 a year), the vast extent of the territories administered by the Government of India, the numerous separate receptacles of public money scattered over the country, and the unequal distribution of the revenues over the year; remembering also the liability of the Government of India to sudden demands upon its treasury for war, famine, or other public necessities, and the scanty resources of the Indian money market, Lord

Ways and Means, 1877-78.

Northbrook's Government determined, a year ago, that it was only prudent to provide for balances at the end of the year aggregating £13,500,000 for ordinary purposes, besides a reserve which Lord Northbrook thought should be substantial: but, under the present financial pressure, we must put up with the inconvenience of a smaller balance, and I propose, therefore, to provide for a closing balance of only £12,500,000. Enquiries are now in progress as to the smallest working balance necessary in each Province: when these investigations are completed, and further experience is gained of the working of the Reserve Treasury, the Government of India will be in a position once more to consider what is the proper amount of balance, altogether, to provide at the beginning of each financial year.

CHARACTER OF PUBLIC BALANCES.

Before leaving the subject of the balances of the Government of India, I wish to make a few remarks upon some of the misapprehensions that often prevail concerning them. Some people seem to suppose that the Government of India can spend money from the public balances without entering the transactions in the Public Accounts, and that these balances are a mysterious hoard from which we can help ourselves without the inconvenience of justifying or explaining our proceedings: others have gone the length of gravely proposing that the Government of India should credit its balances, or a slice of them, as revenue.

But there is really no mystery at all about these balances, which do not differ in character from the balances at credit of any private individual: not a rupee of public money can be spent, or is spent, which does not come from the public balances; and not a rupee can be taken from these balances without the fact being recorded and brought to account. The plain truth is, that the Accounts and Estimates which it is my duty to review and explain to-day, exist only for the purpose of recording what money has passed, or is expected to pass, into and out of these balances, and to explain and justify every addition to, and every reduction of, these balances: if the disbursements recorded in the Accounts of the year exceed the receipts, the balances are reduced; if the receipts exceed the disbursements, the balances are increased. Thus, by submitting to a reduction of the public balances, the Government of Lord Northbrook was able to pay some part of the cost of the Bengal famine, without borrowing; but this did not enable the Government to keep a single item of the expenditure out of the Public Accounts: it seems almost absurd that I should gravely say this; but the strange misconceptions that often appear seemed to demand some such explanation.

TOTAL LIABILITIES.

Our liabilities in excess of the produce of our revenues aggregate £6,946,200.

ASSETS.

Of this sum we expect to receive £81,000 from the *Civil Service Funds*, £50,000 from *Savings Bank Deposits*, £139,700 *Surplus of Local Revenues*, and £175,500 from certain other deposits called *Sundry Obligations*, which include the Nizámat Stipend Fund, the Bahu Begam's Stipend Fund, and certain Guaranteed Railway Funds.

AMOUNT TO BE BORROWED.

The balance is £6,500,000, and this is the net sum which I now estimate that we may have to borrow in the course of the year. I do not forget that the ten year debentures of 1867, the outstanding balance of which amounts to £458,100, are due and payable on the 1st June 1877; but I am not yet prepared to make any special announcement regarding them.

Of the net sum of £6,500,000 which the Government thus estimates that it may have to borrow in the course of the year, £250,000 is expected from His Highness the Maháráját Sindhiá for the Gwalior Railway: our present hypothesis is that of the residue, 3¾ millions sterling will be borrowed by the Secretary of State in England and 2½ millions in India.

But I must here give an important warning: upon the face of the Statements Nos. IV, V, and VI will be found, for the first time, the following note—

GOVERNMENT CANNOT PLEDGE ITSELF IN REGARD TO LOAN OPERATIONS.

The estimates in this Statement of the amounts to be borrowed, and to be supplied to the Home Treasury by bills in 1877-78, are the best that can now be made; but they are subject to modification as the year goes on; the Government must not be understood to pledge itself that the Secretary of State in Council will raise by bills the exact amount stated; or that the exact amount stated will be borrowed during the year; or that it will be borrowed in India or in England, as the case may be.

Ways and Means, 1877-78.

This note is added under instructions from the Secretary of State. In order to make these *Estimates of Ways and Means* for the Service of the coming year, it is necessary to set down the amount that it is proposed to borrow, and to frame a hypothesis whether the money will be borrowed in India or in England: but the Government of India is not authorised to commit the Secretary of State to borrow or not to borrow any particular sum during the year: and it is not usually possible to communicate the prospects of the year to the Secretary of State with sufficient fullness to enable him to decide, finally, upon the proposals of the Government of India.

These important Statements must, therefore, be understood henceforth to be, so far as prospective loan operations are involved, only provisional forecasts; and must not be held in any way to commit the Government of India or the Secretary of State to borrow for the service of the year, either the particular sum set down, or in particular proportions in India and England.

GOVERNMENT OF INDIA CANNOT ANSWER FOR PARLIAMENT OR SECRETARY OF STATE.

Moreover, the Secretary of State for India can borrow no money in London without first obtaining authority from Parliament: and at the present moment he has no such authority, having exhausted the statutory powers granted to him on the occasion of the Bengal Famine. It is obviously quite impossible for the Government of India to say that Parliament will authorise the Secretary of State to borrow more money in London; and the Government of India is not even at liberty to pledge the Secretary of State to make application to Parliament for fresh powers to borrow. What I have said, therefore, must be distinctly understood as expressing only the views and intentions of the Government of India, and must not be construed as implicating the Secretary of State, or pledging him to any course of action. I am afraid that this will not be considered altogether satisfactory; but the Government of India is not now in a position to state more definitely how provision will be made for the service of the year.

IMPORTANCE OF BORROWING IN INDIA

The Government of India is fully alive to the importance of satisfying its requirements in India without resorting to the London market more than is absolutely necessary; and if, in the course of the year, circumstances should favor such an arrangement, and the Government of India is in a position to act upon its own judgment, a larger share of the whole amount than £2,500,000 may be offered to the market in India. On the other hand, the Governor General in Council will not, so far as the decision rests with him, submit to any unreasonable terms; and, if the conditions acceptable to the money market in India should appear too unfavorable, he will not hesitate to recommend to the Secretary of State to endeavour to obtain power to borrow in England as much more than 3¾ millions sterling as is found to be really wanted.

IF REASONABLE TERMS CAN BE OBTAINED.

COUNCIL BILLS.

Supposing that the Secretary of State borrows 3¾ millions sterling in England, it will be necessary for him to raise by bills upon India 12¼ millions sterling. To effect this, it is calculated that he must sell bills for about 26½ lakhs of rupees a week throughout the year: the Government of India is accordingly authorised to announce that bills for 26½ lakhs of rupees will, according to present intentions, be offered for sale, weekly, during April and May.

I will begin what I have now to say to the Council with a brief review of the results of the financial administration of the last seven years, ending with 1875-76, the last year for which the Accounts are completed. I think that this will be useful in enabling us to form a correct judgment of our present position; and the period which I have taken is a convenient one, because, while it was one of general peace and prosperity, a serious famine occurred in it, and a large expenditure took place on unremunerative public works: the results of the seven years may be fairly assumed to contain few elements of a specially abnormal character. In saying this I do not forget the great expenditure on the Bengal famine; but, on the other hand, it must be remarked that, since this period of seven years closed, we have already to meet another famine which will not cost much less; nor have we any right to assume that we shall escape more easily in future.

Seven years' Accounts.

REVIEW OF SEVEN YEARS' ACCOUNTS.

NET RESULTS.

The gross revenues during the seven years ending with 1875-76 aggregated £357,573,100, and the total expenditure amounted to £370,555,000. Thus the expenditure exceeded the revenues by £12,981,900.

Seven years' Accounts.

EXAMINED.

During the seven years the sum of £19,654,000 was spent upon works classified as extraordinary, and £6,500,000 was spent from the imperial revenues, on the relief of the famine in Bengal.

Out of the sum spent on Extraordinary Public Works, £4,771,000 was expended on the construction of the Punjab Northern and Indus Valley State Railways. These railways belong to a class of works of which I shall again speak; they were not undertaken as reproductive works; and, although it is anticipated that they may yield a net return of 2 per cent. on their capital cost, I shall, in a review which I wish to be severe, exclude their cost from the extraordinary head of account, and treat it, as I think strictly speaking it ought to have been treated from the first, as ordinary expenditure. This correction will leave the sum of £14,883,700 as fairly representing extraordinary expenditure on reproductive public works; and, if there had been no famine, we should have been able to pay for the whole of these unremunerative works, and there would have been a surplus in the seven years, according to the Accounts as they are now constructed, of £8,491,700.

But, in order to obtain a true conception of the financial results of the seven years, some further adjustments are necessary; included in the Gross Revenues is the sum of £2,443,300 transferred from the Book Capital of the extinct Military Funds: great doubts are felt whether it is right to reckon these transfers as Revenue at all, unless, indeed, interest be charged *per contra* as if the Funds were still in existence; and, for my present purpose, I prefer to exclude them. I will also exclude the sum of £986,900 by which the financial results of the seven years are estimated to appear better than they really are, owing to the peculiar mode in which the sterling transactions of the Home Treasury are combined with the rupee transactions of the Indian Treasuries.

If these two disturbing causes be eliminated, the true financial result of the seven years, including the cost of unremunerative public works, and excluding the cost of famine relief, would be a surplus of £4,971,500. But it has to be remembered that during the same period, the income tax, which has ceased to be one of our sources of revenue, yielded, net, £4,364,900: if, therefore, there had been no income tax, there would have been a surplus of £606,500, after meeting the charges for unremunerative public works, but excluding the charges for famine.

Another consideration favourable to the finance of these seven years deserves mention: we accumulated a reserve stock of 35,315 chests of Bengal opium, the cost of which will be recovered in future years, with the profit or revenue yielded at auction: the cost of these 35,315 chests may be reckoned at £1,412,600, of which about £850,000 is included in the recorded expenditure of 1869 to 1876.

On the other hand, a substantial benefit accrued to the revenues upon the redemption, on the 30th April 1874, of the capital stock of the East India Company. The Sinking Fund created by Act 3 and 4, William IV, Cap. 85, Sec. 12, amounted, on that date, to £7,876,439, and its appropriation towards the redemption of the stock relieved the Revenues from the payment of about £315,000 a year.

Upon the whole, it may be said that this retrospect is satisfactory. From the 1st April 1869 to the 31st March 1876, not only was no addition made to the debt of the country, except for reproductive works, but a substantial portion of the money invested for these works was really provided from current revenue.

DETAILS.

If we look at details, we shall find further encouragement: the growth of the Net Revenue under its main Heads was as follows:—

NET REVENUE.

		1869-70.	1875-76.	Improvement.
		£	£	£
Land Revenue	...	19,603,000	20,142,800	539,800
Excise	..	1,997,100	2,407,000	409,900
Customs	...	2,167,200	2,470,000	302,800
Salt	...	5,463,000	5,702,200	239,200
Stamps	...	2,224,900	2,692,400	467,500
Opium	...	6,130,900	6 252,000	121,100
Total	...	37,536,100	39,666,400	2,080,300

The Net Yearly Imperial Expenditure during the same period was as follows:— Seven years' Accounts.

	Civil, except Famine Relief.	Famine Relief.	Military.	Grand Total.	Total, excluding Famine Relief.	Total, excluding *Loss by Exchange.*
	£	£	£	£	£	£
1869-70	...23,242,400	...	15,250,800	38,493,200	38,493,200	38,314,000
1870-71	...23,246,200	...	15,119,400	38,365,600	38,365,600	37,797,800
1871-72	...22,178,000	...	14,733,700	36,911,700	36,911,700	36,515,700
1872-73	...23,797,000	...	14,596,800	38,393,800	38,393,800	37,628,700
1873-74	...22,494,100	3,864,700	14,217,400	40,576,200	36,711,500	35,725,000
1874-75	...22,258,800	2,237,900	14,386,400	38,883,100	36,645,200	35,747,300
1875-76	...23,226,400	508,500	14,262,900	37,997,800	37,489,300	36,059,600

NET EXPENDITURE.

Thus the net revenue increased during the seven years by more than £2,000,000, or at the average rate of nearly £300,000 a year, while the net expenditure, excluding famine relief, showed no tendency to increase at all, and was actually less in 1875-76 than in 1869-70. Excluding also *Loss by Exchange*, an element which may be said to be practically altogether beyond our control, the net expenditure in 1875-76 was less than the net expenditure in 1869-70, by £2,254,400, of which about £1,000,000 was in the Army, and the rest in the Civil Department: I wish to call special attention to this fact, for it is very important and very encouraging, and reflects great credit on the past administration of our finances.

Notwithstanding the large amount borrowed during this period, the net charge for *Interest* rose only from Rs. 4,60,67,220 in 1869-70, to Rs. 4,61,69,190 in 1875-76. This favourable result is due to the redemption of the East India Company's Stock already explained; to various successful operations for the reduction of the rate of interest on our Loans; and to the progress of the investment of the Reserve of the Paper Currency Department.

GENERAL RESULTS.

I think that the facts and figures which I have given for these seven years* show that the finances were administered during this period with great care, economy, and success: I look upon them as highly honourable to the Governments Lord Mayo and Lord Northbrook, and to my predecessors Sir Richard Temple and Sir William Muir: nor must I omit to give due credit to Mr. Chapman, who, during the whole of this period, was Financial Secretary, and who, fortunately for the Government and for me, still holds that post. It is not now my object to enter into a detailed review of the Financial Administration of past years; but if I were to do so, I might say much more to show the extreme care with which it has been directed. It must be remembered, also, that during this period considerable reductions in taxation were effected; besides the abolition of the Income Tax, which for my own part I regret, the Customs Tariff was revised, and some of its most objectionable features removed: a great portion of the duties on exports have been swept away; the general rate of import duty has been reduced from 7½ to 5 per cent.; and the whole of the tariff valuations have been carefully corrected.

PRESENT FINANCIAL CONDITION.

It is no doubt very encouraging to find that since 1869-70 we should have paid our way so well: we must not, however, deceive ourselves into supposing that the facts which I have stated prove that the Finances are in a condition which leaves nothing to be desired: it ought clearly to be understood that, if such charges as those for famine and for unremunerative public works cannot be provided out of the ordinary revenues, the state of our finances must be unsound.

* The following abstract shows how Ways and Means were provided for the Public Service during these seven years. It will be seen that besides the *Deficit of Imperial Revenue*, Rs. 12,98,20,550, we had to find Rs. 1,52,03,280 for the several *Service Funds*, Rs. 5,20,04,100 for *Loans to Native States and Public Bodies* (including Rs. 2,01,27,802 for the purchase from the Bombay Port Trust of the Elphinstone Company's Property), and Rs. 1,66,20,930 for the *Guaranteed Railways*. Moreover, we raised the *Balances in our Treasuries at Home* and in *India* from Rs. 13,20,17,840 by Rs. 4,67,06,090 to Rs. 17,87,23,930. Thus altogether our obligations in excess of our Revenues amounted to Rs. 26,03,54,950. Of this amount, the *Surplus of Provincial and Local Revenues* yielded Rs. 51,96,530. *Savings Bank Deposits* supplied Rs. 88,28,280; the net result of the *Deposit* and *Remittance* transactions was in our favour by Rs. 1,79,07,790 (chiefly repayments by Her Majesty's Government of advances made in India for the Abyssinian Expedition), and we borrowed Rs. 22,84,22,350.

Abstract of Ways and Means Account, 1869—76.

	Rs.		Rs.
Surplus of Provincial and Local Revenues ...	51,96,530	*Deficit of Imperial Revenues* ...	12,98,20,550
Savings Banks Deposits	88,28,280	*Balance of transactions with Service Funds*	1,52,03,280
Balance of Deposit and Remittance Accounts	1,79,07,790	*Loans to Native States and Public Bodies*	5,20,04,100
Borrowed	22,84,22,350	*Guaranteed Railway Capital withdrawn*...	1,66,20,930
		Balances in Treasuries increased ...	4,67,06,090
	26,03,54,950		26,03,54,950

Present Financial Condition.

These questions are so serious that I wish to refer to them before going further; for, unless we have clear conceptions regarding them, it will be impossible to understand what our financial position really is.

FAMINE AN ORDINARY CHARGE.

It cannot be too distinctly stated that charges for the relief of famine must be looked upon as ordinary charges; they are so shown in the Accounts of the present year, and in the Estimates now before the Council; and they were shown in the same way for the Bengal famine by the Government of Lord Northbrook. In the Financial Statement for 1874-75, Lord Northbrook showed very clearly that, whatever means we may take to obviate or mitigate these calamities, famines cannot, under present circumstances, be looked upon as occurrences of an extraordinary character; he said that, in the ten years which had elapsed before 1874, there had been three serious famines in India—the Orissa famine in 1866, the famine in Northern India in 1869, and the famine in Behar in 1874. We have now, unhappily, to add a fourth to the list, that from which a vast tract of country is now suffering, and which will, I fear, prove a not less serious calamity than those which preceded it. Such being the facts with which we have to deal, we cannot, as Lord Northbrook stated, safely depend upon loans for meeting the charges on account of famine. "It is necessary," he said, "that, besides a fair surplus of income over ordinary expenditure, such a margin should be provided, in addition, in ordinary times, as shall constitute a reasonable provision for meeting occasional expenditure upon famines:" if this condition, he said, were fulfilled, and a sufficient surplus secured in years of prosperity, deficit might be endured with less objection in occasional years of adversity. The Government of India, it was stated, had, therefore, resolved to use its best endeavours to maintain for the future a considerable surplus of income over ordinary expenditure, and thus to make provision beforehand for any calls which were likely to arise on account of famines. This resolution on the part of the Government was undoubtedly wise; but, since the charges for unremunerative public works cannot rightly be excluded, the conditions laid down in 1875 have not, in my judgment, been fulfilled: and considering that we have lost the income tax, it is impossible to anticipate that they will be fulfilled in future, unless we take some further steps for ensuring a larger surplus of income over ordinary expenditure.

NO UNREMUNERATIVE PUBLIC WORKS SHOULD BE EXTRAORDINARY.

I must now mention the other great Head of expenditure regarding which, if we wish to form a correct idea of our real financial position, it is essential that there should be no misunderstanding: I refer to those great public works undertaken to meet the political and military necessities of the empire, but which are not expected to be directly remunerative.

As an illustration of the kind of works to which I now refer, I will take the railways already mentioned, which are under construction in the Punjab and on the Sindh Frontier: these works will doubtless be very beneficial to the country through which they pass; but they are not undertaken on such grounds as this, but because they are considered, for political and military reasons, to be essential to the service of the Empire; there is no profession that they will be directly remunerative; and, if we have borrowed money for them, we have done so simply because it was held impossible to construct them in any other way; such works cannot properly be called Extraordinary in the technical sense in which we now use that term. They differ only in magnitude, and not in kind, from the works which we pay for out of the ordinary revenues, such as barracks, or fortifications, or other works which involve a heavy outlay and give no direct return. I am afraid that it can hardly be denied that the system which has hitherto been followed, under which these necessary, but not directly remunerative works have been mixed up with works which we expect to be directly profitable, has tended to make us less chary in spending money, than we should have been if the expenditure had been shown, as the famine expenditure is shown, among the ordinary charges of the year: our public Accounts ought to give a complete statement of the actual facts of our financial position, with no reservations or evasions, however unpleasant the appearance of the facts may be.

I wish it had now been practicable to remove altogether from the Extraordinary head of account all the works of the class which I have

been describing: it has, however, been decided that we cannot now do this, and that we had better not attempt to correct past errors of classification: for the future, it has been resolved, in communication with the Secretary of State, that no work shall, under any circumstances, be classed as Extraordinary, unless we are satisfied that it will yield a net income sufficient to cover the interest upon its capital cost: it has also been decided, in respect to future works, that, if a work has been classed as Extraordinary, and it be ascertained, subsequently, that the estimates of profit were fallacious, any further expenditure upon it shall not be treated as Extraordinary, but entered among the ordinary charges. I think, for my own part, that there is very much to be said in favour of the view that we might, with propriety, go much further, and do away with all distinction between Ordinary and Extraordinary expenditure: this would involve no change in our policy; we should still borrow money for useful works; and, although our Budget Statements might usually close with the announcement of a deficit instead of a surplus, and would have a less agreeable appearance, the deficits would have no more real or serious existence than they have now: this, however, is a matter which I need not now discuss: the decision which I have now stated, and on which the Government is resolved to act, will, at any rate, place matters on a sounder basis in future.

Present Financial Condition.

LARGER MARGIN OF SURPLUS WANTED.

The figures which I have given show that, during the past seven years, we should have just managed, after meeting all charges for unremunerative Public Works, to bring our expenditure within our income, if there had been no income-tax and no famine: but we cannot omit famine from our calculations; and we have now no income-tax: it therefore follows, judging by the experience of these seven years, that our ordinary revenues are just sufficient to meet all ordinary charges excepting those for the relief of famine, for which we may consider that no provision is now made: I think that the estimates of the current and coming years tend to confirm this general conclusion.

What, therefore, we now have to do, is to establish a sufficient margin of annual income over ordinary expenditure, to enable us to meet with certainty not only the charges for famine relief, according to the principle laid down by Lord Northbrook, and charges for unremunerative public works, but for other demands which cannot be foreseen, but which will inevitably occur: this is the more important because, in India, we have, under present circumstances, almost no means, such as those which can always be applied in England for temporarily increasing the public income to meet a temporary necessity.

FISCAL REFORMS URGENTLY WANTED.

Our financial position also requires improvement to enable us to carry out measures necessary for the regular progress and better administration of the country: there are administrative improvements which are very necessary; and, above all, there are urgent fiscal reforms, closely affecting the economical and commercial interests of India, which, for want of means, have hitherto been hardly touched. It is easy to give illustrations of my meaning: there are the duties on cotton goods, of which I shall have to speak again; and, independently of them, I do not think that any one will maintain that our Customs Tariff is in a satisfactory condition. Then, there are the Inland Sugar duties, to which also I shall refer again presently: six years ago I heard them called, in this Council, the most discreditable relic of the dark ages of taxation that exists in India: every one agrees in this judgment; but the Sugar duties still exist. Take, again, the system under which we levy our Salt revenue in Northern India: no one denies that it is a positive disgrace to a civilized Government; but it remains unaltered. The time is perhaps hardly come for talking of the repayment of debt as a practical object to be aimed at, or for hoping that we may be able to dispense with borrowing even for reproductive public works: for works which are not reproductive we ought not, except under the pressure of extreme necessity, to borrow a sixpence: the increase of debt is so serious an evil, that we must strive to reduce our borrowing to a minimum even for remunerative works, and provide as much money as possible for them from ordinary revenues; so always that we do not allow this determination to check the progress of necessary great works of public improvement, or to interfere with the execution of great fiscal reforms such as those which I have mentioned.

Present Financial Condition.

There is another matter which obviously has a most important bearing on this subject—the question of the future value of silver: I am afraid that we cannot, with any confidence, expect to avoid serious loss hereafter from disturbances in the relative values of the precious metals; and no one can now measure the future deranging effect upon our finances of these disturbances. In connection with this subject, I must mention the great importance of sparing no efforts to prevent the increase of the sum which we have to pay annually in England in gold. I have referred to this subject in my separate Minute, and have said that, although I do not now wish to give opinions in regard to the measures, if any, which ought to be adopted, the subject is receiving, and will continue to receive, all the attention which the Government can give it.

UNCERTAINTY OF VALUE OF SILVER.

In asserting that our financial position must be improved, I by no means desire to see the improvement pushed to an extreme: I wish for no such surplus of income over expenditure as would involve the necessity of imposing heavy burdens on the country or might tempt the Government to launch out into extravagancies: I ask, only, for such a reasonable margin on the right side of the account, as will enable us to pay our way honestly, to avoid increasing the burden of debt, and to carry out, at a reasonable and moderate rate, necessary measures of administrative and economical progress.

DESIRED IMPROVEMENT CANNOT BE EFFECTED THIS YEAR.

Now it is certain that we cannot bring about in the coming year any such improvement as I desire: with famine in a large part of India it is obvious that no time could be so inopportune as the present, not only for imposing fresh burdens on the people who are suffering, but even for measures involving serious administrative changes: we could not, at such a time as this, ask the Governments of Madras or Bombay even to undertake the examination of new financial schemes: all that we can now attempt is to lay down, as fully as we can, the principles by which the Government of India intends to be guided, and to take such steps as may be practicable for carrying out our programme in those provinces which are in a prosperous condition.

The only means by which the necessary improvement in our financial position can be gained are fresh taxation, or reduction of expenditure, or increased productiveness of existing sources of revenue, or a combination of these means.

NO NEW IMPERIAL TAXATION.

It will be understood, from what I have already said, that I have no measures to propose at present for the imposition of any general taxation: it may be a cause of special relief to some of my audience to learn that the rumours which we have heard from time to time about the re-imposition of an income-tax have no foundation. As to the income-tax, I freely confess that I regretted its disappearance; but there has been no thought of restoring it. The Government is obliged to propose some other taxation, of which I shall speak further on.

PROVINCIAL TAXATION.

REDUCTION OF EXPENDITURE.

In regard to reduction of expenditure, the only head under which there has, lately, been any serious increase of charge is the Army; I have mentioned this in the Minute now before the Council as a cause of grave anxiety, over which the Government of India has comparatively little control: in regard to the possibility of future reductions of Military Expenditure, all I can say is that the Government of India will do everything that it properly can do to effect them. It is only in the great Imperial Services that we can now hope to see much done in this direction; for there is comparatively little room for saving on the ordinary charges of the Civil Administration carried on, for the most part, by the Local Governments: we have, however, every reason to believe that, under the system of provincial assignments established in 1871, and which we are now further developing, these charges will bring no fresh burdens in future on the Imperial Treasury; and the actual reductions of Imperial Expenditure, for which we are able to take credit in our Estimates for the coming year, in consequence of the extension of that system, are, as I shall presently show, not unimportant.

MILITARY EXPENDITURE.

IMPROVEMENT OF EXISTING REVENUES.

I believe that much may be done to increase the productiveness of existing sources of income, and I will explain the measures by which the Government hopes that this may be effected.

We all remember the schemes which a great Englishman put forth, some twenty years ago, for the better government of India. He told us, with an

eloquence which he alone possesses, of the folly of supposing that so vast a country, with its twenty different nations and its twenty languages, could ever be bound up into a single State. "What you want," he said, "is to decentralize your Government: what would be thought if the whole of Europe were under one Governor who knew only the language of the Feejee Islands?" Now, much as I respect Mr. Bright—and no one has a sincerer respect for him than I have—I am not going to defend the projects by which he would have abolished the Governor-General-in-Council and would have established half a dozen separate Governments in India, having no connection with each other, and each of them directly subordinate to the Secretary of State at home: I believe that, sooner or later, the result of such a plan, if it were put in operation, would be the destruction of our Indian Empire; and I am not one of those people, who unfortunately are not wanting now-a-days, who can look with complacency on such a prospect; nor will I accept it as even a possible contingency.

Present Financial condition.

CENTRAL GOVERNMENT MUST BE STRONG.

If there be one thing more essential than another in India, it is, in my opinion, a strong Central Government; and I utterly disbelieve that we can ever get such a Government out of India itself. Nevertheless, there was a basis of truth and wisdom in Mr. Bright's proposals: it is, in many respects, quite true that what we want is to decentralize our Government; although I dislike the term decentralize, because it conveys to many people the false notion that we desire to diminish the central authority of the Supreme Government: on the contrary, we desire to see that authority increased, and made the strongest possible reality; and I am convinced that we can only maintain true imperial control by refusing to meddle with details which the local authorities can alone understand and with which they alone can intelligently deal: no Government, whether it be Imperial or Provincial, can ever really deserve to be called strong, unless it be conducted on these principles.

As Your Excellency told us the other day, on a very different occasion from this, we have been far too much disposed to disregard the fact that India is no homogeneous country, but a continent containing many nations, the differences between which are at least as great as those which exist between the nations of Europe: it is farther from Lahore to Calcutta than from London to Naples; and, wide as the difference is between England and Italy, there is probably far less difference between those two countries in all their physical conditions, and far less difference between their inhabitants, than there is between the Punjab and Bengal. Nor is it at all true that our existing Indian Provinces are merely artificial divisions: there are, no doubt, varieties of race and language and customs to be found within a single Province; but Bengal, Madras, Bombay, the North-Western Provinces, and the Punjab have, nevertheless, each of them, a fairly well-defined and distinct character.

I believe that the views which I have now been stating, and which Your Excellency has, on more than one occasion, publicly declared, are especially true in regard to measures of taxation and finance; we should think it very unreasonable to suppose that the same plans of taxation and financial administration are applicable to all the countries of Europe; and it is just as unreasonable to suppose that the same plans are applicable throughout India; a system which may be excellent in one Province may be as bad as possible in another.

NO DISTINCTION BETWEEN IMPERIAL AND PROVINCIAL TAXATION.

Now, the Government is not so foolish as to imagine that there is any essential distinction between provincial and imperial taxation, or between provincial and imperial expenditure: when we talk of throwing upon the Local Governments new responsibilities for increasing the public revenues; or of relieving our finances by making provincial certain obligations which have hitherto been imperial; we are not so ostrich-like, or so dishonest, as to imagine or to profess, that, by any juggle of names, we can alter the nature of new taxation and make it less burdensome to the people; or that the actual expenditure of the Empire is diminished, when we say that charges for certain classes of works, which have hitherto been imperial, shall henceforth be provincial; indeed, in the Accounts as now remodelled, no distinction whatever is made between imperial and provincial revenue and expenditure. I have, nevertheless, a strong conviction that decentralization, leading, as I believe it, infallibly, will do, to improved administration, will bring about a great increase in the productiveness of existing sources of revenue, great diminution of the evils of fresh taxation if fresh taxation becomes necessary, and great economy in expenditure.

DECENTRALIZATION.

Lord Mayo's Measure, 1870.

In regard to expenditure, an important step was taken by Lord Mayo six years ago. I will ask Your Excellency, although I am afraid I have no better object than that of saving myself a little additional trouble which would be entailed by explaining my views over again to the Council, to allow me to read a passage from an old paper of my own, in which I endeavoured to describe the reasons for the measures taken by the Government of India in 1870: a clear conception of those reasons is essential to the proper understanding of the plans which are now proposed.

QUOTATION FROM SIR JOHN STRACHEY'S MINUTE ON LORD MAYO'S ADMINISTRATION.

"Under the system which Lord Mayo found in force when he became Viceroy, the Local Governments, which practically carry on the whole administration of the country, had almost no powers of financial control over the affairs of their respective provinces, and no financial responsibility: everything was rigorously centralized in the Supreme Government, which took upon itself in detail the provision of funds for every branch of the public service throughout India. The business of supervising in a central office all the details of the receipts and expenditure of the empire had become so enormous, that its proper performance was impossible: 'I do not think,' wrote Sir Henry Maine in 1867, 'that anybody can have observed the recent workings of our system of financial control, without coming to the conclusion that, if it be not on the point of an inevitable collapse, it is, at all events, in great danger of going to pieces unless the strain be lightened somewhere.'

"For many years before Lord Mayo became Viceroy, the ordinary financial condition of India had been one of chronic deficit; and one of the main causes of this state of affairs was the impossibility of resisting the constantly increasing demands of the Local Governments for the means of providing every kind of improvement in the administration of their respective Provinces: their demands were practically unlimited, because there was almost no limit to their legitimate wants: the Local Governments had no means of knowing the measure by which their annual demands upon the Government of India ought to be regulated: they had a purse to draw upon of unlimited, because unknown, depth; they saw, on every side, the necessity for improvements; and their constant and justifiable desire was to obtain for their own Provinces and people as large a share as they could persuade the Government of India to give them out of the general revenues of the empire; they found by experience that the less economy they practised, and the more importunate their demands, the more likely they were to persuade the Government of India of the urgency of their requirements: in representing those requirements, they felt that they did what was right; and they left to the Government of India, which had taken the task upon itself, the responsibility of refusing to provide the necessary means.

"The Government of India had totally failed to check the constant demands for increased expenditure: there was only one remedy—to prevent the demands being made; and this could only be done by imposing on the Local Governments a real and effectual responsibility for maintaining equilibrium in their local finances: there could be no standard of economy until apparent requirements were made absolutely dependent upon known available means: it was impossible for either the Supreme or Local Governments to say what portion of the Provincial revenues was properly applicable to local wants: the revenues of the whole of India went into a common Fund, and to determine how much of this Fund ought fairly to be given to one Province and how much to another, was impracticable. 'The distribution of the public income,' General Strachey wrote, 'degenerates into something like a scramble, in which the most violent has the advantage, with very little attention to reason: as local economy leads to no local advantage, the stimulus to avoid waste is reduced to a minimum: so, as no local growth of the income leads to an increase of the local means of improvement, the interest in developing the public revenues is also brought down to the lowest level.'

"The unsatisfactory condition of the financial relations between the Supreme and the Local Governments led to still more serious evils: constant differences of opinion about petty details of expenditure, and constant interference of the Government of India in matters of trivial importance, brought with them, as a necessary consequence, frequent conflicts with the Local Governments regarding questions of provincial administration, of which they were the best judges, and of which the Government of India could know little: the relations between the Supreme and Local Governments were altogether inharmonious; and every attempt to make financial control more stringent, increased an antagonism, the mischief of which was felt throughout the public service.

"To Lord Mayo belongs the honour of applying the only effectual remedy for these serious evils: he resolved to give to the Local Governments the economical standard which they required; to make over to them a certain income by which they must regulate their local expenditure; and to leave to them, subject to certain general rules and conditions, the responsibility of managing their own local affairs.

"From the commencement of the official year 1871-72 the financial control of the following services was transferred to the Local Governments: Jails, Police, Education, Registration, Medical Services, Printing, Roads, and Civil Buildings.

"The views of Lord Mayo were stated by himself in the Legislative Council on the 18th March 1871, as follows:—'Under these eight heads it is proposed to entrust the administration, under a few general conditions, to the Provincial Governments, and a fixed contribution will be made from Imperial Revenue every year. * * It is impossible to prophesy or say, at present, what can be done in the far future; but I should be misleading the Local Governments if I were not to say that it is our opinion that these sums are now fixed at an amount which cannot be exceeded for at least a number of years: I think it desirable that this should be perfectly understood; because one of our objects is the attainment of as great an amount of financial certainty as is possible. * * But, in addition to the increased power of administration which it is proposed to give to the Local Governments, an administrative change will take place, which I think they will be able to exercise with advantage: they will have a large sum to devote to local objects; the power of allotment will be left absolutely to them; and they will be able to vary their grants for roads, civil buildings, education, and other heads, from year to year, as they may think most desirable; in some Provinces it may be desirable in one year to spend a larger sum on roads; in others it may be desirable to fill up some shortcomings with regard to education or other objects. The Local Governments will thus be able to exercise that power of allotment with much greater satisfaction to themselves and to the public, than they did under the old system, when they were obliged to consult the Supreme Government, not only as to the allotments that were made in the beginning of the year, but also with regard to any appropriations that were thought desirable within the year, provided that those appropriations exceeded a certain amount.

Lord Mayo's Measure, 1870.

* * I have heard it stated that, by the proposals which we make, there may arise a separation of interests between the Supreme and Local Governments: I fail to perceive any strength whatever in this assertion: I believe that, so far from there being a separation of interests, the increased feeling of responsibility and the feeling of confidence which is reposed in them will unite and bind together the Supreme and Local Governments to a greater extent than before. * * I believe that we shall see, in place of greater uncertainty, greater certainty; we shall see works and objects carried on with more vigour, enthusiasm, and with less hesitation, when these works and these objects are effected under the immediate responsibility of those who are most interested in them.'

"The gross sum made over to the Provincial Governments for these services, and some few others transferred since the scheme was first introduced, amounted, including receipts given up, to about £5,600,000."

RESULTS OF LORD MAYO'S MEASURE OF 1870.

After nearly six years' experience, we can confidently say that the results of the new system have been thoroughly satisfactory. Objections have been made to some of the details; and Local Governments have often said that the change did not go nearly far enough; but, in regard to the main principle and the general success of the new arrangements, I believe that neither the Government of India nor any Local Government has ever felt a doubt. Every object with which the change of system was made has more or less been gained: the old friction between the Supreme and Local Governments has been greatly diminished; the authority of the Supreme Government and its powers of general control, instead of being weakened, have become stronger and more real, since the attempt to interfere in all sorts of petty details was abandoned; the Local Governments have been able to carry out many measures of improvement which would otherwise have been impracticable; and, so far as I know, there has not been a single counterbalancing disadvantage.

The most important object of all, so far as the Imperial finances are concerned, that of economy and preventing increase of expenditure, has been completely gained, as I think the following figures will show. The charges which were made over to the Provincial Governments were selected because they were especially liable to increase. In 1863-64 the net expenditure for the services afterwards transferred to the Provincial Government was £5,112,000; and, during the four following years, it continued to rise, until in 1868-69 it amounted to £6,030,000: in 1869-70 it was nearly the same, but a little less. In 1870-71, before the new system was introduced, a determined and successful effort was made by Lord Mayo's Government to reduce the charges which had been growing at so alarming a rate; and they fell, in that year, to £5,197,000. The new system of which I have been speaking was then introduced; and, after it had worked for five years, the result, in 1875-76, was that the charges for the assigned services were £5,305,000: there was practically no increase of expenditure; the total charges were only about £200,000 more than they were in 1863-64; they were less by £700,000 than they were in 1868-69. It is true, as I have just shown, that the great reduction took place before the change was actually made; but, if we may judge from what had happened before, the demands of the Local Governments for larger grants to carry out administrative improvements would certainly have gone on increasing; and I believe they would have been as irresistible as before.

I will not take up the time of the Council with details showing the manner in which the charges for each of the assigned services have varied; but it may

Lord Mayo's Measure, 1870.

be said generally that there has been no growth of expenditure under any heads, excepting *Education* and *Medical*: these charges, which were £458,000 in 1863-64, and £909,000 in 1870-71, rose to £1,007,000 in 1875-76: in other words, the people have got more Schools, and Hospitals, and Dispensaries, although less money has been spent on Jails and Police. The financial results of the new system have, thus, been entirely satisfactory; the constantly recurring demands, and the consequent embittering controversies between the Supreme and Local Governments have ceased; and, I repeat, that, not only has all this been attained without any sacrifice of financial authority on the part of the Government of India, but there can be no question that this authority is stronger and more efficient than before. From the time in which the new system was introduced until now, I do not believe that one single authority who has seen how it has worked has expressed anything but confident approval of the principles on which it was based.

LOCAL TAXATION.

When the measures of 1870 were taken, there was a great deal of talk about local taxation; and it was loudly asserted that new burdens were being imposed on the country which were none the less serious for being called local. There was no foundation for this statement, nor did the Local Governments obtain any powers of taxation beyond those which they previously possessed: the truth is that, excepting in the Punjab and Oudh, where new rates for local purposes were imposed on land by Acts of the Imperial Legislature, and to a very small extent in Bombay, the measures of 1870 led to no fresh taxation whatever. The estimated revenue, throughout the whole of India, from local taxes, rates, and cesses in 1877-78 is only £2,233,000.

Development of Lord Mayo's Measure of 1870.

The weak point in those measures was this, that, while they transferred to the Local Governments the responsibility for meeting charges which had an undoubted tendency to increase, the income of which the Local Governments had to dispose, although not quite a fixed amount, had little room for development: the difficulty has perhaps not, hitherto, been generally felt to a serious extent, because it has been met by economy and good management: it must, however, be felt hereafter; and, for this and for still more important reasons, I have always maintained that the system of Provincial Assignments established in 1871 ought to be applied not only to expenditure but to income. What we have to do is, not to give to the Local Governments fresh powers of taxation, but, on the contrary, to do all that we can to render fresh taxation unnecessary, and to give to those Governments direct inducements to improve those sources of existing revenue which depend for their productiveness on good administration.

TRANSFER OF REVENUES.

EXCISE AND STAMPS REVENUES.

I will take as an example the two great heads of income, Excise and Stamps (including the items under Law and Justice hitherto reserved as Imperial Revenue), which are estimated to yield together, this year, net, £5,393,800. The whole of this goes into the Imperial Treasury: the increase or decrease in the receipts depends entirely, in the long run, on good or bad management; and bad management means the wasteful throwing away of revenue without any relief to the country. The administration, although centralized in the Government of India, has to be carried on by the officers of the Local Governments, and I doubt whether there is a single Province in which great improvement in the administration is not possible: throughout a large part of India the evasion of the Excise and Stamp duties is notorious; and, although I will make no guesses about the amount of revenue which we are thus losing, my belief is that it is very large. I have a strong conviction of the financial importance of this matter; and the importance is not merely financial, if I am right in believing that better administration would give us a large additional revenue of a thoroughly unobjectionable character, without the country feeling that any new burdens had been imposed upon it.

SURRENDER OF REVENUES TO LOCAL GOVERNMENTS.

How is this better administration to be obtained? The answer seems to me simple: it can be obtained in one way only; not by any action which gentlemen of the Financial Department, or any other Department of the Supreme Government, can take while sitting hundreds or thousands of miles away in their offices in Calcutta or Simla; not by examining figures and writing circulars; but by giving to the Local Governments, which have in their hands the actual working of these great branches of the revenue, a direct and, so to speak, a personal interest in efficient management. It may

be very wrong, but it is true, and will continue to be true while human nature remains what it is, that the local authorities take little interest in looking after the financial affairs of that abstraction, the Supreme Government, compared with the interest which they take in matters which immediately affect the people whom they have to govern. When Local Governments feel that good administration of the Excise and Stamps and other branches of revenue will give to them, and not only to the Government of India, increased income and increased means of carrying out the improvements which they have at heart, then, and not till then, we shall get the good administration which we desire; and with it, I am satisfied, we shall obtain a stronger and more real power of control on the part of the Central Government than we can now exercise.

Development of Lord Mayo's Measure of 1870.

CENTRAL AUTHORITY NOT WEAKENED.

We have not yet been able to work out in detail all the arrangements for carrying out this policy; and it is only with the Governments of Bengal, the North-Western Provinces, and Oudh, that it has hitherto been possible even to communicate officially on the subject. Although there will be nothing in the proposed measures requiring legislation, their importance is so great that I will give to the Council some account of the plans which have been, in all points of importance, settled with the complete and cordial concurrence of the Local Governments which I have named.

Arrangements with Local Governments about income and ordinary expenditure.

I will explain first the measures taken for the North-Western Provinces. We propose to transfer to the Local Government the Revenues derived from Excise, Stamps, Law and Justice, Collections from the Tarai and Bhábar and Dúdhí estates, and some miscellaneous items: the total amount which the Local Government will make good to the Imperial revenues on these accounts will be £698,400: this sum exceeds by £4,700 the amount estimated to have been actually received in the present year. The most important of the revenues transferred are Excise, Stamps, and the hitherto reserved revenues under Law and Justice: the net revenue assigned under these heads is £640,600; and the transfer has been made subject to certain conditions. These sources of revenue have gone on pretty steadily increasing throughout India; and it is not proposed to surrender to the Local Governments any part of that normal growth of income which might have been expected to continue if no change of system had been made. On the other hand, while we desire that the Local Governments shall share largely in any increase of revenue to which their own improved administration may lead, it is evidently reasonable and necessary that the Imperial revenues should share in this increase also. In the North-Western Provinces, however, these particular sources of revenue have grown less, and fluctuated more, than elsewhere, and it is proposed that, for the two next years, the Local Government shall pay to the Imperial Treasury one-half of any net increase which may result under its management, the Government of India undertaking on its part to bear half of any deficit: two years hence, the arrangement will be open to revision. If there should be any new legislation intended to increase or reduce any of the assigned revenues, the amount due to the Imperial Treasury will have to be reconsidered.

THE NORTH-WESTERN PROVINCES.

REVENUES TRANSFERRED.

As regards expenditure, it is proposed to reserve as Imperial those grants only which, for some particular reason, it seems inexpedient to transfer to provincial responsibility: these are as follows:—

EXPENDITURE RESERVED TO IMPERIAL RESPONSIBILITY.

	Estimated Grant, 1877-78.
	£
(1).—*Interest on other Accounts*	2,400
(2).—*Refunds (excepting refunds of Excise, Stamps, Law and Justice, and Deposits)*	9,600
(3).—*Settlements*	102,800
(4).—*Allowances to District and Village Officers*	32,700
(5).—*Special temporary increase to the pay of Covenanted Civil Servants*	4,500
(6).—*Forests*	43,700
(7).—*Account and Currency Offices*	22,000
(8).—*Minor Departments*	8,800
(9).—*Ecclesiastical*	20,000
(10).—*Medical Establishments*	26,600
(11).—*Political Agencies*	3,000
(12).—*Allowances and Assignments*	52,000
(13).—*Superannuation, Retired and Compassionate Allowances* ...	62,500
(14).—*Miscellaneous*	3,500
	396,100

Arrangements with Local Governments about Extraordinary Expenditure.

The reasons for the reservation will, in most cases, be self-evident; and I need not trouble the Council with them: I will only say, in regard to one of the heads, "Forests," that the question remains to be considered whether this ought not also to be transferred to local management. The amount provided for these reserved services in the Estimates of 1877-78 is altogether £396,100.

SERVICES TRANSFERRED TO MANAGEMENT AND RESPONSIBILITY OF GOVERNMENT OF N. W. PROVINCES.

The principal remaining services are Land Revenue, Excise, Stamps, Administration, Stationery, and Law and Justice. These and some others were estimated to cost, in 1877-78, £736,300: the existing provincial allotment for Police, Jails, Education, and the other services transferred under the arrangements of 1870, is £651,100: the total charges for which the Local Government will be responsible amounts, therefore, to £1,387,400. The Local Government, however, is satisfied that it can undertake those services with a somewhat smaller consolidated grant; and the sum of £35,400 will, therefore, be deducted from the total assignment, and will be a saving to the Imperial Treasury, leaving as the net amount to be actually granted £1,352,000. The revenues made over being £698,400, the net expenditure from the reserved Imperial revenues will be £653,600: subject to the conditions on which the transfer is made, the Local Governments will be entitled to add to its Balance in the Imperial Treasury any sum by which the provincial income in any year exceeds the provincial expenditure, and must, on the other hand, make good any sum by which that expenditure exceeds the income.

CONDITIONS OF TRANSFER.

It will be incumbent upon the Local Government, in managing its finances, never to exhaust the Balance at its credit with the Government of India; the Government of India will not accept any Estimates or allow any transactions which involve the expenditure of more money than is at credit of the Local Government in the Imperial Treasury; and it will be the duty of the Accountant General, on behalf of the Government of India, to take care that this condition is never infringed; to enable the Government of India to enforce this condition, the Local Government, when submitting its yearly estimates, will always state its opening Balance, and the effect thereon of the estimates presented. Subject to this condition, and to the other rules and restrictions which have been laid down, the Local Government may spend at its own discretion the funds placed at its disposal. I need not describe these rules and restrictions in detail; but the most important of them provide that, without the previous sanction of the Government of India, no fresh taxation can be imposed, or any change made in any system of revenue management; no new general service can be undertaken; no appointment with pay exceeding Rs. 250 a month can be created, or reduced, or abolished; and no class or grade of officers can be created or abolished or its pay altered; that no standing order or rule of the Supreme Government shall be changed, and that returns and accounts shall be submitted in the forms prescribed. Full power is reserved to the Supreme Government to modify, add to, or repeal any of these restrictions and conditions. The liberty of action thus conceded will not affect the duty of the Local Government to keep the Governor General in Council, in the several Departments, fully informed of its executive and financial proceedings: the Government of India will continue to exercise its general powers of supervision and control in all Departments; but it will, as far as possible, avoid interference with the details of the local administration, and everything which might lead to embarrassment of the provincial finances.

BENGAL AND OUDH.

I will not take up the time of the Council by describing in detail the arrangements made for carrying out a similar change of system in Bengal and in Oudh, because they are, in all matters of principle, similar to those adopted in the North-Western Provinces. The scale, however, of the whole settlement with Bengal is much larger; the exact figures are not yet quite fixed; but the total amount of the revenue surrendered in 1877-78 for provincial uses will not be less than £1,910,000, and the total expenditure transferred for the same year will not be less than £2,430,000. A retrenchment of £59,000 from the existing grants has been made, with the consent of the Local Government; and the existing Imperial expenditure will consequently be reduced by this sum.

Altogether, the immediate saving to the Imperial Treasury by the arrangements entered into with Bengal, the North-Western Provinces, and Oudh, is

£101,700, besides the guarantee of normal increments to the transferred revenues, amounting to £44,000: the estimates of the year are thus better by £145,700 than they otherwise would have been. I hope that when it becomes possible to enter into similar arrangements in other Provinces, equally satisfactory results may be obtained.

Arrangements with Local Governments about Extraordinary Expenditure.

Extraordinary Works.

LOCAL GOVERNMENTS TO GUARANTEE INTEREST ON EXTRAORDINARY EXPENDITURE.

The measures of which I have hitherto spoken will, we confidently hope, lead to improvement in administration, to economy in expenditure, and to increase of revenue, while they involve no fresh taxation. There are other measures, closely connected with them, which the Government proposes to adopt, which cannot, I am sorry to say, be carried into effect without an increase to existing burdens, an increase which, although it involves no fresh imperial taxation, will not, on that account, be less real. We propose, so far as it may be practicable, to make each Local Government responsible not only for the management of many of the great public works which we are constructing with borrowed money, but for meeting the charges which these works entail.

SYSTEM OF EXTRAORDINARY EXPENDITURE.

I must now refer to the system under which our so-called Extraordinary public works are carried on.

IMPORTANCE OF RAILWAYS AND CANALS.

No one is more alive than I am to the importance of providing the railways and works of irrigation which India requires; and, for my own part, nothing would induce me to support a policy which interfered with their progress. Our railways have, in my opinion, been constructed on a scale more expensive than was necessary, and the system of guaranteeing interest on the capital expended has led to extravagance: I believe that the money which has been actually spent on our railways would have been sufficient, if it had been spent in a more economical way, to cover India with a net-work of railway communication sufficient for all the commercial and political requirements of the country, if not for all the luxuries of locomotion: but it is easy to be wise after the event; the Government of the day had practically to choose between having these expensive railways, and having none at all; and its choice was perfectly right. Although the system of borrowing under which India has had to pay for these works has entailed very serious burdens, the benefit which they have conferred upon the country has been literally incalculable: I will say nothing of the enormous increase of wealth and prosperity which they have given us; I will only ask you to reflect on what would, at this moment, be happening through a vast extent of country in Western and Southern India if we had no railways: but for them, the people would probably be now dying of starvation by hundreds of thousands; and it would have been beyond the power of the Government to save them, if it had devoted to the task all the resources of the Empire. With such facts as these, and those which I have narrated regarding these railways in my review of the Regular Estimates, staring us in the face, the statements which we sometimes hear that these works ought not to have been constructed with borrowed money, and that we ought to have waited until we could provide the necessary funds from the surplus resources of the year, seem to me to deserve no serious consideration.

VALUE OF GUARANTEED RAILWAYS AND OF CANALS.

We may say the same of the great works of irrigation; the works already in operation have enormously enriched great tracts of country, and have provided for many millions of people security against famine: no one who has seen, for example, as I have, the irrigated districts of the North-Western Provinces, and who remembers what they were before the canals were constructed, can doubt the priceless value of the benefits which they have conferred. I will not now enter into the causes, arising, in my opinion, mainly from defective systems of financial management, which, in many instances, have prevented these great and admirable works from giving as speedy and as large direct returns as they ought to have given; but I have no doubt that these causes are removable.

FINANCIAL DANGERS.

Although the value of our railways and canals is so immense, and the necessity of going on with their construction so obvious, I have always felt that the system under which we are incurring, on this account, a heavy load of debt is attended with very serious evils; and I hope that it will not be imagined

Extraordinary Works.

No relaxation of conditions intended.

that in proposing the changes of policy of which I am about to speak, the Government intends to relax the stringency of the rules which the Secretary of State and the Government of India have prescribed in regard to the construction of public works with borrowed money: we desire, on the contrary, to make these rules more stringent, and to obtain more complete security that, except under special circumstances, and for the necessary protection of great imperial interests, no money shall be borrowed for any works in respect of which we cannot say, with certainty, that the direct receipts will, at the very least, cover the interest on the capital expended.

System of forecasts of financial results.

The system under which our so-called Extraordinary works are now carried on was described in the Resolutions of the Government of India in the Public Works Department, published in July 1873 and in June 1875: the conclusion arrived at by the Government of India in the former of these Resolutions was that we might continue, without fear of financial embarrassment, to borrow annually a sum of 4½ millions sterling for the extension of Railways and Irrigation works in India. The grounds of this belief were stated in the Resolution of 1875, in the following words:—

"In the year 1872-73, after deducting the net receipts derived from works in operation, there remained a sum of £2,378,140 charged to revenue for the interest of money borrowed, whether directly by Government or indirectly through Guaranteed Companies, for the construction of reproductive public works: the term reproductive is meant to imply, not that all these works are likely to be in themselves remunerative as an investment of capital, but that their effect will be to add to the general wealth of the country. The condition of the finances was such as to satisfy the Government of India that a similar charge of £2,378,140 might be met in future years without increased taxation. As works under progress are completed, and as those lately completed are brought into fuller work, fresh receipts will come in: some increase is also to be expected from old works: in the forecast of 1873 the rate of expenditure upon works in progress and new works was so adjusted for five years, that the estimated additional annual charge upon revenue for the interest of money to be borrowed should be met by the estimated additional receipts, and no increased annual charge upon revenue should be incurred."

The Resolution goes on to say that the forecast of 1873 had been more than justified by the facts; but that it was deemed expedient to limit to four millions sterling, the annual outlay on reproductive public works classed as extraordinary, for the prosecution of which money might be borrowed,

"New tables," the Resolution continues, "have been prepared on this basis; they include the operations of 1872-73 and 1873-74 taken from the accounts of actual outlay, and those of 1874-75 taken from the Regular Estimates; the operations for 1875-76 are taken from the Budget Estimate, and those of the following four years from the best estimate that can be formed of probable operations. The new forecast extends to the financial year 1879-80; the excess of interest charges over net receipts is estimated to decrease from £2,357,696, the actual charge in 1872-73, to £1,939,803 in 1879-80: this charge is expected to average £20,203,126 per annum from 1875-76 to 1879-80: the result is on the whole much the same as in the calculations of 1873. No allowance has been made for the probability that surplus revenue will be applied to the construction of reproductive works; it will thus be seen that a considerable margin has been allowed for safety in these calculations. The result of the new forecast is satisfactory: it appears that, taking a moderate estimate of the growth of income from existing railways and irrigation works, and very small returns from the new works, an annual capital outlay of four millions for the next five years on State Railways and Irrigation works charged with interest at 4½ per cent. is not likely to lead to any increase of annual charge on the Revenues of India."

The appendices to the Resolution of 1875 show in detail the works which it was proposed to construct with borrowed money: for State Railways it was estimated that the total outlay from extraordinary funds up to the end of 1879-80 would be £22,183,675; for irrigation works up to the same date, the estimate of outlay was £14,125,363; making a grand total to be borrowed of £36,309,038: these figures include sums expended up to 1875. According to the Forecast, the net charge on the Revenues at the end of 1879-80 would be, as before stated, £1,939,806, and this sum was distributed as follows:—

	£
Guaranteed Railways	1,215,000
State Railways	568,265
Irrigation Works	156,541

Forecast system broken down.

I believe that these forecasts were made with excellent care and judgment; and there is no reason for supposing that the anticipations of Lord Northbrook's

Extraordinary Works.

Government in regard to the growth of the income from the Railways and Canals will prove at all too sanguine; upon this subject I ask the attention of the Council to the facts stated in the review of the Regular Estimates for 1876-77 in my separate Minute. Nevertheless, in the last Financial Statement made by my predecessor, Sir William Muir, about a year ago, the Government was obliged to admit that the difficulty of carrying on the existing system had become extremely great: it was explained that, in consequence of the fall in the price of silver, the situation had become so grave, and the future so uncertain, that the Government of India had felt bound to review its position in respect of the expenditure on reproductive works from funds raised by loans: the Government, it was said, felt that it was not justified in adding to our future obligations by incurring any avoidable debt, even for the construction of works admitted to be beneficial to the country and in themselves remunerative: and it would, therefore, if it had been practicable, have altogether refrained, under the existing aspect of affairs, from borrowing for this purpose: such a course, however, could not have been taken without great loss, and it was necessary to complete the works which were in course of construction, not only to prevent waste, but in order that the capital already expended might bring in a return of revenue.

"But," it was added, "the Government of India, though thus unable immediately to stop the expenditure from borrowed funds, are resolved at once to contract the sphere of operations. * * * So long as the present adverse prospects continue, this class of expenditure will be gradually diminished, so as, in the end, if need be, entirely to obviate borrowing for the purpose."

Policy re-opened.

The whole question of our policy of borrowing money for public works has thus been, to some extent, re-opened. The truth, I think, is that it is impossible to foresee so confidently the financial conditions of the future that we can pledge ourselves to go on borrowing money, for a number of years, at the charge of the Imperial Treasury, without any fear that difficulties will arise. The progress of great works of improvement which, if carried out at all, ought to be carried out in a regular and systematic manner, thus becomes liable to interruption at any time by any temporary financial embarrassment: last year, our embarrassment was the depreciation of silver; this year, it is famine; next year, it may be something else.

Lord Mayo, in his speech in this Council on the 31st March 1871, made some observations on this subject which seem to me very true and very much to the point:—

"Unless," he said, "the Government is supported in organizing a system by which these works can be constructed without placing further serious charges upon Imperial Revenue, I greatly fear that many of these important operations may not be undertaken at all; or, if they are undertaken, they may run the risk of being stopped before they are finished."

and he went on to express his apprehension that we might otherwise have, in a few years, to witness either financial difficulty or the stoppage of some of these great and beneficial works. This anticipation has been exactly verified.

I am not so foolish as to imagine that there is any panacea for dealing with the difficulties with which this subject is surrounded; but I think that it is posssible to diminish them.

Imperial unremunerative Extraordinary Works.

The works which have hitherto been classed as Extraordinary may be divided into three great classes:—*First*, there are works of the class which I have already mentioned, which, although they are not expected to be directly remunerative, are undertaken because they are necessary for Imperial purposes. I have said all that I have to say at present regarding them; and have explained that, if any new works of this kind are undertaken, they will be treated as Ordinary, and not Extraordinary works.

Remunerative Extraordinary Works.

Between the *second* and *third* classes of Extraordinary Public Works, of which I have now to speak, there is no broad and distinct line of separation. They are, in both cases, works of improvement for developing the resources of the country, and for meeting its necessary requirements; and, in respect of them, it is anticipated that, besides the indirect advantages to the country arising from their construction, they will yield, within a moderate time, a direct income at least equal to the interest of the capital expended on them. Some of these works which I put into my *second* class are undertaken for objects of such general utility, that they may be fairly called

Extraordinary Works.

Imperial: the great trunk lines of railway, for instance, like those which connect Calcutta with Bombay, Madras and Lahore, or that which we hope before long will be completed from Ajmere to the Bombay and Baroda Line, are works which not only confer immense benefits on the Provinces and Districts through which they pass, but are essential to the wealth and prosperity of the Empire: the cost of constructing them falls, properly, so long as private enterprise is not forthcoming, on the Empire at large.

EXTRAORDINARY WORKS FOR PROVINCIAL AND LOCAL OBJECTS.

But there is another class, which I call the *third* class of great works of improvement, which are, primarily, works of provincial or local utility, undertaken for the special benefit of certain districts or places, with the object of increasing their wealth, or protecting them against famine, or for some other purpose: the Orissa canals, for instance, have afforded to that Province an insurance against famine; the Ganges Canal has given absolute immunity from famine to many districts of the North-Western Provinces; the Northern Bengal and the Tirhoot railways will be works of immense local value. There is, as I said before, no broad line of difference between such works as these and works of Imperial utility; Imperial works confer great local benefits; and works of local utility enrich the Empire; but, although the two classes of works thus run into one another, the distinction is, nevertheless, a real one, and it has not been sufficiently recognized.

CANNOT BE CONSTRUCTED FROM IMPERIAL RESOURCES.

It has been frequently said, and I suppose no one denies it, that it is impossible to meet from the Imperial Revenues the obligation of providing all the works of local improvement which India requires; but we still go on as if we believed this to be false, and continue to take in hand, at the charge of the Imperial Treasury, all sorts of works of little imperial importance, and the value of which is mainly and primarily local: these are the undertakings which cause so much financial difficulty.

I will give a few examples of the practical results of the system which we have been following.

FINANCIAL FAILURE OF CANALS IN BENGAL.

The total capital outlay on Irrigation works in Lower Bengal up to the end of 1875-76 was £4,072,742; and not less than £1,494,000 will be required to complete the works that are in progress: the gross income from these works in 1875-76 was £23,043, and the working expenses were £52,949; there was a dead loss on the year's operations, independently of interest on borrowed capital, of £29,906: the net loss in interest and working expenses during the year was £203,700; and the total accumulated loss up to 31st March 1876 was £878,100.

ORISSA PROJECTS.

The Orissa and Midnapore Projects had cost, up to 31st March 1876, £2,482,039; and are so far completed that water for irrigation on a large scale has been obtainable for several years past: in 1875-76, these canals yielded an income of £17,953, while the working expenses were £41,406: including interest, the net loss on these canals was £122,567, and the total loss up to 31st March 1876, was £666,131. The further works which it is proposed to undertake in Orissa will cost about £368,000 more; and no one, I believe, pretends that, within any time which can now be foreseen, there is the remotest chance, if things are left as they are, that we shall get any adequate return from this great expenditure.

SÔNE CANALS.

The Sône Canals in Northern Bengal had cost, to the end of 1875-76, £1,521,366; and more than £1,185,000 will be required to complete them: they will be, in the highest degree, beneficial; but I am confident that there is not, under the present system, any probability that they will, for many years to come, pay the interest on the capital outlay: the income in 1875-76 was £5,090, and the working expenses were £11,543. I do not lay stress on these figures, because the works are not finished; but it is a curious and most significant comment on them to be told, as we have been on the highest official authority, that the value of the crops saved by these unfinished canals in the single year of drought, 1873-74, was estimated at £480,000.

CANALS AND RAILWAYS IN BENGAL.

The lowest sum at which it is possible to estimate the capital outlay in Bengal on canals and local railways now in operation or in progress, exceeds £8,000,000. After expending £4,072,742 on canals, there was, as just shown, a dead loss to the Imperial Revenues in the year 1875-76 of £203,700. I do not wish to speculate on the results that would probably be obtained under the existing system when the total expenditure reached £8,000,000; but the prospect could hardly be more unsatisfactory: and in spite of all this, the works themselves are most useful and beneficial to Bengal.

I might give similar, although less extravagant, examples from the works in other Provinces; but I think that enough has been said to show that there must be something radically unsound in our existing policy.

Principle of local responsibility for interest on Extraordinary Expenditure.

I come now to the consideration of the remedies for the state of things which I have been describing.

COMPULSORY WATER-RATES.

Six years ago, there was much discussion on the subject of compulsory water-rates; and I wish to refer to that question, before going further, because it is more or less connected with the proposals which I am about to make. So much has been said and written in past times about it (and I am afraid that my own share in the discussion would fill a small volume), that I can hardly say anything which has not been said before: the question, it will be remembered, was one in which Lord Mayo took a deep interest; his views on the subject are well known, and I believe them to have been thoroughly sound: I must explain that, in what I am now about to say regarding compulsory rates for irrigation, I express my own opinions only, and in no way commit the Government at large. The practical measures which are now proposed may, however, be consistently approved by those who disagree with the views which I hold regarding compulsory water-rates; and, if I refer to this subject now, I do so chiefly because I wish to guard myself, personally, against the charge which might otherwise have been brought against me, that I was introducing a measure which I hoped would lead to results very different from those which were apparent on its face.

PUNJAB CANALS ACT.

The proposals which were made, some years ago, to impose compulsory rates for meeting the charges for works of irrigation, took a definite shape in certain Sections of the Punjab Canals Act, which were passed, after much discussion, in 1871, but were subsequently vetoed by the Duke of Argyll, who was then Secretary of State: I should be sorry to see those Sections re-enacted now: their only merit, in my estimation, was that they recognised a true and important principle; but they could not have been worked in practice, and I do not regret their loss.

PRINCIPLE OF LOCAL RESPONSIBILITY.

The principle for which I contend is simple: under our existing system, almost the only direct returns which we obtain from our canals are those derived from the voluntary payments of the cultivators who take water for irrigating their fields: I assert that this system is wrong and irrational. In a country like India, exposed not to the chance, but to the certainty, of periodical drought and famine, the construction of works of irrigation is often an absolute necessity: it is a necessity, whether the people in ordinary seasons take the water or not, and whether the canals pay or not.

ORISSA CANALS.

I take as an illustration the case of the Orissa Canals, to which I have just referred: there has been an immense expenditure of money; and the result is that an insurance has been provided against the recurrence of any such terrible calamity as the famine which happened some years ago: but, in ordinary years, when the rainfall is sufficient, the people will not pay for the canal water; they know that, in case of necessity, the water is there, and that they can get it; but, under ordinary circumstances, they think they can manage well enough without it: the result is that, although the Province of Orissa is secured against famine, the canal gives no direct return on the great sum of money borrowed for its construction, and does not pay even its working expenses; and the whole burden of the charge falls, not on the people really benefited, but on the Imperial Revenues, or, in other words, on the tax-payers of the Empire.

SÔNE CANALS.

I have just given similar figures for the Sône Canals in Behar; the Province is rich and prosperous, and well able to pay for the great local benefits conferred upon it; but, for some reasons which I, for my part, have never been able to understand, or in the least degree to appreciate, we choose to give these advantages to the people of Behar at the cost of the people of India: the people who are to get the benefit are to pay as little as they please; the people are to pay who get almost no benefit at all.

What I want to know is why irrigation works, which, in many parts of India, are, incomparably, the most beneficial works which it is possible to undertake, and the works which have the greatest possible local utility, are to be singled out as the only local works for which the people immediately benefited are to pay nothing: why are districts and towns to pay for their

Principle of local responsibility for interest on Extraordinary Expenditure.

own roads, and schools, and hospitals, for the paving and drainage of their streets, and their supply of drinking water; and why is it wrong that they should pay something for the irrigation works on which the actual existence of the people depends?

It is idle to say that, in the one case, the people are themselves consulted before the expenditure is incurred, whereas, in the other case, the works are undertaken without any reference to their wishes; every one knows perfectly well, that, whatever may be the theory, the fact is, putting aside some altogether exceptional cases, that the people at large have no more to do with the regulation of local and municipal expenditure than with the expenditure on canals and railways; and that, for many years to come, this must continue to be true.

As it cannot be denied that we cannot go on, for ever, constructing at the expense of the Imperial Revenues, works which will not pay, although those works may be absolutely necessary as a protection against famine, it comes virtually, under our present system, to this, that the question whether we are or are not to make canals, and whether we are or are not to save millions of people from misery and perhaps from actual starvation, is to depend on the views which certain ignorant peasants may hold in regard to their own personal interests.

Almost everything that I have been saying about canals is, in regard to some parts of India, just as applicable to railways: there are many districts in which irrigation works are not wanted or cannot be made, and where cheap local lines of railway are the proper and only effectual means for preventing or relieving famine.

GOVERNMENT OF INDIA WILL ENFORCE *provincial* RESPONSIBILITY ONLY.

I will not now discuss this subject further, because the Government of India has no propositions to bring forward in regard to it: all that we now desire is to enforce provincial responsibility for works of provincial utility; and it will be left to the Local Governments to take, if they should think fit to do so, the initiative in proposing the adoption of more complete measures under which a really local responsibility shall be enforced for meeting local wants: I do not disguise my own opinion; and it is my hope that the system which we now desire to introduce, will lead to results in the direction which I have indicated.

Our present plan is this: we desire to throw upon every Province, so far as this is now practicable, the responsibility for meeting the cost of its own local requirements.

It will be objected that to enforce strictly local responsibility in such a matter may be right; but that it is quite another thing to throw such a responsibility on a whole Province: this, it may be said, is, in principle, as bad as making the responsibility Imperial. Now, I fully admit that, in my own opinion, our proposed measures, if they be taken by themselves, are imperfect; and that they ought to be supplemented by others in the manner which I have suggested: but, under existing circumstances, it is not possible for the Government of India to do more than distribute between the various Provinces the burden which now improperly rests on the Imperial Revenues; and, in doing this, and obliging each Province to meet the charges for its own works of local utility, it will have taken a great step in the right direction. It is, for instance, at any rate, less unfair that the cost of the Ganges Canal should fall upon the people of the North-Western Provinces than upon the people of Madras and Bombay.

ADVANTAGES ANTICIPATED.

When Local Governments find that this responsibility has been imposed upon them, and that the only means of obtaining, without fresh taxation, the works of improvement which they require, is the wise and economical management of the works themselves, and the development of the income which they yield, they, and their officers, will take an altogether different interest in these matters from that which they feel now, when the only apparent practical result of careless financial administration is diminished profit to the distant treasury of the Empire. When new proposals to construct works of improvement with borrowed money are brought forward, the incentives to economy and care on the part of the Local Governments will be especially strong, and a powerful check will be placed on extravagant projects and enthusiastic estimates of profit. Under the present system, every Province desires to get for its own useful works as large a share as possible of borrowed money, knowing that, whether the anticipations of future income prove to be accurate or not, there will be certain gain to the Province, and loss to the Imperial treasury alone.

Principle of local responsibility for interest on Extraordinary Expenditure.

The principle on which we base our proposed measures is strictly just: we start with the fact that each of our great Indian Provinces has an individuality of its own; that it is something more than a mere geographical expression; and that its people have, in a great measure, common wants and common interests. I will take as an illustration of my meaning, and of the manner in which our plans will work, the North-Western Provinces and the Ganges Canal: the people who actually take the water to irrigate their fields are the first who profit; the people who, although they do not take the water, can do so whenever they choose, and for whom an insurance against drought has been provided, are those who profit next: but these are not the only people who derive a positive benefit from the canal; it not only gives protection against famine to a great agricultural and non-agricultural population in the tract through which its immediate influence is felt, but, now that the country is intersected with railways and roads, there is hardly any part of the North-Western Provinces which does not receive from it more or less advantage, or which may not fairly be expected to contribute something towards the cost of its construction and its maintenance: in times of drought, it provides food not only for the districts through which it passes, but for those which are less fortunately situated, and it prevents the price of grain from rising to a point which would cause privation and suffering to the poorer classes of the population.

So far, therefore, as the Government of India is now concerned, the unit with which we shall deal will be the Province which is benefited: it will be the duty of the Local Governments to endeavour, so far as may be practicable, to distribute the charges imposed upon them, so that the burden on any district, or any class of people, shall be proportionate to the benefits received.

FRESH TAXATION IN BENGAL PRESIDENCY.

These plans cannot be carried out without imposing fresh taxation in the Bengal Presidency: they will scarcely affect Madras and Bombay, except in regard to new works which it may be proposed to construct hereafter; and the application of these principles to those Presidencies must be reserved for future consideration: it may be added that the present time would obviously be inopportune for imposing fresh burdens in Provinces suffering from famine.

Arrangements with Local Governments about Extraordinary Works.

I do not assert that it will now be possible to apply these plans strictly to all cases in which canals and railways of local utility have, in past times, been constructed at the expense of the Imperial Revenues: all that we say is that they shall be applied, so far as this can now be done, without unwisely and unjustly throwing fresh burdens on provincial resources, and always bearing in mind that there is, as I have said before, no real distinction between imperial and provincial taxation.

ARRANGEMENTS WITH N. W. PROVINCES.

I can do little more, now, than explain the general principles of the policy which the Government proposes to adopt; and I can only describe in detail the plans for carrying it out in the North-Western Provinces: they are the only measures which it has been possible to bring to completion in concert with the Local Government; and they alone will at present require legislation in this Council.

The capital expended on canals in the North-Western Provinces and classed as "Extraordinary," will amount, at the end of 1876-77, to £5,291,000, and, at the end of 1877-78, to £5,560,000: these figures do not include anything on account of the accumulated interest paid in past years in excess of the net income derived from the works: for our present purpose, there is no propriety in making such an addition to the capital, because the interest has in fact been discharged, from year to year, as it became due, and no longer constitutes any burden on the Revenues.

The revenue of these canals from water rates, navigation, and other direct returns, in 1877-78, is estimated at £310,100; and the indirect revenue, consisting of land revenue due to the works, at £92,300; so that the estimated gross revenue derived from the canals in 1877-78 is £402,400: the working expenses are estimated at £146,100: thus the Net Revenue will be £256,300 or £164,000, according as the indirect revenue is or is not taken into account. One year's simple interest at 4½ per cent. on the capital hitherto expended is estimated to be £244,000; according to these calculations, therefore, the works will, in 1877-78, after providing for interest on the capital, and taking credit for the indirect Revenue, yield a surplus profit of £12,300.

Arrangements with Local Governments about Extraordinary Works.

These figures do not really exhibit any close approximation to a real profit and loss account: on the one hand, the sum shown as Capital Expenditure includes no interest during construction, nor does it, or the sum shown as working expenses, include any provision for Absentee Allowances and Pensions, or for incidental charges, such as Stationery, Printing, Medical Stores, Imperial Supervising Offices, &c., which are not recorded in the Public Accounts as expenditure on Public Works, but under other heads. On the other hand, the amount shown as Capital Expenditure includes a large outlay on works not yet in operation, and therefore not yielding revenue.

The following statement shows the estimated Capital Expenditure on the works completed to the end of 1876-77, and the Net Revenue expected to be derived from those works in 1877-78:—

Canals.	Capital expended.	Gross estimated Earnings, 1877-78.	Working Expenses.	Net Revenue.
	Rs.	Rs.	Rs.	Rs.
Ganges	2,80,00,000	(a)22,16,000	9,71,000	12,45,000
Eastern Jumna ...	24,24,000	6,34,000	2,17,000	4,17,000
Dhoon	6,14,000	51,000	32,000	19,000
Rohilkhand and others	14,62,000	83,000	68,000	15,000
TOTAL ...	3,25,00,000	29,84,000	12,88,000	16,96,000

(a) Including Rs. 43,000 from Owners' Rate.

It appears from this Statement that out of the total capital expended to the end of 1876-77, no less than £2,040,700 has been spent on works still in course of construction, or which are not yet producing Net Revenue, and that the interest on the capital yielding revenue, *viz.*, £3,250,000, is, at 4½ per cent., £146,250. These completed works are thus estimated to yield, in 1877-78, a net profit, over and above the interest on their capital cost, of £115,650, including the indirect revenue, or £23,350 if we exclude it: making all allowances for the omissions from the Capital Expenditure and Working Expenses above noticed, there can be no doubt that these results are very satisfactory: it must, however, be remembered that they were only arrived at after the canals had been in operation for a long period of years.

Reservation of existing Net Revenue.

The exigencies of the Supreme Government will not admit of the surrender of any part of the Net Revenue which it now receives from these works: it has been decided that the most convenient way of adjusting this claim of the Government of India will be, in the first instance, to reserve to the Imperial Treasury the indirect returns from the canals, which are now credited as Land Revenue: they amounted last year to £92,300: this leaves a further sum of £23,350 to be made good; but, as some of the items of the calculation are uncertain, the Government of India will be satisfied with a fixed contribution of £20,000 in addition to the indirect revenue. It must be remembered that the Imperial treasury, in thus claiming the entire profits on capital hitherto expended, only claims what it receives already; and that it foregoes, at the same time, all claims for returns on the large indirect expenditure before referred to. The Local Government will thus be responsible for making good to the Imperial treasury every year the interest on the whole capital expended, plus the sum of £20,000; and to meet these charges the Local Government will receive the whole of the Net Revenue from the works, excepting that portion of it which is credited as Land Revenue: some special arrangements, with which I need not trouble the Council, have been made regarding that portion of the Canal receipts known technically as *Owners' Rate.*

The amount which will thus be due from the Local to the Imperial Government in 1877-78 may be estimated at £100,000: subject to this payment, and to certain further conditions which I shall notice presently, the Government of India will make over the whole of these works to provincial management, and the whole of the revenue derived from them to provincial uses. The Government of India will advance from the Public Treasury the funds required for completing the irrigation works now in progress or proposed, and for the construction of Railways for local purposes. During the next three years, the account between the two Governments will, it is proposed, be settled in the manner that has been described: the arrangements will then be open to revision.

Arrangements with Local Governments about Extraordinary Works.

It must rest with the Supreme Government to determine how much money it can place at the disposal of the Government of the North-Western Provinces, each year, for the construction of these works. The Governor General in Council will endeavour in this matter, as far as possible, to meet the wishes of the Local Government, and to supply the necessary funds at such a rate that the works shall go on regularly to completion with no avoidable delay: the amount, however, that it is expedient to borrow for the whole of India, in each year, must be determined upon general considerations; and the Government of India alone must decide how the available funds can be most profitably distributed among the several Local Governments: the demands upon the Public Treasury, ordinary and extraordinary, are too uncertain for it to be possible for the Imperial Government to promise, absolutely, to supply a fixed sum to any Local Government for a succession of years.

Government of India must determine rate of future expenditure.

Forecast of results in N. W. Provinces.

It is understood that the capital cost of the canals and local railways now in existence, under construction, or contemplated in the North-Western Provinces, is estimated at about £8,500,000; so that, to complete the whole, there will still be £3,000,000 to spend after the year 1877-78. Assuming it to be possible to provide £400,000 annually for this expenditure during the next five years, the liabilities of the Local Government for interest and Imperial profits would increase from their present amount of £264,000 to £345,000 at the end of the fifth year; on the other hand, it is anticipated that the receipts will increase, during the same period, at an average rate of £20,000 a year, or from the present amount of £164,000 to about £264,000. On this assumption the amount to be contributed from other sources, which is now £100,000, would have fallen to a little over £80,000 at the close of the five years: the prospective burden undertaken by the Local Government is, therefore, never likely to become formidable. It is no doubt possible that the estimate of £3,000,000 for future expenditure may be increased; but this will not materially affect the calculation, since, in that case, the term for spending the money would no doubt be extended also.

Imperial Treasury to share further profits.

As the burden imposed upon the Local Government becomes reduced by the growth of the net direct revenue, it is necessary that the Local Government should contribute to the Imperial Treasury a share of the advantage: it would be premature now to define what may ultimately be an equitable settlement between the Imperial and Local Government; but, as a temporary arrangement, open to revision at the end of three years, the Local Government will surrender to the Imperial Treasury one-half of any reduction that it may be able to effect in the charge of £100,000 which it now undertakes. For instance, supposing that the interest plus the profits of the Imperial Treasury payable by the Local Government should increase to £300,000, and the net revenue received by the Local Government should increase to £240,000, the sum to be provided from other sources would fall from £100,000 to £60,000, and, if no further condition were imposed, the Local Government would be in a better position by the difference, *viz.*, £40,000. The Government of India will concede to the Local Government one-half of this future advantage, reserving to itself the other half only, instead of the entire profits which it would keep for the Imperial Treasury if it were to apply to the profits of the future the same rule which has been applied to past profits accruing prior to the transfer now proposed: it is the expectation of the Governor General in Council that this arrangement will be profitable to both Governments; because it is hoped that the change of system will lead to better administration and to increased advantage from the works.

I must add that some of the figures which I have now given may be somewhat modified before final arrangements are made; but in this case the changes will tend to diminish, and not to increase, the burden placed on the Local Governments.

Although I hope that the Local Government will endeavour to secure from the land more or less directly benefited by the canals, larger returns than those which are obtained under the existing system, several years must elapse before the completion of the great irrigation works now in progress; and, until they begin to yield income, some general contribution from the Province will be unavoidable.

Arrangements with Local Governments about Extraordinary Works.

As a matter of principle, I think that the larger portion of charges such as those of which I am speaking, ought to fall on the owners of land, rather than on other classes, because the benefit conferred by these works will be permanent: the whole community, however, derives great advantage from them, and it is equitable that the non-agricultural class should contribute also: it is not thought desirable, at present, to impose fresh burdens on the land in the North-Western Provinces; and, without doing this, we can obtain what we want.

Proposed Legislation.

I will now give a sketch of the plans which are proposed, leaving it to my Honorable friend, Mr. Bazett Colvin, who may now be held to represent the North-Western Provinces in this Council, to describe, hereafter, the details of the measures which will require legislative sanction.

Modification of Local Rates Act, 1871.

The first of the proposed measures will be a not very extensive amendment of Act XVIII of 1871, which provides for the levy of rates on land for local purposes. Although these rates were only placed on a strictly definite and legal basis in 1871, they have been levied, for many years past, in the greater part of the North-Western Provinces: every estate in which the settlement of the Land Revenue is subject to revision, is liable to the payment of a local rate, not exceeding five per cent., on the annual value of the land: in permanently settled estates, rates are levied for the same purposes at an amount not exceeding annually two annas for each acre under cultivation. All these rates are, in the first instance, credited to a General Provincial Fund, from which the Lieutenant-Governor is bound to assign amounts to be applied in each district for certain specified purposes: these are the construction and maintenance of Roads and Communications; Rural Police; District Post; Education; Hospitals; Lunatic Asylums; Markets; Wells and Tanks; and other local works likely to promote the public health, comfort, or convenience: the annual assignment made to each district must not be less than the total amount of local rates levied in it; but any portion of such assignment which remains unexpended at the end of the year may be spent in any way which the Lieutenant-Governor thinks beneficial to the North-Western Provinces generally.

The principle is thus recognized, that these rates may, in part at least, be expended on objects of provincial utility; and, as a matter of fact, a large portion of them has been so expended. As it is not now wished to increase the burdens on the land, all that is proposed is to authorise the Local Government to make assignments from the local rates for the purpose of meeting charges on account of Irrigation works and Railways of provincial utility: it is proposed to fix the maximum amount of such assignments at 10 per cent. of the total sum levied under the Act, leaving 90 per cent. to be spent as at present; but I see no reason for anticipating that the actual proportion of the rates so assigned will amount to this maximum. The total amount of the local rates levied annually in the North-Western Provinces is about £130,000, and the proposed amendment of the law will not seriously diminish the existing grants for local purposes.

License Tax on Trades and Dealings.

The second measure now proposed is the imposition of a light License Tax on trades and dealings in the North-Western Provinces. The Bill that will be laid before the Council is taken, in great measure, from a Bill proposed by Sir William Muir when he was Lieutenant-Governor in 1871, under the belief that it would be necessary to impose fresh taxation for provincial purposes: that Bill was introduced into this Council by Mr. Inglis, and passed through Committee; but the Lieutenant-Governor came to the conclusion that additional taxation was after all not necessary, and the Bill was dropped. The original Bill imposed small duties on certain specified trades, and the amount of the duties in no way depended on any trader's means: although, in this respect, the new Bill will not be so satisfactory as the old one, which would not yield as much money as we require, and the estimated receipts from which are admitted to have been greatly over-rated, no inquisition will be made into any man's actual profits, and the measure will not be an income tax in disguise: it will be similar to the License Taxes actually imposed for local purposes in many large Indian towns, and to the Pándhri tax, which has long been levied in the Central Provinces. The principal trades, as the Council will see from the Bill

which I hope to be allowed to introduce to-day, have been classified and graded, and a specific sum is put down against each class and grade: the highest license fees proposed are those on Bankers and Wholesale dealers in country-produce, and they vary from Rs. 16 to Rs. 64 a year: other traders will have to pay smaller sums, which are in some cases as low as Rs. 2, and in no case exceed Rs. 32. It is extremely difficult to say what this measure will probably yield, but, for my present purpose, I will assume it to be £50,000 a year.

Arrangements with Local Governments about Extraordinary Works.

Other Measures.

If the plans which I have described are carried into effect, the first step for the Local Government to take will be to look thoroughly into its Public Works Establishments, and to consider whether the existing system under which the canals are managed, and under which the canal revenue is collected, cannot be improved and made less costly: it will then have to consider what means can be taken for increasing the income yielded by the existing canals: there will, therefore, I hope, be no necessity for depending only upon new taxation and on the assignments from local rates, for the means of meeting the new charges.

The measures which I have thus described will, it is believed, enable the Government of the North-Western Provinces to satisfy, without difficulty, the obligations imposed upon it.

The whole of these arrangements have been settled in communication with Sir George Couper, the Lieutenant-Governor, and have received in all respects his cordial approval.

Arrangements with Bengal.

In the imposition upon Bengal of similar responsibilities for meeting the charges for extraordinary public works, similar principles will be applied; but, as the existing works are at present unprofitable, the sum to be made good annually by the province will be larger than in the North-Western Provinces: it will amount at present to about £275,000.

The Government of India is in communication with the Local Government on this subject: the Lieutenant-Governor will consider what portion of the whole burden can be recovered from the people who are primarily benefited by the works which have been constructed, and what portion must be raised by fresh taxation upon the province at large: I hope that, so far as the immediate demands of the Supreme Government are concerned, there may be no necessity for throwing on the Province generally the whole of this new demand; but, on the other hand, it must be remembered that the obligations which have been placed on the Local Government will, unless the income from the works be rapidly developed, have an undoubted tendency to increase. It must also be remembered that there are new works of extreme importance urgently required in the interests of the people of Bengal for which, under the system we are now inaugurating, the Government of India will not make itself responsible. Whatever legislation may be necessary will take place, not in this Council, but in that of the Lieutenant-Governor, and it would be improper in me to refer in detail to the measures which His Honor may think fit to initiate: any schemes for new taxation must of course first receive the sanction of the Supreme Government. It is hoped that the Government of Bengal will avail itself, as far as possible, of existing modes of raising revenue, and endeavour to extend and expand them, rather than have recourse to new and unfamiliar systems of taxation, and that it will be able to carry out all necessary measures through its present establishments: even if it were possible to devise new forms of taxation theoretically better than the forms which already exist, it would still be wiser to adhere to systems understood by the people, rather than adopt innovations which might cause dissatisfaction and apprehension, and which might lead to oppression through the creation of new collecting and assessing machinery. Although the amount to be raised is in itself considerable, the increase of taxation which it involves will really be very small, when distributed over an enormous population: I have no doubt that the Local Government will be able to adapt successfully its present system to meeting this increased demand: I am sure that it will be the universal feeling, not only of this Council, but of the public, that the initiation of the necessary measures could not be in better hands than in those of my honorable friend Mr. Eden; and in regard to this matter the views of the two Governments are completely in accord.

Arrangements with Local Governments about Extraordinary Works.

THE PUNJAB.

In regard to the Punjab, I can say nothing definite at present: it is thought desirable to wait until the Government arrives at Simla, when it will have the advantage of the presence and co-operation on the spot of the Lieutenant-Governor and some of his most experienced officers: meanwhile, I have the satisfaction of knowing that my honorable friend and present colleague, Mr. Egerton, who will, before long, assume charge of the office of Lieutenant-Governor, will give his cordial support to the principles which have been laid down, and that he anticipates no serious difficulty in their application to the Punjab.

The total amount of the contributions thus made to the Imperial Treasury for Bengal and the North-Western Provinces is estimated to be, in 1877-78, £375,000.

The combined result of the arrangements made with the Local Governments in regard to both Ordinary and Extraordinary income and expenditure is that the estimates of the coming year have been improved to the extent of £520,000: it will be understood, from what I have already said, that it is not now possible to state exactly what portion of this amount will be provided by new taxation; but it will not exceed £325,000, and will probably be less.

Famine Finance.

FINANCE OF FAMINE RELIEF.

The questions of which I have been speaking are closely connected with another subject of great importance. In a despatch to the Government of India, dated the 25th November 1875, the Secretary of State called attention to the question of the proper incidence of the charges which have to be incurred for the relief of famine: he said that, however plain may be the primary obligation of the State to do all that is possible towards preserving the lives of the people, it would be most unwise to overlook the great danger of tacitly accepting, if not the doctrine, at least the practice, of making the General Revenues bear the whole burden of meeting all local difficulties or of relieving all local distress, and of supplying the needful funds by borrowing in a shape that establishes a permanent charge for all future time.

LOCAL RESPONSIBILITY.

The Secretary of State fully admitted the difficulty of a satisfactory solution of the question of how local resources can be applied to aid in meeting local wants; but he said that this difficulty ought not to be allowed to obscure the perception of the vital importance of such a solution to the future well-being of the country, and the necessity for establishing some system under which shall be suitably recognized the undoubted responsibility which rests on the people themselves to provide for their own support.

In the instructions lately issued by the Government of India to Sir Richard Temple, in respect of the inquiries which he is now conducting with signal ability and success in the famine-stricken districts of Madras and Bombay, the same doctrine of the necessity for enforcing some system of local responsibility for providing local relief was recognized by the Government of India;

NO PRACTICAL CONCLUSION YET FORMED.

and I wish that it were now in my power to inform the Council that some practical conclusions had been arrived at. This I cannot do; but the question will receive the careful consideration of the Government, and I hope that a useful solution of it may be found, by which, while the Imperial revenues are duly protected, no unjust or excessive burdens shall be imposed upon local or provincial interests: this last condition is obviously essential. Meanwhile, the measures which I have been explaining are a step in the direction which I have mentioned; by throwing upon each province the responsibility for meeting the charges necessary for providing the canals and railways required to protect its own people against famine, we give practical recognition to the principle on which the Secretary of State has insisted, and we obtain, to a certain extent, though far from completely, that safeguard for the Imperial Revenues which he thought so necessary. This at least is certain, that the relief of famine must be looked on as an ordinary charge to be met from revenue, and not from borrowed money.

DUTY OF STATE TO PRESERVE LIFE CLEAR.

The question has often been raised of late, whether it is really possible for the State to undertake the responsibility of preserving the lives of the people during famines, the periodical recurrence of which in India must unhappily be looked upon as certain: for my own part I do not think the answer difficult: it seems to me idle to discuss whether the Government of India, on account of

financial considerations, can deliberately allow people to die of starvation: it is quite clear that it can do nothing of the kind: it is a fact which has to be accepted that life must be saved, whatever be the cost. It is conceivable that the performance of such a task might become impossible; but I can conceive many other causes which would make the Government of India by the English impossible; and I see no use in speculating on what may happen, in consequence of financial or other ruin, in some distant future, under circumstances which cannot now be foreseen. **Famine Finance.**

CAN BE DISCHARGED WITHOUT RISK OF INSOLVENCY.

I have tried to read for myself the lessons of the past, and they appear to me to show that if we treat this great famine question in a rational way, and base our measures on true principles, we shall find no insuperable difficulty in dealing with it. The first thing to be distinctly declared is that, while the State fully accepts the necessity of saving life, and of preventing extreme distress, it refuses to attempt to take upon itself, in time of famine, more than in any other time, the impossible task of preventing and relieving all human suffering; and that we will not allow the strong and natural desire to provide immediate remedies against present misery, to blind us to the duties which we owe to the people of the Empire at large, and to future generations. The task of giving relief to all those who suffer, offers the noblest opportunities of doing good to well-applied private charity and intelligence and zeal; but it cannot be undertaken by the State.

So far from the experience of past and present famines showing that the performance by the Government of its proper duties in regard to the relief of famine is, on financial grounds, impossible, all the facts seem to me to point to an opposite conclusion: it is not only in the relief of famine that it is easy to throw away millions; and, whenever there has been a very heavy expenditure on famine relief, it has (such at least is my belief) resulted from causes which, we can now see, might have been avoided, and which we ought to be able to avoid in future.

I earnestly hope that we shall not allow the present famine to pass away, without learning from it the necessity of adopting a clear and definite policy for dealing with such calamities in future: I believe that we can undertake to do everything that a Government ought to do, without any of the ruinous consequences which are sometimes predicted. Very serious obligations are undoubtedly imposed upon us: we must, and will, take measures for guarding against the dangers with which these periodical famines threaten our finances; and, although I cannot now say what those measures will be, the Government of India will not shrink from the duty which rests upon it.

Other fiscal reforms.

When, my Lord, only a few months ago, I accepted my present office, I looked forward confidently to proposing, in my first Financial Statement, several fiscal reforms of extreme importance: I hoped, among other things, that we should have been able to undertake measures which it has long seemed to me are more urgently required than almost any that can be named; measures for the reform of the system under which the salt duties are levied throughout India; for enabling the people, through vast tracts of country, to obtain what they cannot obtain now—plentiful supplies of cheap salt; for abolishing that opprobrium of our Government, the Inland Customs Line; and for getting rid, at the same time, of one of the very worst taxes ever levied by a civilised Government, the transit duty on sugar the produce of our own territories. I hoped, at the same time, that it would have been possible to take a really practical and decisive step towards redeeming the pledges given by the Secretary of State for the removal of the Customs duties on cotton goods: those pledges were, in my opinion, wisely given; and I looked forward with the greatest satisfaction to being able to take an active part in carrying out the policy which Her Majesty's Government has approved. Unfortunately these hopes have been disappointed: the terrible famine, from which so large a portion of India is now suffering, and which causes such unceasing anxiety to the Government and imposes such serious burdens upon the finances, has rendered it impossible to deal with these questions. The next best thing, however, to bringing great measures into effect, is to prepare the way for their execution hereafter; and I desire to tell the Council and the public what the policy is which

the Government is firmly resolved to carry out: the Government has a distinct programme which it intends to keep constantly in view.

The Salt Duties

There is, perhaps, no great Indian question which has provoked so much discussion as that of salt, and no question on which high authorities have come to more opposite conclusions: it has been declared, on the one hand, that among all the main sources of the existing income of the State, the tax upon salt is one of the best, and one of those least felt by the people, and that by means of it, we raise a great revenue with the least possible objection: it has been frequently declared, on the other hand, that of all taxes this is the worst and wickedest.

If I were to attempt to repeat to the Council all that has been said in support of these contending views, I should not get through my Financial Statement to-day: all that I can do is to state the conclusions of the Government, and the reasons for them: having, for many years past, given to this subject a large share of my attention, I feel great confidence that the policy is right which the Government, with the approval of the Secretary of State, intends to pursue.

Are unobjectionable in principle.

It is unnecessary now to discuss the question whether salt is or is not a proper subject for taxation in India; we, obviously, cannot do without the revenue which it gives us: for my own part, however, I believe the tax to be, on principle, open to no objection; and this is the view which was laid down by the Secretary of State when the question was before him some years ago. I will read to the Council an extract from a despatch from the Duke of Argyll on this subject, dated the 21st January 1869, not only because it appears to me to express, with great clearness, views which are statesmanlike and true; but because it contains, I believe, the last authoritative statement of opinion on this subject given by Her Majesty's Government to the Government of India:—

"On all grounds of general principles, salt is a perfectly legitimate subject of taxation: it is impossible, in any country, to reach the masses of the population by direct taxes: if they are to contribute at all to the expenditure of the State, it must be through taxes levied upon some articles of universal consumption. If such taxes are fairly adjusted, a large revenue can be thus raised, not only with less consciousness on the part of the people, but with less real hardship upon them than in any other way whatever: there is no other article in India answering this description upon which any tax is levied: it appears to be the only one which at present, in that country, can occupy the place which is held in our own financial system by the great articles of consumption from which a large part of the imperial revenue is derived. I am of opinion, therefore, that the Salt tax in India must continue to be regarded as a legitimate and important branch of the public revenue.

"It is the duty, however, of the Government to see that such taxes are not so heavy as to bear unjustly upon the poor, by amounting to a very large percentage upon their necessary expenditure.

"The best test whether an indirect tax is open to this objection is to be found in its effect upon consumption.

"I observe that several of those officers whose opinions upon this question have been given in the papers before me, found that opinion upon what they have heard, or what they have not heard, in the way of complaint among the native population: but this is a very unsafe ground of judgment: it is one of the great advantages of indirect taxation, that it is so mixed up with the other elements of price, that it is paid without observation by the consumers: even at home, where the people are so much more generally educated, and more accustomed to political reasoning, the heavy indirect taxes formerly levied upon the great articles of consumption were seldom complained of by the poor: they were not themselves conscious how severely they were affected by those taxes, and how much more of the articles they would consume if the duties were lower. But whilst this peculiarity of indirect taxation makes it a most convenient instrument of finance, it throws additional responsibility upon all Governments which resort to it, to bring the most enlightened consideration to bear upon the adjustment of taxes which may really be very heavy and very unjust, without the fact being perceived or understood by those on whom they fall."

The Government has endeavoured to give to this great question the consideration which the Secretary of State thus referred to: Does the Salt tax press heavily and unjustly on the people?

I must state, in the first place, that, although the Government of India has adopted the conclusions which I shall presently describe, it must not be supposed that the Government is committed to every opinion which I am about to express: I do not know that, in fact, any difference of opinion exists among the members of the Government; but, on a question of so much difficulty, there may be many matters of detail in which unanimity can hardly be expected.

The Salt Duties.

Sources of Salt supply.

The circumstances under which the Salt duties are levied vary greatly in different parts of India. Bengal and Assam, with sixty-seven millions of people, get nearly the whole of their salt supply from Cheshire, a result mainly of the fact that the exports which India sends to Europe greatly exceed the imports which she receives: salt comes virtually as ballast. Almost the only local source within easy reach, from which Bengal can obtain salt, is the sea, and the natural facilities for making salt on the Northern coasts of the Bay of Bengal are not great: the climate is so damp that salt cannot easily be obtained by the cheap process of solar evaporation; and owing to the vast quantities of fresh water poured in by the Ganges and Brahmaputra, the sea is less salt than on the other shores of India.

Bengal.

Madras and Bombay.

In Madras and Bombay, on the other hand, containing together about forty-seven millions of people, the manufacture of salt from the sea is cheap and easy; and, for these Presidencies, as well as for the greater part of the Central Provinces and the Native States of Southern India, the sea is the great source of supply.

Northern India.

Coming to Northern India we find that the Punjab possesses inexhaustible supplies of rock-salt, which is consumed by about fourteen millions of people. Throughout the North-Western Provinces and Oudh, and a portion of the Central Provinces and of the Punjab, on the other hand, although there are many places where more or less impure salts can be produced, the home sources for the supply of good salt could never be sufficient: forty-seven millions of our own subjects depend almost entirely for their salt on the Native States of Rajputana or on places on the confines of those States.

Varying rates of duty.

The system under which the duty is levied, and the rate of duty, vary in the different provinces. In Madras and Bombay the rate of duty is Re. 1-13 per maund (82 lbs): in Madras, this is collected under a monopoly by which all salt is manufactured on behalf of the Government, and sold to the people at a price which gives a profit equivalent to the duty: in Bombay the duty is levied as an excise. In Lower Bengal the tax is Rs. 3-4 per maund, and is levied chiefly in the form of a Sea Customs Import duty. In the Upper Provinces of this Presidency the rate is Rs. 3 per maund: in the Punjab, this is included in the selling price of the rock-salt, which is the property of the Government; in the rest of the Upper Provinces, the duty is levied when the salt is imported from Rajputana.

The Inland Customs Line.

For this purpose, and to prevent the ingress of salt taxed at lower rates, a Customs Line is maintained, extending from a point north of Attock to near the Berar Frontier, a distance of more than fifteen hundred miles: similar lines, some hundreds of miles in length, are established in the Bombay Presidency, to prevent untaxed salt from Native States entering British territory. Along the greater part of this enormous system of Inland Customs Lines, which, if they were put down in Europe, would stretch from London to Constantinople, a physical barrier has been created, comparable to nothing that I can think of except the great wall of China: it consists principally of an impenetrable hedge of thorny trees and bushes, supplemented by stone walls and ditches, across which no human being, or beast of burden, or vehicle, can pass without being subjected to detention and search: it is guarded by an army of some eight thousand men, the mass of whom receive as wages six or seven rupees a month. The bare statement of these facts is sufficient to show the magnitude of the evil.

Although I believe that every thing is done, which can be done under such circumstances, to prevent abuses, it may be easily imagined what inevitable and serious obstruction to trade, and annoyance and harassment to individuals, must take place: I remember a graphic account by Sir George Campbell, in which he described the evils of the system, and the instruments of the nature of cheese-tasters which are thrust into the goods of every one whose business takes him across the line. The interference is not confined to the traffic passing into British territory; for, owing to the levy of the export duty on sugar, to which I have still to refer, the same obstructions are offered to the traffic passing in the other direction. In spite, however, of the evils inseparable from the existence of an Inland Customs Line, it is practically impossible to dispense with it so long as we levy our Salt tax at different rates in different Provinces, and have no means of controlling the manufacture and

The Salt Duties.

taxation of salt produced in Native States until the salt reaches the British Frontier.

DESIDERATUM A CHEAP AND AMPLE SUPPLY.

The great object at which the Government ought to aim is to give to the people, throughout India, the means of obtaining, with the least possible inconvenience, and at the cheapest rate consistent with financial necessities, a supply of salt, the quantity of which shall be limited only by the capacity of the people for consumption.

INADEQUACY OF EXISTING SUPPLY IN NORTH-WESTERN PROVINCES.

Although much has been done, during the last six or seven years, towards this object, we are still far from its attainment: a comparison between the average consumption of salt per head in different parts of India proves, incontestibly, that, where salt is cheap and abundant, the consumption is much larger than where it is dear, and where the supply is restricted. In Madras, for instance, the recent inquiries of the Salt Commission show an average annual consumption of more than 12 lbs. per head; and, in the greater part of the Bombay Presidency, the rate does not fall much short of this: in Bengal the consumption is about 9½ lbs. per head; while in the North-Western Provinces and Oudh, although it is very difficult to speak positively on the subject, the rate can hardly exceed, if indeed it amounts to, 6 lbs. per head.

PRESENT SYSTEM UNPROFITABLE.

The existing system in Northern India has not even the merit of being financially profitable: for instance, the Madras Salt Commission show that thirty-four millions of people in that Presidency pay Salt duty at Re. 1-13 per maund, amounting to £927,000: if these people, instead of consuming more than 12 lbs. a head, consumed, like the people of Northern India, less than half that amount, and paid a duty of Rs 3 per maund, the revenue would be only £750,000. There can be no doubt that, in the interests of the revenue, the best system would be that under which we should levy throughout India a low rate of duty on unrestricted consumption.

I have a strong belief that more than a hundred millions of people fail now to obtain a full supply of salt: I do not for a moment assert, nor do I believe, that the actual supply is insufficient for the preservation of health; nor do I at all agree with those who maintain that the salt tax presses with extreme severity on the poorer classes: but, however this may be, it is a great evil that the supply of this necessary of life should be restricted; and the restriction is not only mischievous in respect of human consumption, but in this way also, that there is little salt for the cattle, and little for any of the manufacturing processes in which it would be useful.

PRICE DEPENDS ON COST OF TRANSPORT AS WELL AS DUTY.

It must not be forgotten, however, that the price of salt depends not only on the amount of the duty imposed, but on other charges: for example, as I have said elsewhere, the North-Western Provinces depend practically for their salt on the inexhaustible supplies which exist in the Native States of Rajputana: for a long time, the British Government acted as if it were its object to aggravate by artificial obstructions, the natural difficulties in bringing the salt into its own territories; we placed between our markets and the salt sources a great Customs Line; imposed on all salt crossing it a heavy duty; and ignored everything on the other side of that line: thus, for example, salt from Sámbhar had to find its way two hundred miles through Native States, with no roads or bridges, and subjected to imposts, and exactions, and hindrances of every kind, until, at last, it came to the greatest hindrance of all, our own preventive line.

For such a state of things it was obvious that the mere reduction of the duty would do little or no good: the salt dealers, and not the consumers, would have been the chief gainers: with the existing means of communication, it was a physical impossibility to bring from Rajputana the salt required for some fifty millions of people: that task was one that could not be performed by any number of carts, and camels, and ponies which it was possible for the country to furnish; and these were the only means of transport: therefore it was that I have sometimes asserted that there was a salt famine in Northern India, meaning thereby, not only that salt was dear, but that sufficient salt could not be provided. For such a condition of things reduction of duty would no more afford a remedy than it would be a remedy in a food famine to give money to the people when no food existed in the markets: Lord Mayo saw that there were two essential conditions to be fulfilled before relief could be found: it was necessary to provide cheap means of transport, to a practically unlimited extent, between the salt of Rajputana and our own markets; and also to make arrangements by which the price of salt to our people should be freed from influences outside our territory.

The Salt Duties.

RAJPUTANA RAILWAYS.

The first condition could only be provided by making railways into Rajputana; the second condition rendered it necessary that our Government should obtain complete control over the manufacture and supply of salt at the chief places of production. The first of these two conditions has recently been fulfilled by the extension of Railway communication from Agra and Delhi to the Sámbhar salt lake: towards the second a great step was made when we obtained, under Lord Mayo's Administration, from the States of Jaipur and Jodhpur, the lease of this lake, the most important of the salt sources of Rajputana, and acquired, by an amicable arrangement which was as profitable to the Native Chiefs as to the British Government, the complete control over the local manufacture of salt.

LEASE OF SAMBHAR LAKE.

REDUCTION EFFECTED IN PRICE.

The practical result of these measures has already been, not only to facilitate the supply of salt to the Upper Provinces, but greatly to reduce its price: salt which, before 1869, was sold at Agra for Rs. 5-12 per maund, is now procurable for Rs. 4, and the price is still diminishing.

ABOLITION OF SOUTHERN LINE.

During the Administration of Lord Northbrook, another important step in advance was taken: in 1874 about 800 miles of the Customs Line in the Central Provinces, maintained for the purpose of levying the difference between the duty on salt levied in the Central Provinces and that levied in the Bombay and Madras Presidencies, was abolished: at the same time, the difference between the rates of duty levied in the Bengal and Madras Presidencies was shaded off by a sliding scale down the Orissa and Ganjam Coast: the result of these measures has been greatly to reduce the price of salt in the Central Provinces and in Orissa, with practically no financial loss to the Government.

PUNJAB NORTHERN RAILWAY.

Recently the extension of the Northern State Railway to Jhelum has stimulated the sale of rock-salt at the Government mines in the neighbourhood, and decreased its price to the people.

NEGOTIATIONS WITH RAJPUTANA CHIEFS.

We are, at present, engaged in further negotiations with the Native States of Rajputana, which, when completed, will enable us to abolish the greater part of the Inland Customs Line, and to establish, instead of it, a system of local management at the places of production: the measures now in progress will benefit not only the British Government, but the Native Chiefs also: there is no antagonism between our interests; and I confidently anticipate a successful issue. It will not, however, be possible to abolish the Inland Customs Line simultaneously with our obtaining the control over the manufacture of salt at the places of production: there will be, for some time, in Rajputana and Central India, large quantities of salt which have left the places of production and are scattered about in the hands of traders: if the Customs Line were removed, this salt might be brought into British Territory; and, if it could not be taxed, a corresponding loss would be occasioned to our Salt Revenue. Although, therefore, establishments on the Line may be, to some extent, reduced, the line will not be removed, or the pass system abolished, until the Government is satisfied that there do not exist outside the Line large stocks of salt which has not been taxed, and which cannot be otherwise prevented from entering British Territory until it is taxed. Nor would it be safe to abolish the Customs Line until we learn by experience whether our arrangements for controlling the salt manufacture are efficient or not.

EQUALIZATION AND REDUCTION OF DUTIES ON SALT.

Morever, before these objects can be accomplished, it will be necessary to take steps towards the equalization of the duties on salt; and this is also an indispensable preliminary to their general reduction: I had hoped on this occasion to have been able to announce some immediate measures in this direction; but, as I have already stated, this is rendered impossible by the famine. I should have been glad, had it been possible, to have seen an immediate reduction in the rate of duties in the Bengal Presidency to that in force in Madras and Bombay: but there is reason to fear that, before this point can be reached, it will be necessary that some temporary mea-

Sugar Duties.

sures should be taken for raising the lower rates of duties while lowering the higher.

SUGAR DUTIES.

I have alluded to the duties levied on sugar exported across the Inland Customs Line: these are one rupee per maund on refined sugar, and six annas per maund on unrefined sugar, or saccharine produce. Except where the line runs along the left bank of the Indus, exports across it are taken to Native States; but, when it passes the Indus, the sugar is merely taken from one part of British territory to another. This sugar is all the produce of our own people in the North-Western Provinces, Oudh, and the Punjab: it is one of the most important agricultural staples of those provinces; and it is important not only to the agriculturists and manufacturers and consumers, but directly to the Government, which looks greatly to sugar cultivation for its irrigation revenue.

PROTECTION OF MAURITIUS SUGAR.

While we are taxing heavily our own sugar grown on the east of the Customs Line, for the supply of the country beyond it, we admit into the same country the Mauritius sugar, which is imported largely to Bombay, taxed at a much lower rate. It is calculated that the Inland Customs duty is equivalent to 10 per cent. on the value; but the incidence of the duty varies considerably, particularly on refined sugar: on the cheaper kinds the duty is equivalent to more than 20 per cent. on its value: the sea import duty on Mauritius sugar is 5 per cent. *ad valorem*. I do not assert that there is, at present, any great competition between the sugar of the Upper Provinces of this Presidency and foreign sugar; but, so far as competition exists, the Inland Customs duty acts as a protective duty in favour of foreign and against our own sugar: to this extent, the duty must fall on the producer within the Customs Line. The competition will be more apparent and severe when the connection of the Rajputana State Railway with the Bombay and Baroda Line is completed.

Little or no sugar is grown in Rajputana or Central India; and the increase of price caused by the Inland Customs Line must tend to diminish consumption, and so, still further, to injure the producer: it is impossible to estimate the injury to the people and the Government caused by placing artificial obstructions on the export of one of the great agricultural staples of the country; and such obstructions obviously affect not only the export but the import trade as well: the Government of India has repeatedly urged upon Native States the policy of abolishing their transit duties; but it is difficult to see with what consistency we can do this, so long as we retain our Sugar duties. They yield about £165,000 a year: this is my only excuse for not proposing their instant abolition: they will, at any rate, disappear with the abolition of the Inland Customs Line.

Cotton Duties.

My Lord, I have reserved to the end of my Statement the remarks which I wish to make regarding the Customs duties on cotton goods. I do not now wish to re-open the discussion which was finally closed last year by the Secretary of State: it was then decided by Her Majesty's Government that "the interests of India imperatively require the timely removal of a tax which is at once wrong in principle, injurious in its practical effect, and self-destructive in its operation." The Secretary of State, while leaving to the judgment of the Government of India the mode in which the policy thus laid down should be carried out, declared his opinion that measures for the abolition of these duties should have priority over every other form of fiscal relief to the Indian taxpayers. Financial embarrassments arising from the depreciation of silver prevented any practical steps being taken, last year, in this direction: it was thought unwise to give up any revenue at such a time; and the Secretary of State concurred in this decision. It is with great regret that I have to announce that, for reasons similar to those which prevailed a year ago, it has been decided that nothing can be done, at the present moment, towards the abolition of these duties: the financial difficulties caused by the famine are so serious that we cannot sacrifice any source of income.

CANNOT BE REDUCED THIS YEAR.

I regret this, not only because we are thus unable to carry out the orders of Her Majesty's Government, to which this Government owes a loyal and unhesitating obedience, but I regret it, personally, because, as the Council are aware, I am no recent convert to the policy which has been laid down, but have been, for many years past, one of those who have advocated the abolition of these duties at the earliest possible opportunity.

Cotton Duties.

I altogether disbelieve that there is, in this matter; any conflict between Indian and English interests: I am satisfied that these interests are identical, and that they alike require the abolition of this tax. I will not speculate on what ought to have been done if the case had been different; but there is one thing which I wish to take this opportunity of saying: we are often told that it is the duty of the Government of India to think of Indian interests alone, and that if the interests of Manchester suffer it is no affair of ours: for my part, I utterly repudiate such doctrines: I have not ceased to be an Englishman because I have passed the greater part of my life in India, and have become a member of the Indian Government. The interests of Manchester, at which foolish people sneer, are the interests not only of the great and intelligent population engaged directly in the trade in cotton, but of millions of Englishmen: I am not ashamed to say that, while I hope that I feel, as strongly as any man, the duties which I owe to India, there is no higher duty in my estimation, than that which I owe to my own country. I believe that our countrymen at home have a real and very serious grievance, and that it is no imaginary injury against which they complain: I know that Your Excellency has resolved that the Government of India shall not shirk this business; and there need be no fear that it will be regarded in any half-hearted spirit. Your Excellency took the earliest opportunity which could be found, after you had assumed the office of Viceroy, to declare publicly your views upon this subject; and if I say no more regarding it now, it is mainly because I feel sure that Your Excellency will not lose the present opportunity of publicly declaring those views again: for myself personally, if I had not confidently expected to take part in this great reform, I doubt whether anything would have induced me to accept my present office; and I trust that I may still have a share in the performance of a task which I look upon as one of the most important which this Government has before it.

THE GOVERNMENT PLEDGED TO THEIR ABOLITION HEREAFTER.

It is important, in my opinion, not only on its own account, but for the results which may follow hereafter. The net Sea Customs Revenue proper of India amounted in 1875-76 to £2,475,530, of which the duties on cotton goods yielded £850,000: when the cotton duties are removed, there will remain export duties on rice, indigo, and lac yielding together £620,000; and import duties on a multitude of articles yielding £930,000. Excluding the duties on cotton goods, the export and import duties together give £1,550,000: many of these duties are so objectionable that it is impossible that they can last: and can it be supposed that we should long continue to maintain huge establishments for the purpose of levying the small remnant of revenue that might survive? The truth is that cotton goods are the sole article of foreign production which the people of India largely consume, and there is no possibility of deriving a large customs revenue from anything else: I do not know how long a period may elapse before such a consummation is reached; but, whether we see it or not, the time is not hopelessly distant when the ports of India will be thrown open freely to the commerce of the world.

POSSIBLE FUTURE ABOLITION OF ALL CUSTOMS DUTIES IN INDIA.

Conclusion.

I feel, my Lord, that the Statement which I have made to-day is open to this general objection, that I have said comparatively little of what has actually been done, and a great deal of what may be done in the future: I may be told that it is seldom wise for a Government to go out of its way to pledge itself to Measures which it intends to adopt hereafter, and which may turn out, after all, to be impracticable. Under our present circumstances, I do not think that this is applicable to us: a distinct conception having been formed of some at least of the great objects at which our financial policy ought to aim, it seems to me highly desirable that a clear and public avowal of those objects should be made: the Government may thus hope to obtain the greatest advantage which an honest Government can desire,—a full examination and discussion of its proposed policy: such discussion will either help it to carry that policy into effect, or will enable it to avoid errors into which it might otherwise fall.

I have now, my Lord, finished my Statement: I have endeavoured to place before the Council and the public all the facts which it seemed to me might help them to form an accurate judgment on our financial position and on our

proposed policy: I have not attempted to keep out of sight anything which was unpleasant; but have perhaps rather been inclined to err in the other direction, and to bring almost too prominently into notice the weak points of our financial administration.

The final result which seems to me to come out very clearly is that the finances of India are, on the whole, in a prosperous and satisfactory state; and, that although there are some serious defects of system, they can certainly be removed: while I do not disguise from myself the fact that there may be grave difficulties before us, I look forward to the future not only with hope but with confidence.

FINANCIAL STATEMENT FOR 1877-78.

PART II.—MINUTE, DATED 15TH MARCH 1877, BY THE HON'BLE SIR JOHN STRACHEY, K.C.S.I., ON THE ACCOUNTS OF THE REVENUE AND EXPENDITURE AND RECEIPTS AND DISBURSEMENTS OF BRITISH INDIA IN 1875-76, AND THE REVISED ESTIMATES FOR 1876-77.

Preliminary.

I PROPOSE, in this Minute, to review the Accounts of Revenue and Expenditure and Receipts and Disbursements, which are now completed for the year 1875-76, and the Revised Estimates for 1876-77, the year which is now about to close. My explanation of the Budget Estimates for the ensuing year, 1877-78, will, on this occasion, be made in the Legislative Council.

CHANGES IN THE FORMS OF THE ACCOUNTS.

I must, in the first place, explain that the Abstract Statements of the Accounts of the Revenue and Expenditure of 1875-76 and the Estimates of 1876-77 and 1877-78 which I have now the honor to place before the Council, differ in form from the Statements prepared during the last seven years.

From the 1st April 1871, the Government of Lord Mayo entrusted to the management of the Local Governments and Administrations certain important services, with Consolidated Allotments from the Imperial Revenues for their support; and the revenues connected with these services were, at the same time, surrendered for provincial uses. It was thought inexpedient to retain in the Imperial Accounts and Estimates the details of the revenue and expenditure thus made over to the Local Governments: accordingly, since 1871-72, these transferred Heads of Revenue and Expenditure have been excluded from the General Estimates and Accounts, the whole transactions respecting them being represented, there, by a single net entry under the Head *Allotments for Provincial Services*. The details thus omitted have been published in subsidiary statements, and each Local Government has given due publicity to its own Provincial Estimates and Accounts.

The Government of India now sees reason to regret the method then employed, because, by this method, figures of interest and importance are relegated to subordinate statements; the General Accounts and Estimates become incomplete; and the character of the arrangements between the Imperial and the Local Governments is not truly represented, or their operation sufficiently illustrated. The Government of India has, therefore, resolved to re-introduce into the Imperial Accounts and Estimates all the details omitted therefrom since 1871-72.

Accordingly, in the Abstract Statements which I now present to the Council, the heads of *Police* and *Education* appear again on each side of the Account, and the head *Allotments for Provincial Services* disappears, its elements being distributed among the several Heads of Revenue and Expenditure from which they were originally subtracted. Moreover, the Statements contain three new Adjusting Heads which are necessary in consequence of the arrangements between the Imperial and Local Governments, and which will, I believe, usefully illustrate the practical working of these arrangements.

The Local Governments are entitled to keep for provincial uses any surplus, while they must make good from provincial resources any deficit, upon their Provincial Accounts as a whole; such surplus is added to, and such deficit, in the first resort, supplied from, the Balances of the Local Governments in the hands of the Imperial Government. These additions and subtractions will henceforth be recorded under the Heads *Balances of the Local Governments Increased* and *Balances of the Local Governments Decreased*.

NEW ADJUSTING HEADS.

Preliminary.

It may happen, however, that the balance at credit of a Local Government does not suffice to cover a deficit in its Provincial Accounts; or, for other reasons, a Local Government may think it right to contribute funds from its separate provincial resources in support of the Imperial services which it administers. Whenever such contributions are made, they will be recorded under the Head *Provincial Contributions*. It is not deemed expedient to open on the expenditure side a corresponding account of *Contributions to Local Funds*, because, although such contributions are frequent, and might be found to counterbalance some substantial part of the *Provincial Contributions*, their object and destination can always be classified under some Service Head, and it is considered better thus to classify them, than to show them under a mere Transfer Head, which would give no information as to the nature of the service for which they are made.

Taking the three Adjusting Accounts *Provincial Contributions*, *Balances of the Local Governments Decreased*, and *Balances of the Local Governments Increased* together, a very good idea can be formed of the financial working of the arrangements with the Local Governments.

RE-AMALGAMATION OF PROVINCIAL AND IMPERIAL ACCOUNTS.

The engagements between the Imperial and Local Governments will no longer affect the form of the Imperial Accounts and Estimates, except through the adjusting accounts which I have described. The Revenue and Expenditure under all other Heads will be recorded without any reference to the several responsibilities of the Imperial and the Local Governments, which will be matter for arrangement altogether apart from the Accounts. Thus, henceforth, any one wishing to ascertain the total imperial revenue and expenditure of British India, under the several recognised Heads of Account, will be able to do so from the General Accounts and Estimates. It seems to me that this will be an advantage; and that the re-combination of the Accounts and Estimates of the Imperial Revenues and Expenditure, whether immediately administered by the Imperial or by the Local Governments, into one Imperial Statement, will make the whole more intelligible, and enable both the Government of India to control the Revenue and Expenditure, and the public to criticise the Accounts, more effectually than heretofore.

It will be necessary for the Local Governments to excerpt, for their own information, the items of Revenue and Expenditure for which they are primarily responsible: they will be required to publish the Accounts and Estimates thus compiled, which will be of great local interest; but such local Accounts will not form a part of the Accounts of British India.

TRANSACTIONS OF GUARANTEED COMPANIES.

A change is made in the manner in which the transactions of the Guaranteed Railway and Madras Irrigation Companies are exhibited in Statements Nos. IV, V, and VI. Hitherto these transactions have been there shown net after elimination of the effects of the conditions of the contracts as to the rate at which, in the accounts between the Government and the Companies, Rupees are converted into sterling. Henceforth these transactions will be shown gross, in Rupees, just as they occur.

ABSTRACT STATEMENTS PREPARED IN RUPEES.

I ask a passing notice for another change of importance in the character of the Abstract Statements. For the last ten years, these Statements have been prepared, ostensibly, in Pounds Sterling, on the hypothesis that the English Pound is equal to the Rupee. Since the Revenue and Expenditure and Receipts and Disbursements of the Government of India, in India, are really calculated in Rupees, the value of which, compared with the English money of account, varies from time to time, it is plain that the Pound Sterling used in these Statements was not a real Pound Sterling, but a conventional money of account peculiar to this purpose. So long as the value of Rs. 10 did not much vary, as for many years it did not, from £1, there was a certain convenience in this arrangement; and the figures conveyed to English readers a meaning not very far from the truth: but, of late years, there has ceased to be any close or normal relation between Rs. 10 and £1, and Statements prepared upon the hypothesis of such a relation, are now untrue and misleading. I shall, therefore, revert to the use of Rupees in the Abstract Accounts and Estimates appended to the Financial Statement: the Secretary of State will use his own discretion as to the money of account in which the Accounts and Estimates presented to Parliament shall be stated. In combining the Sterling Receipts and Disbursements under each Head, at the

Home Treasury, with the Rupee Receipts and Disbursements under the same Heads at the Indian Treasuries, it is only a degree less incorrect to call the totals, under each Head, Rupees, than it is to call them Sterling: the consequent errors of detail, which, under the existing system, cannot be avoided, and which, as will appear in the course of this Minute, are often highly inconvenient, are neutralised in the Grand Totals by the entry of the sum of them under the adjusting Head *Loss by Exchange;* the errors do not involve some of the most important Heads or the Grand Totals; and, although I am unable at present to eliminate them, I prefer to state the Accounts and Estimates in Rupees, as, on the whole, much less misleading than if I were to state them in Pounds Sterling.

Provincial Accounts, 1871—76.

PROVINCIAL ACCOUNTS, 1871—76.

COMPARISON OF PROVINCIAL ACCOUNTS, 1870-71 AND 1875-76.

It would have been interesting to compare the Accounts of the Local Governments for 1875-76 as now re-incorporated in the Imperial Accounts, with the corresponding portions of the last Accounts (for 1870-71), before the introduction of the system of Consolidated Allotments for Provincial Services; I shall attempt such a comparison in my Statement before the Legislative Council; but I fear that it cannot be made quite completely.

As already explained, it is possible that a portion of the expenditure for Education and Public Works now recorded as Imperial in 1875-76, would have been treated as Local in 1870-71 and *vice versâ*. In any case, the growth of the expenditure upon these important Services in the five years was trifling; and the Imperial Government has been, certainly, set free from importunate claims upon its resources.

PROVINCIAL ACCOUNTS OF FIVE YEARS, 1871—76.

It will be remembered that the Governments of India inaugurated the Provincial system by granting to the Local Governments balances aggregating Rs. 20,00,000. Their receipts in the five years, apart from *Provincial Contributions*, have aggregated Rs. 29,57,31,568, and the sum of Rs. 55,93,660 has been contributed to the Delegated Services from Provincial Resources. The expenditure upon the Delegated Services has amounted to Rs. 30,03,76,338, and the balances of the Local Governments on the 31st March 1876 were Rs. 29,48,890. Of the whole expenditure, Rs. 15,27,296 is recorded as Contributions to Local Funds; but I am doubtful whether this can be accepted as accurately representing the relief to Local Funds by the transfer of expenditure from the Local to the Imperial category; the net burden upon separate Provincial Resources cannot, in any case, have been very heavy. Of the gross sum of Rs. 55,93,660 shown as *Provincial Contributions*, Rs. 8,98,434 is on account of *Famine Relief* in Bengal, and explains the abnormal amount recorded under this Head in 1875-76. The Abstract Account of the five years is as follows:—

Assigned Revenues of the Local Governments, and their Expenditure upon the Delegated Services, 1871—76.

	Rs.		Rs.
Opening Balance, 1st April 1871	*20,00,000*	*Expenditure on Transferred Services*	*30,03,76,338*
Assigned Revenues	*4,13,05,938*	*Closing Balance, 31st March 1876*	*29,48,890*
Allotments from Imperial Revenues	*25,44,25,630*		
Provincial Contributions ...	*55,93,660*		
Total ...	*30,33,25,228*	*Total* ...	*30,33,25,228*

In 1875-76, the Local Governments spent net Rs. 33,72,860* more than their Fixed Allotments and Assigned Revenues together, of which Rs. 18,91,710 was taken from the balances at credit of the Local Governments in the Imperial Treasury, and Rs. 14,81,150 was provided from Provincial Resources.

	Rs.	Rs.
* *Provincial Contributions*		*14,81,150*
Balances of the Local Governments Decreased	*23,33,590*	
Balances of the Local Governments Increased	*4,41,880*	
		18,91,710
		33,72,860

PROVINCIAL CONTRIBUTIONS EXPLAINED.

I think it well to offer a few further explanations of the Provincial Contributions, to which much interest attaches. The Local Funds in any Province are of two kinds: many of these Funds belong exclusively to particular

Accounts, 1875-76.

districts or localities, and can be expended only for their benefit; but, in each Province, there is a more or less considerable residuum at the disposal of the Local Government for use, at its discretion, throughout the Province. When the system of Consolidated Allotments of Imperial Revenue for certain Delegated Services was adopted, it was, at first, thought convenient to amalgamate the Accounts of the Transferred Services and Revenues with those of the Local Funds at the disposal of the Local Governments for general provincial purposes, and unnecessary to maintain any separation between these two Accounts. But this amalgamation was found to be inconvenient; as it made it difficult for the Government of India to ascertain, from time to time, all the financial consequences of the new system as compared with the old. The Government of India determined, therefore, some time ago, to arrange for as complete a re-separation as possible of the transactions which would, under the old system, have been recorded in the Imperial Accounts, from those which would have been treated as transactions of Local Funds.

The abandoned system had made such progress that it is doubtful whether this separation can be completely effected as regards the past, or, even, whether it is, as yet, perfectly accomplished as regards recent and current expenditure. For this reason it cannot be said with confidence that the revenue hitherto recorded as *Provincial Contributions* is all of the nature of a demand upon separate Provincial Resources which would not have occurred under the old system. Indeed, it is certain that some considerable portion of these contributions is balanced by the record as imperial of expenditure which would, under the old system, have been a charge upon Local, or separate Provincial Resources. I hope, however, that the means will gradually be found of altogether removing from both sides of the Imperial Accounts, in future, all transactions which, under the old system, would, directly or indirectly, have been recorded under "Local Funds:" when this is effected, the demands upon local resources for imperial purposes will, I believe, be found to be, as yet, inconsiderable.

It will be seen from Statement No. VII that the whole sum raised in India in 1875-76 by Local Taxes, Rates, and Cesses was only Rs. 2,03,83,620: the estimated amount in 1876-77 is Rs. 2,07,32,000, and in 1877-78 Rs. 2,23,29,000. This last amount is, however, exclusive of new taxation to be imposed under the measures which I shall this day describe in the Legislative Council.

ACCOUNTS OF REVENUE AND EXPENDITURE, 1875-76.

Comparison between Regular Estimates and Accounts, 1875-76.

I proceed to explain the differences between the Regular Estimates of the Revenue and Expenditure of 1875-76 made by the Hon'ble Sir William Muir on the 31st March last, and the Accounts of that year as since completed.

Sir William Muir estimated that the Grand Total Revenue would be Rs. 50,99,10,000, and the Grand Total Expenditure Rs. 53,88,70,000; and that there would be a Deficit of Rs. 2,89,60,000; or (the Extraordinary Expenditure being estimated at Rs. 4,14,30,000), a Surplus on the Ordinary Account of Rs. 1,24,70,000. The completed Accounts show the Revenue to have been Rs. 52,51,57,887, the Expenditure Rs. 55,11,75,355, and the Deficit Rs. 2,60,17,468, being less than the estimate by Rs. 29,42,532: the Extraordinary Expenditure having been Rs. 4,27,06,290, the Surplus on the Ordinary Account was Rs. 1,66,88,822, being more than the Estimate by Rs. 42,18,822.

The Revenue has exceeded the Estimate by Rs. 1,52,47,887, and the Expenditure by Rs. 1,23,05,355. Of these excesses, Rs. 97,23,653 on each side of the Account is due to the re-incorporation, in gross, of the transactions of the Local Governments, which were represented in the Regular Estimates, by a single net entry; if this disturbing cause be abstracted, there remains an excess Revenue of Rs. 55,24,234, and an excess Expenditure of Rs. 25,81,702, of which Rs. 13,05,412 is in the Ordinary Section of the Account, and Rs. 12,76,290 is Extraordinary. This latter excess is due to the purchase of certain stores from the Guaranteed Railway Companies for the State Railways, a transaction not anticipated when the Regular Estimates were closed.

Accounts, 1875-76.

It is not necessary now to make any minute comparison between the details of Sir William Muir's Estimates and the Accounts, and I shall content myself with mentioning only the principal items of difference. Only two of the Heads of Revenue yielded, in a noteworthy degree, less than the estimate, *viz.*, *Salt*, Rs. 4,15,850, the clearances of Foreign Salt during March having been abnormally deficient, and *Irrigation*, Rs. 1,12,800, an old Account having been adjusted: all the other important Heads of Revenue show improvement, the chief items being as follows:

Land Revenue, Rs. 13,17,420, occurred in Bengal, where unexpected arrears were collected, and in Madras. So large a portion of the Land Revenue is collected at the close of the year, that it is impossible to secure absolute correspondence even between the Regular Estimates and the Accounts of Land Revenue.

Forest, net improvement Rs. 6,88,598, which occurred chiefly in British Burmah, and might perhaps have been foretold.

Marine, net improvement Rs. 5,35,639, chiefly in Bengal, where there was an unexpected transfer entry.

The only important failure in the Estimates of Expenditure is under *Refunds*, under which Head it became necessary to adjust a large erroneous credit of Land Revenue in Bombay.

The expenditure on *Famine Relief* was considerably less than the sum shown in the Regular Estimates. The Imperial Expenditure was, indeed, only Rs. 50,85,550, being less than the Regular Estimate by Rs. 14,74,450. But, under the new system of combining the two Accounts, the Provincial Expenditure, in 1875-76, upon the Famine, Rs. 8,72,243, is added to the Imperial Expenditure, and the whole becomes Rs. 59,57,793.

Comparison of the Original Estimates with the Accounts, 1875-76.

In the Original Estimates of Revenue and Expenditure for 1875-76 provision was made for a Surplus upon the Ordinary Account of Rs. 50,60,000. The actual Surplus was Rs. 1,66,88,822; and this, notwithstanding a revision of the Customs Tariff, in the middle of the year, with an estimated effect of Rs. 26,60,000 adverse to the Estimates; notwithstanding, also, an unestimated adjustment from the Imperial Revenues of Rs. 50,85,550 for *Famine Relief*.

The Revenues exceeded the Original Estimates by Rs. 1,72,34,234, and the Expenditure exceeded the Estimates by Rs. 56,05,412. The principal items of improvement are *Opium*, Rs. 50,28,600, and *The Army*, Rs. 51,31,540: minor improvements are *Land Revenue*, Rs. 12,47,420; *Forest*, Rs. 10,30,080; *Excise*, Rs. 12,63,770; and *Customs* (notwithstanding the revision of the Tariff), Rs. 4,46,580. The chief items of deterioration are *Famine Relief*, Rs. 50,85,550, and *Public Works Ordinary*, Rs. 19,05,530.

Of the Extraordinary Expenditure, Rs. 3,16,51,840 was spent upon Railroads, chiefly as follows:—

	Rs.		Rs.
Rajputana ...	33,69,370	Punjab Northern ...	32,69,800
Holkar ...	28,39,730	Sindhia ...	5,57,810
Neemuch ...	20,03,080	Tirhoot ...	9,75,760
Wardah Valley ...	14,08,940	Northern Bengal ...	31,88,540
Indus Valley ...	1,00,62,100	Rangoon ...	40,95,180

and Rs. 1,10,54,450 on Canals, principally as follows:—

	Rs.		Rs.
Orissa Canals ...	10,50,430	Lower Ganges ...	25,22,870
Midnapore ...	3,35,730	Western Jumna ...	4,91,840
Sône	25,75,140	Bari Doab ...	3,27,090
Ganges	5,82,550	Sirhind ...	14,84,260
Agra	5,91,450	Godavery Delta Works	4,48,300
		Moota Lake ...	3,35,650

Accounts, 1875-76.

CAPITAL EXPENDITURE TO END OF 1875-76.

The Total Capital Expenditure on Irrigation Works in India, to the end of 1875-76, amounted to Rs. 16,55,44,070, of which Rs. 8,70,80,510 was classified as Extraordinary as follows :—

	Ordinary.	Extraordinary.	Contribution.	Capital value of land used for works.	TOTAL.
	Rs.	Rs.	Rs.	Rs.	Rs.
I.—Capital outlay in Provinces in which the Revenue due to the Canals has been ascertained—					
Bengal	14,63,490	3,92,12,490	...	51,440	4,07,27,420
North-Western Provinces ...	2,82,10,100	2,01,27,210	...	10,57,960	4,93,95,270
Punjab	1,63,22,770	1,27,68,910	41,80,090	83,260	3,33,55,030
	4,59,96,360	7,21,08,610	41,80,090	11,92,660	12,34,77,720
II.—Capital Outlay in Provinces in which the Revenue due to Canals has still to be ascertained—					
Madras	1,20,36,200	67,34,780	...	...	1,87,70,980
Bombay	1,03,17,420	80,50,140	16,810	2,34,660	1,86,19,030
Rajputana	10,44,140	1,86,980	...	...	12,31,120
	2,33,97,760	1,49,71,900	16,810	2,34,660	3,86,21,130
III.—Capital Outlay in Provinces in which Operations on Irrigation Works have been suspended—					
Central Provinces ...	3,40,860	...	...	...	3,40,860
Oudh	4,41,080	...	...	...	4,41,080
	7,81,940	...	...	...	7,81,940
TOTAL OF I, II, & III...	7,01,76,060	8,70,80,510	41,96,900	14,27,320	16,28,80,790
IV.—Capital Outlay on Embankment Works in British Burmah	26,63,280	...	...	...	26,63,280
	7,28,39,340	8,70,80,510	41,96,900	14,27,320	16,55,44,070

	Rs.
The total Receipts during 1875-76 have been	69,86,570
From this sum the amount to be deducted for working expenses is...	33,41,780
Thus leaving the Net Revenue at	36,44,790

which is 3·6 per cent. on a Capital Outlay of £10,072,328, which is the amount spent on Canals now yielding revenue.

WAYS AND MEANS FOR EXTRAORDINARY EXPENDITURE IN 1875-76.

Of the Rs. 4,27,06,290 classified as Extraordinary Expenditure, Rs. 1,66,88,822, or 39 per cent., appears from the Accounts to have been provided from the Revenues of the year, leaving only 61 per cent. to be met from borrowed money. The financial results of the year 1875-76 would thus have been highly satisfactory if all the Extraordinary Expenditure had been on really reproductive works. Unfortunately, however, no less than Rs. 1,33,25,923 was expended under this head on the Punjab Northern and Indus Valley Railways in 1875-76, and, as I shall have occasion to explain elsewhere, the direct returns which we shall get from these Railways will be very small.

Accounts, 1875-76.

COST OF FAMINE RELIEF, BENGAL.

The expenditure for the relief of the Famine of 1874 in Northern Bengal may now be said to have been completely brought to account: there may be still some outlying items; but they will not be important. The total is as follows :—

	Rs.
In 1873-74	3,86,46,730
In 1874-75	2,23,78,600
In 1875-76 (including Expenditure from Provincial Funds)...	59,57,793
Total	6,69,83,123

of which Rs. 8,98,434 was provided from Provincial Resources, and Rs. 6,60,84,689 from the Imperial Revenues. There was a set-off in increased Net Traffic Receipts on the *Guaranteed Railways* estimated by Sir William Muir, last year, at Rs. 17,00,000; but, on the other hand, there was some loss of *Excise* and other revenue, and a substantial expenditure from Local Funds. The whole net cost of the measures for the relief of the Bengal Famine cannot now be stated at less than $6\frac{3}{4}$ crores of Rupees.

HOW FAR MET FROM CURRENT REVENUES.

If there had been no Imperial Expenditure for Famine Relief, the Surplus Imperial Revenue of the three years on the Ordinary Account would have been—

	Rs.
1873-74...	2,05,70,050
1874-75...	2,55,70,575
1875-76...	2,17,74,370
Total ...	6,79,14,995

Thus, according to the Accounts, the Revenues of the three years bore the whole cost of the Famine, and even yielded a Surplus of Rs. 9,31,872. If we add to this the sum of Rs. 8,98,434 contributed from Provincial Resources, the net Surplus of the three years on the Imperial Ordinary Account would be Rs. 18,30,306. This apparently happy result is marred by the fact that there was, during these three years, an expenditure of Rs. 3,35,26,565 upon the Railways which I have just mentioned, which, although treated as Extraordinary Works, cannot be expected to be, in any sufficient degree, reproductive. In speaking of the arrangements proposed for the coming year, 1877-78, I shall refer more particularly to this subject, and shall explain the resolution of the Government to treat, hereafter, expenditure of this kind as ordinary.

ACCOUNTS OF WAYS AND MEANS, 1875-76.

WAYS AND MEANS, 1875-76, COMPARED WITH REGULAR ESTIMATES.

I have still to examine the Ways and Means by which provision was made for the service of the year 1875-76, and to compare them with the Regular Estimates. The figures which I am about to quote will be found, in a convenient shape, in little tables at foot of the page in the left hand corner of Statements Nos. IV, V, and VI. Those with which they are to be compared are in the corresponding little tables in the centre of the same Statements appended to Sir W. Muir's Financial Statement of 31st March last. If any one wishes for more details than these little abstracts contain, they are to be found in the body of the Statements themselves.

LIABILITIES.

We have seen that the deficit of Imperial Revenue in 1875-76 was altogether Rs. 2,60,17,470, being an improvement upon the Estimate of Rs. 29,42,530. We lent, during the year, to Native States and Public bodies Rs. 38,74,876 more than we received: the sum is smaller by Rs. 7,40,124 than was expected. The Guaranteed Railway and Irrigation Companies withdrew from our Treasuries the sum of Rs. 1,04,31,836, being less than was expected by Rs. 19,86,164. The disbursements from the balances of the Military Funds were Rs. 41,36,267, being Rs. 733 less than Estimate: the amount is abnormal, being due to the refund of their subscriptions to a large number of the members of the Bengal Medical Retiring Fund. The Local Governments drew for separate provincial and local purposes Rs. 40,22,930, being more by Rs. 60,930 than was estimated. Altogether we had to make good from other sources than the public Revenues the sum of Rs. 4,84,83,379, being less than Sir William Muir estimated by Rs. 74,16,621.

Statistics, 1875-76. ASSETS.

Towards meeting this obligation we borrowed the net sum of Rs. 4,10,95,219, being more by Rs. 20,68,219 than was expected; the excess was in England. The money deposited in our Savings Banks exceeded the money drawn out by Rs. 8,40,206, being less by Rs. 1,22,794 than was estimated: the deposits of the Covenanted and Uncovenanted Civil Service Funds were Rs. 11,18,471, being more by Rs. 85,471 than the Estimate, and the balance on the Deposit and Advance Account was in our favour by Rs 20,18,538, being less by Rs. 30,25,462 than was expected. The remaining transactions yielded to the Treasury the net sum of Rs. 23,93,032, while it was estimated they would withdraw from the Treasury Rs. 18,08,000.

Thus it happened that, instead of the estimated reduction of Rs. 98,33,000, the actual reduction of the cash balances during the year was only Rs. 10,17,913, an improvement of Rs. 88,15,087, of which Rs. 70,93,000 was in India and the rest in the Home Treasury.

FINANCIAL AND COMMERCIAL STATISTICS, 1875-76.

FINANCIAL AND COMMERCIAL STATISTICS, 1875-76, COMPARED WITH THE PRECEDING YEARS.

In the following table some important financial and commercial statistics belonging to the year 1875-76 are compared with the same statistics for the two preceding years.

(Values (excepting (a),) in Rupees.)

	1873-74.	1874-75.	1875-76.
Net imports of gold	*1,38,00,000*	*1,87,00,000*	*1,54,00,000*
Net imports of silver	*2,47,00,000*	*4,64,00,000*	*1,56,00,000*
Total Net imports of Treasure ...	*3,85,00,000*	*6,51,00,000*	*3,10,00,000*
Public Debt incurred, including Guaranteed Railway Capital ...	*1,04,00,000*	*9,24,00,000*	*4,79,00,000*
Bills drawn by Secretary of State upon Government of India	*14,25,00,000*	*11,76,00,000*	*13,75,00,000*
Amount in sterling obtained for each rupee (a)	*22,37d.*	*22,12d.*	*21,62d.*
Average price of an ounce troy standard Silver in London (a) ...	*59,16d.*	*58,16d.*	*56,90d.*
Commodities excluding Treasure.			
Exports	*55,00,00,000*	*56,36,00,000*	*58,09,00,000*
Imports	*33,82,00,000*	*36,22,00,000*	*38,89,00,000*
Net exports	*21,18,00,000*	*20,14,00,000*	*19,20,00,000*

The excess net imports of silver, and the reduction of the Council Bills, in 1874-75, are due to the large amount borrowed in that year for the campaign against the Bengal Famine, and for Railways and other Public Works.

In 1873-74, for the first time for 23 years, the average price of an ounce troy of standard silver in London fell below 60*d.*: the continuous fall in 1874-75 and 1875-76 marks the course of a phenomenon that has already caused, and must, I fear, for some time to come, cause, grave anxiety to all interested in India: I shall have to refer to the subject hereafter.

The value of commodities (other than treasure) exported in 1875-76 exceeded the exports of 1874-75 by Rs. 1,73,00,000: but the value of Imports grew by the still larger sum of Rs. 2,67,00,000: consequently, the Net Exports of India (excluding treasure) fell off by Rs. 94,00,000.

Including treasure, the Net Exports of the three years were—

1873-74.	1874-75.	1875-76.
Rs.	Rs.	Rs.
17,33,00,000	13,63,00,000	16,10,00,000

So that the Net Exports of 1875-76 altogether, though less than those of 1873-74 by Rs. 1,23,00,000, exceeded those of 1874-75 by Rs. 2,47,00,000.

The most important of our exports is *Cotton, Raw*, the statistics of which are as follows:—

	1873-74.	1874-75.	1875-76.
Cwts.	45,00,000	56,00,000	50,10,000
Value (in Rupees) ...	13,21,22,000	15,25,73,000	13,27,90,000

Statistics, 1875-76.

The great exports of 1874-75 were thus not maintained in 1875-76: this is attributed, partly, to an abundant crop in the United States, and, partly, to increasing demands for this important staple for home consumption. In correspondence with this latter influence, the exports of *Manufactures of Cotton*, including twist and yarn, show an important development, as follows:—

1873-74.	1874-75.	1875-76.
Rs.	Rs.	Rs.
52,26,000	51,24,000	66,84,000

The imports of Cotton Goods, including twist and yarn, were:—

1873-74.	1874-75.	1875-76.
Rs.	Rs.	Rs.
17,78,46,000	19,42,13,000	19,25,87,000

The value of the imports of Cotton Manufactures, excluding twist and yarn, has not decreased. The figures are—

1873-74	1874-75.	1875-76.
Rs.	Rs.	Rs.
15,15,57,000	16,26,36,000	16,46,39,000

There was, indeed, a decrease in the value of grey (unbleached) goods imported, on private account in 1875-76, as compared with 1874-75, amounting to Rs. 73,58,240; but it was more than counterbalanced by increases under other descriptions in both quantities and values. It should be mentioned here that the values of grey goods returned in 1873-74 and 1874-75 were tariff values, which were above the market values; while, in 1875-76, their recorded values have been the actual market values, exclusive of duty.

PRINCIPAL EXPORTS.

The following table contains the Statistics of our most important Exports for the three years:—

(Values in Rupees.)

		1873-74.	1874-75.	1875-76.
Cotton Goods, Twist and Yarn ...	lbs. ...	2,455,000	2,835,000	6,229,000
	value ...	12,84,000	14,76,000	26,69,000
Manufactures ...	value ...	39,42,000	36,48,000	39,65,000
Coffee "	(cwts.) ...	364,000	312,000	372,000
	value ...	1,40,14,000	1,30,53,000	1,62,70,000
Hides and Skins, raw, dressed, and tanned ...	(value) ...	2,61,82,000	2,67,78,000	2,94,36,000
	(cwts.) ...	116,000	81,000	110,000
Indigo	value ...	3,55,53,000	2,57,63,000	2,87,51,000
Jute, raw and manufactured	(value) ...	3,63,77,000	3,48,55,000	3,29,45,000
	(value) ...	25,77,000	25,40,000	75,57,000
Lac	(chests)...	89,000	95,000	88,000
Opium	value ...	11,34,19,000	11,95,70,000	11,14,84,000
Rice	(cwts.) ...	20,245,000	17,393,000	20,416,000
	value ...	5,54,98,000	4,76,53,000.	5,31,11,000
Saltpetre ...	(cwts.) ...	4,51,000	5,53,000	415,000
	value ...	46,50,000	50,15,000	34,89,000
Seeds	(cwts.) ...	4,433,000	6,075,000	10,507,000
	value ...	2,36,14,000	3,23,59,000	5,46,20,000
Silk	(cwts.) ...	19,000	14,000	11,000
	value ...	1,14,37,000	76,65,000	41,60,000
Sugar and Saccharine produce	(value) ...	22,78,000	31,92,000	25,39,000
Tea	(cwts.) ...	1,72,000	1,88,000	2,17,000
	value ...	1,74,29,000	1,93,74,000	2,16,64,000
Wheat	(cwts) ...	1,756,000	1,069,000	2,498,000
	value ...	82,76,000	49,04,000	90,10,000
Wood, Teak ...	(cubic tons)	51,000	43,000	61,000
	value ...	38,13 000	32,86,000	44,06,000
Wool, raw ...	(cwts.) ...	1,81,000	1,90,000	2,12,000
	value ...	93,83,000	95,99,000	1,09,42,000

This table shows a healthy condition of our export trade. The augmented exports of *Coffee, Hides, Seeds, Tea, Wheat*, and *Wool* are especially noteworthy. It is interesting to find that, as with *Cotton*, so with *Hides* and *Jute*, the export of manufactured articles is, in an important degree, superseding the export of the raw material; our chief customers for gunny bags are, *Australia* for wool packs, *California* for grain-sacks, and the *Eastern Asiatic Countries* for grain-bags, &c. The serious decline in the silk trade is

Regular Estimates, 1876-77.

compensated by the growth of other items. I hope that the nascent demand for Indian wheat will not be checked by malpractices in India, or by the carelessness of exporters. There are complaints of the admixture in Indian wheats of barley, gram, and other grains; and, should this continue, India will fail in her competition with the United States, Austro-Hungary, Southern Russia, Egypt, and other wheat-producing countries.

PRINCIPAL IMPORTS.

The following table contains statistics of our most important imports besides *Cotton Manufactures*. The growth of the imports of *Metals* and *Woollens* is interesting. The *Salt* figures indicate a serious decrease in the value of that staple, by which, however, consumers must have profited—

(Values in Rupees.)

	1873-74.	1874-75.	1875-76.
Apparel	57,82,000	62,05,000	61,60,000
Coal, excluding coke and patent fuel (tons)	3,54,000	3,51,000	3,69,000
(value)	72,22,000	66,19,000	63,47,000
Liquors	1,39,27,000	1,52,93,000	1,70,22,000
Machinery and Millwork ...	1,00,23,000	1,18,59,000	1,43,99,000
Metals	1,73,85,000	2,60,71,000	3,30,92,000
Railway Plant and Rolling Stock ...	88,960	78,090	1,07,910
Salt (tons)	2,79,000	2,77,000	3,65,000
,, (value	83,53,000	75,58,000	60,71,000
Silk (Raw) (value)	78,69,000	87,29,000	69,49,000
,, *(manufactured)* (value) ...	60,84,000	71,05,000	70,94,000
Sugar and Saccharine produce ...	55,90,000	51,65,000	89,59,000
Tea (value)	18,29,000	17,00,000	24,76,000
Woollen Manufactures (value) ...	66,89,000	55,76,000	86,98,000

Upon the whole, the trade of India, at the end of 1875-76, seems to have been in a satisfactory condition.

REGULAR ESTIMATES, 1876-77.

REGULAR ESTIMATES, 1876-77, COMPARED WITH ORIGINAL ESTIMATES.

I come now to the present prospects of the current year, 1876-77, which I will first compare with the Estimates of Sir William Muir published on the 31st March 1876. As those Estimates have been recast in the form that I propose henceforth to use, I shall be able to enter into any detail that seems expedient.

Sir William Muir estimated that the Grand Total Revenue would be Rs. 50,48,00,000; that the Grand Total Expenditure would be Rs. 54,09,50,000; and, thus, that there would be a Deficit of Rs. 3,61,50,000. These same Estimates recast in the new form are as follows:—

	Rs.
Expenditure	55,11,04,000
Revenue	51,49,54,000
Deficit ...	3,61,50,000

In both cases alike, the Deficit is converted into a Surplus of Rs. 14,40,000 if the Extraordinary Expenditure (Rs. 3,75,90,000) is excluded from consideration.

The present Estimates are—

GENERAL RESULT.

That the Expenditure will be Rs. 57,28,50,000, exceeding the Original Estimates by Rs. 2,17,46,000.

That the Revenue will be Rs. 51,20,67,000, or less than the Original Estimates by Rs. 28,87,000.

And, thus, that the Deficit will be Rs. 6,07,83,000, or more than Sir W. Muir's Estimates by Rs. 2,46,33,000.

If the estimated Extraordinary Expenditure be excluded from the Account, the Deficit is reduced to Rs. 2,27,83,000, being a result worse than Sir William Muir expected by Rs. 2,42,23,000.

Regular Estimates, 1876-77.

These Estimates may be compared thus:—

	Sir William Muir's Estimates. Estimates of 31st March 1876.	*Sir William Muir's Estimates.* As now recast.	*Present Estimates.*	*Worse.*
	Rs.	Rs.	Rs.	Rs.
Grand Total Expenditure ...	54,09,50,000	55,11,04,000	57,28,50,000	2,17,46,000
Grand Total Revenue ...	50,48,00,000	51,49,54,000	51,20,67,000	28,87,000
Deficit	3,61,50,000	3,61,50,000	6,07,83,000	2,46,33,000
Public Works Extraordinary ...	3,75,90,000	3,75,90,000	3,80,00,000	4,10,000
Result if Extraordinary Expenditure is excluded ... *Surplus*	14,40,000	14,40,000 *Deficit*	2,27,83,000	2,42,23,000

FINANCIAL RESULTS OF THE FAMINE IN MADRAS AND BOMBAY.

This untoward result is due entirely to the Famine in the Madras and Bombay Presidencies. Without describing afresh the extent and severity of this calamity, I will, here, simply state its effects upon the Estimates of Revenue and Expenditure, both for the current and the coming year, so far as they can now be traced. This will be most conveniently done in the following tabular form:—

Effects of the Famine in the Presidencies of Madras and Bombay, upon the Estimates, 1876-77 and 1877-78.

1876-77	*Loss of Land Revenue.*	*Loss of Excise Revenue.*	*Loss of Forest Revenue.*	*Direct Outlay for Famine Relief.*	*Excess charges in the Army.*	*Total.*
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Madras ...	99,65,000	9,25,000	50,000	1,44,10,000	5,00,000	2,58,50,000
Bombay ...	38,80,000	...	1,50,000	47,00,000	3,00,000	90,30,000
Total ...	1,38,45,000	9,25,000	2,00,000	1,91,10,000	8,00,000	3,48,80,000
1877-78.						
Madras ...	31,84,000	3,33,000		73,50,000	6,37,000	1,15,04,000
Bombay ...	17,67,000	...		69,00,000	4,00,000	90,67,000
Total ...	49,51,000	3,33,000		1,42,50,000	10,37,000	2,05,71,000
Grand Total	1,87,96,000	12,58,000	2,00,000	3,33,60,000	18,37,000	5,54,51,000

The gross estimated cost of the Famine altogether is—

	Rs.
In Madras	3,73,54,000
In Bombay	1,80,97,000
TOTAL ...	5,54,51,000

of which Rs. 2,20,91,000 is loss of revenue and excess charges in the Army, and Rs. 3,33,60,000 is direct expenditure on measures of relief. From this gross sum of Rs. 5,54,51,000 must be deducted the gain to the Revenues from the increased earnings of the Guaranteed and State Railways; and this I find it at present impossible to estimate with any accuracy. I shall presently have to speak of a very gratifying improvement in the net traffic earnings of these Railways; but how much precisely of the improvement is due to the Famine, it is impossible, as yet, to say. Perhaps, on the whole, as near an estimate as can now be made of the net cost of the Famine is five and a quarter crores of Rupees, of which Rs. 3,10,00,000 falls on this year, and Rs. 2,15,00,000 on next year.

EVENTUAL COST.

The eventual cost of this Famine will depend upon how far it is found necessary wholly to remit the Land Revenue of which the collection is, for the present, suspended. The Hon'ble Sir Richard Temple is strongly of opinion that, if favorable seasons follow, the people will, hereafter, be able to pay at least Rs. 1,29,50,000 of the Rs. 1,87,96,000 Land Revenue which must for the time be left uncollected: but the Governor General in Council has considered it right to leave to the Governments of Madras and Bombay an unfettered discretion in this matter. These Governments will doubtless receive Sir Richard Temple's recommendations with all the deference which they deserve; and I may perhaps be permitted to express a hope that, without any undue harassment of the people, the Local Governments may yet find themselves able to recover, for the benefit of the general tax-payers, from those on whose behalf this great expenditure is being incurred, more than they now think possible.

Regular Estimates, 1876-77.

I cannot quit this part of my Statement without calling again to mind the zeal, energy, and ability with which Sir Richard Temple, abandoning a distinguished position of comparative ease and comfort, has devoted himself to those important public duties which he is now performing with admirable success.

If there had been no Famine, there would have been no Deficit in 1876-77, but, on the contrary, if the Estimates of the cost of the Famine are trustworthy, a Surplus on the Ordinary Account of Rs. 62,48,000,* that is to say, an improvement upon the Original Estimate of Rs. 48,08,000. Here, however, it must again be remembered that the sum of Rs. 1,38,58,850 was expended on works classed as extraordinary, but which cannot be called reproductive.

DETAILED COMPARISONS.

The following are the explanatory remarks which seem called for regarding the various increases and decreases shown in the Abstract Statements.

LAND REVENUE.

I. Land Revenue.—The whole of the decrease, Rs. 1,37,59,000, is due to the Famine, but for which there would have been a small net improvement of Rs. 86,000.

TRIBUTES.

II. Tributes.—The improvement of Rs. 50,000 is due to arrear payments by Banswara and Udhaypur.

FOREST.

III. Forest.—The Original Estimates were for a Net Revenue of Rs. 18,26,000; the Regular Estimates are for a Net Revenue of Rs. 17,31,000, being less by Rs. 95,000. The failure is in the *Bombay* and *Madras* Presidencies, and is attributed to the Famine, which is estimated to have reduced the Net Revenue from *Forests* by at least Rs. 2,00,000.

EXCISE.

IV. Excise.—The Net Revenue from this source is now expected to be only Rs. 2,37,92,000, instead of Rs. 2,43,80,000. The decrease of Rs. 5,88,000 is much more than accounted for by the loss of Revenue from the Famine in Madras. But for the Famine, there would have been a considerable improvement. The Net Revenue from *Excise* in recent years (deducting Refunds) has been as follows:—

	Rs.		Rs.
1869-70 ...	... 1,99,20,810	1873-74 ...	... 2,19,12,340
1870-71 ...	... 2,07,93,600	1874-75 ...	... 2,25,44,140
1871-72 ...	... 2,23,24,660	1875-76 ...	... 2,40,70,560
1872-73 ...	... 2,19,69,070	1876-77, Regular Estimates	2,37,33,000

The steady improvement is satisfactory.

CUSTOMS.

VI. Customs show a serious decrease as compared with the Original Estimates of Rs. 15,08,000; the loss is generally distributed. It seems probable that the Original Estimates, which were based upon last year's Regular Estimates, were too sanguine. The net *Customs* Revenue of the last few years (deducting Refunds and Drawbacks) has been as follows:—

	Rs.		Rs.
1869-70 ...	... 2,16,63,020	1873-74 ...	... 2,37,36,730
1870-71 ...	... 2,35,11,350	1874-75 ...	... 2,42,17,380
1871-72 ...	... 2,34,05,590	1875-76 ...	... 2,47,00,620
1872-73 ...	... 2,40,11,230	1876-77, Regular Estimates	2,20,77,000

The net yearly Revenue sacrificed by the revision of the Tariff on the 5th August 1875 was estimated at Rs. 30,84,000: this sum deducted from the Net Revenue of 1874-75, the most productive recent year before 1875-76, would leave only Rs. 2,11,33,380, from which point the Revenue of 1876-77 shows a satisfactory recovery of 9½ lakhs of rupees. The *Customs* Revenue of 1875-76 was evidently abnormal; we cannot expect so speedy a recovery from the standard of 1874-75 as was estimated in March last.

SALT.

Salt.—The Net Revenue was estimated at Rs. 5,77,40,000: it is now estimated at Rs. 5,85,65,000, being a gross improvement of Rs. 8,25,000. The

	Rs.
* Estimated cost of Famine in 1876-77	3,10,00,000
Deficit on ordinary Account	2,27,83,000
Surplus but for Famine	82,17,000
Deduct loss by Exchange saved by Secretary of State reducing his drafts	19,69,000
Remains ...	62,48,000

Net Revenue under this important Head (deducting Refunds) has been as follows:— Regular Estimates, 1876-77.

	Rs.		Rs.
1869-70 ...	... 5,46,20,160	1873-74 ...	... 5,64,60,590
1870-71 ...	... 5,68,52,590	1874-75 ...	... 5,73,52,620
1871-72 ...	... 5,45,57,090	1875-76 ...	... 5,70,22,180
1872-73 ...	... 5,64,28,950	1876-77, Regular Estimates	... 5,81,99,000

so that the Net Revenue of 1876-77 will, if the present Estimates are realised, be the largest yet obtained

OPIUM.

VIII. Opium.—The Net Revenue was estimated at 6 crores of Rupees; it is now expected to be Rs. 6,37,50,000, an improvement of Rs. 37,50,000. The Gross Revenue has only once before been exceeded; and the Net Revenue would have been much larger than is now expected, but for the unprecedentedly large crop of 1876. The cost of this great crop fell upon the Revenues of the year, its surplus yield being added to the reserve store in the possession of the Government, which now amounts to 35,315 chests more than the quantity which will be sold during the calendar year 1877. The recent figures of the Opium Revenue are as follows:—

	Gross Revenue.	Expenditure.	Net Revenue.	
1869-70	7,95,15,570	1,82,06,830	6,13,08,740	
1870-71	8,04,54,590	2,01,44,250	6,03,10,340	
1871-72	9,25,38,590	1,59,66,460	7,65,72,130	} Short crops.
1872-73	8,68,46,910	1,81,42,680	6,87,04,230	
1873-74	8,32,48,790	2,00,12,800	6,32,35,990	
1874-75	8,55,66,290	2,34,15,460	6,21,50,830	
1875-76	8,47,14,250	2,21,85,650	6,25,28,600	
1876-77	9,17,68,000	2,80,18,000	6,37,50,000	Great crop.
	68,46,52,990	16,60,92,130	51,85,59,860	

The average yearly Net Revenue for these eight years has been Rs. 6,48,19,982, the Net Revenue of particular years depending much upon the outturn of the crop paid for. The Net Revenue of 1876-77 is rather below the average of the eight years, but compares favorably with all but two of these years. Bengal Opium is now expected to yield net less than the Estimate by Rs. 1,60,000, the excess expenditure being, by this amount, larger than the large excess revenue. Malwa opium is expected to yield Rs. 38,90,000 more than the Estimates.

OPIUM ACT, 1876.

On the 19th December 1876, the Opium Act (No. XXIII of 1876) received the assent of the Governor General. This much-needed Law will enable the Government to regulate and supervise the growth of the poppy and all transactions with Opium throughout India: hitherto, in many parts of the country, either there has been no law, or the law has been doubtful.

STAMPS.

IX. Stamps.—The Net Revenue from *Stamps* and *Law and Justice* (the portion now Imperial) is now expected to be Rs. 3,09,25,000 instead of Rs. 3,05,00,000, as at first estimated, an Improvement of Rs. 4,25,000. The Net Revenues from *Stamps* and the existing imperial items under *Law and Justice* (deducting Refunds) show a steady improvement as follows:—

	Rs.		Rs.
1871-72 ...	... 2,68,40,230	1874-75 ...	... 2,88,44,860
1872-73 ...	... 2,84,31,580	1875-76 ...	... 2,97,10,000
1873-74 ...	... 2,89,55,410	1876-77, Regular Estimates	3,02,05,000

MINTS.

X. Mint.—Sir W. Muir estimated the Net Revenue from the Mints at Rs. 3,00,000; it is now expected to be Rs. 8,46,000, the excess (Rs. 5,46,000) being due to a large coinage of silver.

XIII.—The decrease of Rs. 3,37,000 under *Law and Justice* is in the Provincial portion (*Jails* and *Registration*), and is partly set off by a saving of Rs. 1,75,000 under the corresponding Heads of Expenditure.

GAIN BY EXCHANGE.

XIX. Gain by Exchange.—The large improvement in the Net Traffic Earnings of the Guaranteed Railway Companies entails the improvement of Rs. 11,57,000 here shown.

MISCELLANEOUS.

XX. Miscellaneous.—The improvement of Rs. 2,91,000 occurs mainly in England, the chief items being £9,600 for Cinchona bark sold, £6,400 from the exhibition of the presents taken home by His Royal Highness the Prince

Regular Estimates, 1876-77.

of Wales, and £5,000 fines on contractors subsequently remitted, and shown under the corresponding Head of Expenditure. A curious item in India is the State share of nine ingots of gold, valued at Rs. 53,240, discovered in the Kistna District.

IRRIGATION.

Irrigation.—The small decrease of Rs. 2,63,000 is due to the favorable season in the Punjab causing a loss of Rs. 1,37,200, and to disappointments in Bengal.

The probable Extraordinary outlay on Canals in 1876-77 is Rs. 1,01,20,000, as follows:—

	Rs.		Rs.
Madras	3,75,000	North-Western Provinces	33,00,000
Bombay	6,49,000	Punjab	20,00,000
Bengal	37,50,000	In England ...	46,000

In 1876-77 the total direct receipts from Irrigation Works are estimated to amount to Rs. 50,06,750. Of this sum, the amount expected to be derived from the completed Canals on which the Capital Outlay has been Rs. 10,07,23,280 is Rs. 47,01,000: the estimated amount of Land Revenue due to or dependent on the works is Rs. 20,20,340: thus the Gross Revenue is estimated at Rs. 67,21,340. The working expenses from which this Gross Revenue is derived is estimated to amount to Rs. 33,78,060: so that the expected Net Revenue is Rs. 33,43,280, or 3·3 per cent.

STATE RAILWAYS.

State Railways.—The Net Revenue from State Railways was estimated at Rs. 11,80,000; it is now expected to be only Rs. 10,42,000; the decrease of Rs. 1,38,000 is owing to slackness of trade, especially on the Holkar Line, and also to the Northern Bengal and Indus Valley Lines not having been opened for traffic so soon as was expected.

The growth of the revenue from State Railways is, however, encouraging: as follows:—

	Gross Earnings.	Working Expenses.	Net Traffic Earnings
	Rs.	Rs.	Rs.
1872-73	1,65,330	1,79,140	– 13,811
1873-74	3,99,140	7,28,240	– 3,29,100
1874-75	13,09,860	18,38,830	– 5,28,970
1875-76	28,95,120	21,47,130	7,47,990
1876-77, Regular Estimates ...	36,96,000	26,54,000	10,42,000
1877-78, Original Estimates ...	67,48,000	48,30,000	19,18,000

The Capital Expenditure on State Railways to the end of 1875-76 was Rs. 11,78,34,920; the Expenditure in 1876-77 is estimated at Rs. 2,95,80,970; and that in 1877-78 at Rs. 2,60,00,000, making the total Capital Expenditure to the end of 1877-78 Rs. 17,34,15,890.

CONTRIBUTIONS AND PROVINCIAL BALANCES, 1876-77.

Provincial Contributions and Balances of the Local Governments.—According to the Estimates, the Local Governments were to supplement their Assigned Revenues from separate Provincial Resources by Rs. 3,07,000, and from their balances by (net) Rs. 14,82,000; total Rs. 17,89,000. It is now expected that they will have to draw upon local resources for only Rs. 1,85,000, and upon their balances for only Rs. 7,84,000, *i. e.*, for (net) Rs. 9,69,000 in all: the amount would have been larger, but for a special grant of Rs. 2,50,000 from Imperial Funds to British Burmah, the rapid expansion of which Province makes such assistance indispensable. The Punjab draws from its local resources more than any other Province; it seems probable that some expenditure may still be classed there as Imperial, which, under the old system, was local.

INTEREST.

I pass now to EXPENDITURE. The net charge for *Interest* is now expected to be larger than was estimated by Rs. 3,42,000. The excess is entirely in the Estimates of the Home Treasury, where a larger sum was borrowed than was intended in March last. The Estimate then was that £2,640,000 would be

borrowed; the actual sum raised was £4,600,000, besides £500,000 borrowed temporarily.

Regular Estimates, 1876-77.

(In Rupees.)

Interest Estimates compared.

(1876-77.)	Original.	Present.	Worse.	Better.
Interest on debt ...	5,36,00,000	5,41,07,000	5,07,000	
Interest on Service Funds, &c. ...	39,07,000	38,61,000	...	46,000
Total ...	5,75,07,000	5,79,68,000	4,61,000	
Receipts ...	50,80,000	51,99,000	...	1,19,000
Net Charge	5,24,27,000	5,27,69,000	3,42,000	

PURCHASE OF SECURITIES.

The following Government Securities were purchased by the Government of India early in the year, before any cause of anxiety had arisen respecting the crops:—

	Capital. Rs.	Premium paid. Rs.
Bearing interest at 5½ per cent. ...	35,65,000	1,23,000
„ „ 5 „ (debentures)	3,75,000	3,000
„ „ 4½ „ ...	68,80,000	98,000
„ „ 4 „ ...	17,20,000	14,000
	1,25,40,000	2,38,000

These Securities have been cancelled, and will not be re-issued: the premium has been written off under the Head of *Interest*.

TOTAL DEBT OF INDIA.

The Debt of the Government of India is estimated to be on the 31st March 1877 as follows:—

(*Debt of India; combining Sterling and Rupees on the assumption that £1=Rs. 10.*)

Rate of Interest.	Capital amount outstanding, England. £	India. Rs.	Total. Rs.	A year's Interest thereon. Rs.
5½ ...	...	9,84,52,000	9,84,52,000	54,15,000
5 ...	17,200,000	1,05,84,000	18,25,84,000	91,28,000
4½ ...	...	15,44,96,000	15,44,96,000	69,52,000
4 ...	37,176,000	45,37,40,000	82,55,00,000	3,30,20,000
3½ ...	...	6,52,000	6,52,000	23,000
Nil ...	21,000	3,50,000	5,60,000	*Nil*
	54,397,000	71,82,74,000	1,26,22,44,000	5,45,38,000

Thus, the average yearly rate of interest upon the Registered Debt of India at the end of the current year is estimated to be 4⅓ per cent. The Capital of the Railway and Madras Irrigation Companies, interest upon which is guaranteed from Indian Revenues, is £96,946,907, the interest thereon being £4,716,100. The total Debt of British India, therefore, of all kinds is £151,343,907, and Rs. 71,82,74,000, and the interest thereon is £7,063,104, and Rs. 3,10,68,600: if a Rupee is worth 1*s.* 9½*d.*, the entire Debt of India is Rs. 2,40,76,94,357, or £215,689,286, and the interest thereon, Rs. 10,99,12,551, or £9,846,333. The average interest upon the whole Debt of India, including the Guaranteed Capital, is 4·56 per cent.

PROPORTION HELD BY NATIVES OF INDIA.

The proportion of the Rupee Debt held by Natives of India on the 30th of December is estimated, from the distribution of the actual payments of interest, to have been as follows:—

1869 ...	...	22,50	1873 ...	...	25,29
1870 ...	...	20,25	1874 ...	...	25,23
1871 ...	...	24,74	1875 ...	...	24,34
1872 ...	...	22,76	1876 ...	...	25,87

LAND REVENUE.

The excess over the Grant under *Land Revenue* (Rs. 2,19,000) occurs chiefly in *Bombay*, and is nominal, being an increase in Village Allowances set off by increased Revenue under *I, Land Revenue*.

EXCISE.

The excess of Rs. 2,13,000 under *Excise* is for stores (probably hydrometers for Madras) from England.

SALT.

The saving under *Salt*, Rs. 3,95,000, is in the item Petty Construction and Repairs in *Madras*.

Regular Estimates, 1876-77.

Post Office.—The estimated Net Expenditure on this Service was Rs. 9,11,000; it is now only Rs. 5,99,000, an improvement of Rs. 3,12,000. The following are recent figures of the Post Office:—

POST OFFICE.

	Expenditure.	Revenue.	Net Expenditure.
	Rs.	Rs.	Rs.
1873-74	80,86,840	68,81,980	12,04,860
1874-75	80,75,960	73,94,000	6,81,960
1875-76	82,20,790	76,35,970	5,84,820
1876-77	86,37,000	80,38,000	5,99,000

It is to be borne in mind that the Post Office carries the correspondence of the State at a reduced rate. It is satisfactory to find that the loss from the reduction of the Overland Postage (from 8 annas to 6 annas *viâ* Brindisi, and from 6 annas to 5 annas *viâ* Southampton) has been almost made good already.

TELEGRAPHS.

13. Telegraphs.—The estimated Net Cost of this Service was Rs. 19,80,000; it is now only Rs. 15,97,000. The improvement of Rs. 3,83,000 occurs chiefly in India, and is due to increased traffic. The following are the figures for the past eight years:—

	Expenditure.	Revenue.	Net Expenditure.
	Rs.	Rs.	Rs.
1869-70	55,34,000	25,71,340	29,62,660
1870-71	50,54,310	24,70,100	25,84,210
1871-72	44,99,110	22,83,680	22,15,430
1872-73	48,29,750	24,98,020	23,31,730
1873-74	41,18,180	25,06,380	16,11,800
1874-75	43,20,300	28,64,790	14,55,510
1875-76	49,06,240	30,90,400	18,15,840
1876-77, Regular Estimates ...	49,18,000	33,21,000	15,97,000

The improvement since 1872-73 is satisfactory.

ADMINISTRATION.

14. Administration.—The increase of Rs. 6,52,000 is due, for the most part, to an insufficient provision having been made for tour and staff expenses in India; but partly to increased charges at Home.

LAW AND JUSTICE.

16. Law and Justice.—The saving (Rs. 1,75,000) is in the Provincial portion (*Jails and Registration*). The Imperial portion, which constitutes, as yet, the greater portion of this Grant, shows an increase of Rs. 6,16,000, the largest item in which is for the Convict Establishments on the Andaman and Nicobar Islands.

POLICE.

17. Police.—This grant is entirely under the control of the Local Governments, and the small excess (Rs. 1,56,000) does not require explanation from me. There is a corresponding excess receipt, amounting to Rs. 1,28,000.

EDUCATION.

19. Education.—This service, too, is entirely under the Local Governments. The net saving of Rs. 3,57,000 is generally distributed: it seems probable that some economies may have been effected in consequence of the warning given by His Excellency the Viceroy in July last, to which I shall have occasion hereafter to refer.

STATIONERY AND PRINTING.

22. Stationery and Printing.—This resuscitated Head shows an increase of Rs. 4,25,000, some portion of which occurs in the Central Press of the Government of India, the work of which is constantly increasing; but the greater portion is for Stores from England.

POLITICAL AGENCIES.

23. Political Agencies.—Of the excess of Rs. 18,39,000, the sum of Rs. 13,71,000 is for the ceremonies throughout the country attending the assumption by Her Majesty the Queen of the title of Empress of India. There are other items of increase which need not be explained.

COST OF CEREMONIES ON ASSUMPTION OF IMPERIAL TITLE.

The gross cost of the ceremonies throughout India on the 1st of January is Rs. 13,71,000 under this Head; Rs. 2,83,000 in the Public Works Department; and Rs. 3,00,000 under the Army: total Rs. 19,54,000: there was also an inconsiderable outlay in England, the particulars of which we do not yet know. Against the gross outlay is to be set the increased revenue from the Railways (estimated at, at least, net Rs. 9,00,000), and under Telegraphs and other Heads: upon the whole, it does not seem likely that the net cost exceeded Rs. 10,00,000. It will be understood that these charges are by no means on account of the Delhi Assemblage only, but include the gift of a day's pay to the Army, and the cost of the ceremonies at the Presidency towns and at every large station throughout India: such charges as these had no connection with the Assemblage. The net cost of the Assemblage itself cannot at present be exactly ascertained; but, in an estimate sent last month to the Secretary of State, it was calculated at about Rs. 5,00,000, a sum which must be looked upon as extremely moderate.

Regular Estimates, 1876-77.

ALLOWANCES, &c.

24. Allowances, &c., under Treaties.—The decrease of Rs. 1,71,000 is owing to sundry lapses.

FURLOUGH ALLOWANCES IN ENGLAND.

25. Furlough Allowances in England.—The increase of Rs. 1,76,000 is attributed to an increase in the number of Officers on furlough, and, to some small extent, to the privilege of drawing furlough pay at 2*s.* the Rupee, which has been granted, with retrospective effect, to those Military Officers who, before 1st July 1871, elected, under the option given to them, the Furlough Rules of 1868. The charges under this Head have been as follows:—

	£
1873-74	260,556
1874-75	216,704
1875-76	229,199
1876-77, Regular Estimates	240,600

LOSS BY EXCHANGE.

27. Loss by Exchange.—The present Exchange Estimates may be compared with the Original Estimates as follows:—

	Loss by Exchange.	Gain by Exchange.	Net Loss.
	Rs.	Rs.	Rs.
1872-73	76,51,090	30,14,360	46,36,733
1873-74	98,65,300	39,51,680	59,13,620
1874-75	89,78,780	39,53,350	50,25,430
1875-76	1,42,97,220	39,53,650	1,03,43,570
1876-77, Original Estimate	2,33,20,000	34,70,000	1,98,50,000
1876-77, Present Estimate	2,13,51,000	46,27,000	1,67,24,000

Thus, the whole improvement compared with the Estimates is Rs. 31,26,000, of which Rs. 11,57,000 has been already explained as due to improved Guaranteed Railway Receipts. Almost the whole charge entered under *27, Loss by Exchange*, is incurred upon the Bills upon the Government of India, by which the Secretary of State supplies the Home Treasury with funds. The Estimate was that the sum thus raised in London would be £13,660,000, and that, to produce this amount, Bills would be sold for Rs. 15,99,20,000, being at the rate of Re. 1=1*s.* 8$\frac{9}{32}$*d.* It is now estimated that we shall pay Bills for Rs. 14,53,96,000, which will yield to the Home Treasury £12,418,000, the rate realised being still estimated at Re. 1=1*s.* 8$\frac{1}{2}$*d.* The cost now estimated of the £12,418,000 thus supplied to the Home Treasury is only Rs. 16,310 more than it would have been at the precise rate originally estimated: that the Original and Revised Estimates should thus precisely correspond, is only a curious coincidence; for no one could, in March last, have foretold what the average rate of exchange during the year would be, and the Government of India had certainly little confidence in its own Estimate. The gross saving of Rs. 19,69,000 under this Head is wholly due to our having paid for £1,242,000 less than we expected; and this, again, is due to the Secretary of State having borrowed more than was, at first, proposed: the reason for this excess borrowing was chiefly the state of the exchanges between England and India during the early part of the year.

FALL IN THE PRICE OF SILVER.

This brings me to speak of the fall in the price of silver, which began to alarm the Government of India and all those interested in the prosperity of the country long before the last Financial Statement was made, and which, during the year, assumed formidable proportions. It is impossible for me, in making this Statement, to avoid reference to a subject so intimately affecting the interests of India: at the same time, I desire, on this occasion, to treat the matter historically only, and not to express any opinion of my own upon the causes of the divergence of the value of the two metals, or upon the remedies, if any, which ought to be adopted.

The fall in the value of silver dates from November 1872. For 22 years before that date, the price in London of an ounce Troy of standard silver had never been below 60*d.*, and for 18 years more, it had never been below 59*d.* In the calendar year 1873, the average price was 59·22*d.*, the lowest price (*13th November*) being 57$\frac{11}{16}$*d.* In 1874, the average price was

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58·37*d.*, the lowest price (*31st December*) being 57¼*d.* In 1875, the average price was only 56·76*d.*, the lowest quotation being (*on the 3rd June*) 55½*d.* In 1876, the average price fell to 53·08*d.*, the lowest quotation being (*8th July*) 47*d.*; sales were reported even as low as 46*d.*: the recovery from this depression was rapid; the highest point since attained being (*18th January 1877*) 58⅝*d.*, the highest price quoted since 23rd July 1874: there has since been, again, a downward re-action, the latest quotation being 55*d.*

MEMORIAL FROM THE BENGAL CHAMBER OF COMMERCE.

On the 17th July 1876 the Secretary to the Bengal Chamber of Commerce transmitted, for the consideration of the Governor General in Council, the following two Resolutions adopted at a Special General Meeting of the Chamber held on Saturday, the 15th July:—

RESOLUTIONS.

1*st.*—"That the continued depreciation in the value of silver is a question most seriously affecting the political and financial interests of the Country; and that, in view to its very great importance, the Committee be requested to address the Government in order to obtain such information as they may be able to give, in regard to the policy which they propose to pursue under the circumstances.

2*nd.*—"That the Chamber approves of the suggestion of the Committee that it is expedient, in view of any ultimate measures that the Government may adopt, that Clause 19 of Act XXIII of 1870, making it obligatory on the Mints in India to receive all silver tendered for coinage, and also section 11, clause (b) of Act III of 1871, making it obligatory on the Currency Department to issue Notes against silver bullion sent in, be temporarily suspended, at the discretion of Government; and that, during such suspension, or till further notice, it be not lawful to import coined rupees from any foreign port."

On the 22nd July, the Secretary to the same Chamber forwarded, for the consideration of the Government, a copy of the Proceedings of the Chamber.

In this letter, the Committee of the Chamber, while recognising the difficulty of the position of the Government of India, remarked that the uncertainty which had hitherto shrouded the action of Government had been attended with serious consequences to merchants and bankers, and would continue to embarrass their transactions so long as they were kept in ignorance of the course of action the Government proposed to take. The Committee, therefore, expressed a hope that His Excellency the Viceroy would, in the interests of commerce and of the country generally, accede to the prayer of the first Resolution of the meeting, and make public the intentions of the Government.

As to the second Resolution, the Committee pointed out that its object was not to prohibit coinage altogether; for that would be likely to bring about a collapse of credit; but to place all coinage in the hands of the Government to be exercised at its discretion. It appeared to the Committee suicidal for the Secretary of State to allow the competition of bar silver with the rupees which he has to offer to those requiring money in India, and that to suspend the free conversion of silver bullion into legal-tender coin was not only a wise and reasonable; but a necessary precaution for the Government of India to take, for the preservation of its own currency, and to support the credit of its own loans, as well as to prevent the country from being swamped by silver sent in by foreign nations.

The Committee argued that the fact that the Government of India was compelled to put their Mint Stamp to all silver sent to India had given an artificial and fictitious value to silver, which would cease as soon as the law was suspended. Bar silver would then, gradually, fall to its own intrinsic value; and the extent to which it was depreciated would be soon gauged; whereas, as things were, it was impossible to say how much its value was appreciated by our 'open coinage system.'

When all Europe was closing its doors against the import of silver with the avowed object of having as little of the metal as possible, should the depreciation be found permanent, it seemed most impolitic, the Committee thought, to keep ours wide open for the reception of an unlimited quantity, costing the country, through our coinage laws, far more than its real intrinsic value. The Committee could see no valid reason against the immediate adoption by the Government of the second Resolution of the Meeting, and considered that the objections brought against it were based either on a misconception of its real scope, or on abstract principles ignored by other States; whereas the position of affairs was altogether exceptional, and ordinary rules did not apply. The Committee represented that the measures recommended in the Resolution were not more

stringent than, in fact, scarcely so stringent as, those which the first financiers in Europe had found it necessary to adopt. Regular Estimates, 1876-77.

Lastly, the Committee pointed out that there was a third proposition put before the Meeting, recommending the adoption of a gold standard, which, in deference to the feeling apparent among members present, was temporarily withdrawn; and they referred the Government to the debate at the Meeting upon this proposal.

WARNING BY THE GOVERNMENT OF INDIA.

On the 31st July the Government of India published a Resolution inviting attention to the immediately probable financial consequences of the fall in the gold-price of silver, and insisting upon the necessity for the utmost economy of the public resources.

MEMORIAL OF THE CALCUTTA TRADES' ASSOCIATION.

On the 1st August the Secretary to the Calcutta Trades' Association forwarded a Memorial from the Master, Wardens, and Committee of the Association to His Excellency the Viceroy and Governor General of India in Council.

In this document the Memorialists represented that they had, for many months past, been suffering great loss from the low rate of exchange which bid fair to paralyse trade. The Memorialists joined earnestly with the Bengal Chamber of Commerce in urging on the Government the importance of declaring the policy it intended to pursue for the remedy of this evil, and prayed that the policy of a temporary suspension of the compulsory coinage of silver might receive the early consideration of Government.

The Memorialists further expressed great satisfaction at the desire manifested by the Government to encourage local manufactures, and suggested a relaxation of the rules against the purchase of imported stores for the Government in India.

RESOLUTION OF THE GOVERNMENT OF INDIA, 22ND SEPTEMBER 1876.

On the 22nd September 1876, after considering the "Report by the Select Committee of the House of Commons on the depreciation of silver, with the Proceedings of the Committee, ordered by the House of Commons to be printed on the 5th July 1876," the Government of India published a Resolution (No. 3044) upon the suggestions of the Bengal Chamber of Commerce and the Calcutta Trades' Association. The following is a summary of its arguments and conclusions.

1. The recent change in the value of silver measured in gold may be due to changes in the value of one metal or the other, or of both: before a fit remedy can be applied, it is essential to ascertain what exactly has happened, whether gold has risen or silver fallen, and how much the value of each metal has changed. It cannot be assumed, without decisive proof, that the divergence of the two metals is due wholly, or even chiefly, to the fall in the value of silver.

2. The prices of commodities and of the precious metals, in London and in India, witness to a considerable rise in the value of gold since March 1873, and especially since December 1875, and do not show any fall in the value of silver measured in commodities other than gold: using these prices with all reserve, it must still be said that they afford evidence of this fact at least that a rise in the value of gold is one of the causes which has disturbed the equilibrium of the two metals.

3. The divergence of the values of the two metals seems due to three principal causes, of which the first appears to be the most efficient:

(1).—The substitution of gold as the standard of value, in Germany, the Netherlands, and the Scandinavian Kingdoms, for silver; and, in the countries of the Latin Convention, for their customary alternative or compensatory standard of silver and gold.

(2).—The increased production of silver in the United States of America.

(3).—The decreased demand for silver in India.

4. The value of gold and silver, like that of any other commodities, depends, on the one hand, upon the supply, on the other, upon the demand for them; and this again depends upon the uses made of them: the long-continued equilibrium between the value of gold and that of silver is due to the two metals having shared, without material change of conditions, the only great field for the employment of either of them, *i. e.*, the supply of legal-tender metallic money: this equilibrium has been disturbed by the rapid supersession of silver by gold in Europe and America as the standard of value, and there-

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fore as the material of legal-tender metallic money: this supersession is calculated, *a priori*, to raise the value of gold no less than to lower the value of silver.

5. Excessive importance is not, *per se*, attached to the increased production of silver in the United States of America.

6. When India is in a normal condition, *i. e.*, when there is no abnormal demand for any of her staples, and she is not borrowing large sums from abroad, the amount of treasure required to settle her accounts with the world is not considerable; and a substantial proportion of the treasure received has always been gold: the large imports of treasure into India since 1850 are due to abnormal circumstances, as follows:

(1).—The Crimean War transferred to India large demands for produce theretofore obtained from Russia.

(2).—The American Civil War exaggerated temporarily the value of Indian cotton.

(3).—Great sums of money have been borrowed for—

(*a*) the suppression of the mutiny;

(*b*) the construction of railroads (Guaranteed and State) and canals;

(*c*) the Bengal famine.

It would be altogether misleading to treat the great imports of treasure in the last 25 years as normal, or to expect that they will, or can, continue: there is, therefore, no reason to expect that silver will be poured into India, although, of course, if it falls in value, a greater weight of it must come to represent the same value.

7. To suspend the free coinage of legal-tender metallic money, as advocated by the Bengal Chamber of Commerce, would give a monopoly value to the existing stock of rupees, and so reduce prices; whereas prices are not yet risen.

8. The value of no substance can serve as a standard-measure of value unless its use as the material of legal-tender currency is freely admitted: if, therefore, the free coinage of silver on fixed conditions were disallowed in India, silver would no longer be the standard of value of India, but another standard would be substituted, *viz.*, the monopoly value of the existing stock of rupees, tempered by any additions made to it by the Government, or illicitly: if no such additions were made, the value of the rupee would gradually, but surely, rise, owing to the supply being cut off.

9. The stamp of a properly regulated mint, such as the Indian Mints, adds nothing, except the cost of manufacture and seignorage, to the value of the metal on which it is impressed; but only certifies to its weight and purity.

10. A sound system of currency must be automatic or self-regulating: no civilised Government can undertake to determine from time to time by how much the legal tender currency should be increased or decreased; nor would it be justified in leaving the community without a fixed metallic standard of value even for a short time: it is a mistake to suppose that any European nation has rejected silver as a standard of value without substituting gold.

11. For all these reasons, the Government of India rejected as inadmissible the proposal that the Mints should be closed to the free coinage of silver for the public on fixed conditions, unless they were, at the same time, opened to the free coinage of gold as legal-tender money on fixed conditions.

12. The Government of India further concluded that there was nothing, as yet, demanding recourse to a measure so costly, and of which all the conditions were so uncertain, as the adoption of a gold standard.

Thus, the conclusions stated in the Resolution were:

1stly.—That the divergence of the values of gold and silver is not necessarily attributed only to a diminution in the value of silver; that there are strong reasons for believing that gold may have increased, as well as that silver has decreased, in value; and that this consideration must have an important bearing on the action of Government in reference to the present disorder.

2ndly.—That although it is most desirable, in the interests of trade, that the standard of value in India should be the same as the standard of value in the chief countries with which India interchanges commodities, yet trade will not be permanently injured by a fall in the value of the rupee measured in gold, provided only that a fresh stable equilibrium of the precious metals be attained.

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3rdly.—That, up to the present moment, there is no sufficient ground for interfering with the standard of value.

This Resolution of the Government of India was issued some time before I took charge of my present office, and I do not now wish to offer any comments on its conclusions.

MEMORIALS FROM GOVERNMENT OFFICERS.

The only other representations received upon the subject by the Government of India have been complaints by various European officers in its service of the loss which they are suffering from the fall of the sterling-value of the rupee, and prayers for assistance from the State: some of these memorials are still under consideration: the Government feels much sympathy with its officers; but I cannot at present say whether it will be possible to help them.

I am afraid that we cannot, by any means, conclude that the partial recovery of the value of silver which we have lately witnessed is permanent, and that our exchange with countries whose standard is gold will not be again, seriously, and perhaps frequently, disturbed. I can only say that the Government of India is devoting, and will continue to devote, anxious attention to the subject.

PURCHASE OF STORES IN INDIA.

The representation of the Trades' Association in regard to stores is still receiving attention: it is the present policy of the Government of India and the Secretary of State to allow much greater freedom of resort to the local markets than heretofore.

PROMISSORY NOTES ENFACED FOR PAYMENT OF INTEREST IN LONDON BY DRAFTS UPON INDIA.

I may mention, here, that the amount of Government Promissory Notes enfaced for the payment of Interest in London by drafts upon India decreased, during the year, from Rs. 14,20,23,120 to Rs. 12,94,59,526, or by Rs. 1,25,63,594, and that the price of our Four per cent. Rupee securities fell, at one time, in India (13th January) to Rs. 96¼, and in London (16th July) to Rs. 77. Our Four per cent. Rupee securities had not been at a discount in India since March 1873, and had not fallen below 90 in London since May 1868; they are now again quoted there at 88½: our Sterling bonds did not share the depression of the Rupee paper in London, which was doubtless due entirely to the fall in the price of silver. In India, our Rupee paper did not fall to a discount till the 3rd October, and the fall since then may doubtless be partly attributed to the apprehension that the Government may have large demands to make upon the money-market on account of the Famine, and to the scarcity of money in India.

PRICE OF GOVERNMENT SECURITIES.

MISCELLANEOUS.

28. Miscellaneous.—The excess of Rs. 4,15,000 is accounted for by some charges connected with the visit to India of His Royal Highness the Prince of Wales having escaped record in the Accounts of 1875-76, and by the refund of £5,000 fines levied upon contractors in England and credited under the corresponding Head of Revenue.

FAMINE RELIEF.

The item of Rs. 1,91,10,000 for *Famine Relief* requires no further explanation.

THE ARMY.

The Army.—The following are the accounts of the Army in recent years compared with the Original and Revised Estimates of the current year—

ITS WHOLE COST.

	Established Strength of the Army. Europeans.	Natives of India.	Expenditure.	Revenues and Contributions from Native States.	Net Expenditure.	Loss by Exchange on sterling expenditure.	Cost of Military Buildings.	Cost of Military Secretariats.	True Net Expenditure.
	No.	No.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1868-70 ...	69,262	122,442	16,32,97,390	1,21,30,780	15,11,66,610	10,94,924	1,84,94,790	5,29,720	17,12,86,094
1870-71 ...	67,150	122,123	16,07,47,990	1,05,01,630	15,02,46,360	21,69,446	1,25,13,140	5,04,130	16,54,33,066
1871-72 ...	67,062	121,921	15,67,81,120	1,02,6[illegible],830	14,65,13,190	14,83,865	1,20,33,150	4,80,800	16,05,11,005
1872-73 ...	66,965	121,959	15,80,36,120	98,04,320	14,82,31,800	18,19,661	1,16,65,530	4,52,430	15,91,69,321
1873-74 ...	66,794	123,470	15,23,82,740	1,10,[illegible],830	14,13,46,910	24,61,630	1,12,29,600	4,81,750	15,54,01,170
1874-75 ...	66,701	123,474	15,37,51,920	1,07,47,740	14,30,04,180	28,75,339	1,18,59,260	4,88,420	15,82,27,199
1875-76 ...	66,606	123,479	15,30,84,800	1,12,48,240	14,18,36,850	37,81,889	1,33,27,390	4,53,160	15,94,50,549
1876-77* ... } 1876-77† ...	66,634	123,484	{15,97,90,000 / 16,20,77,000}	93,73,010	15,04,16,990	70,35,435	1,32,84,000	4,71,070	17,02,07,495
				97,09,010	15,23,67,990	73,00,897	1,24,68,340	4,60,270	17,24,97,497
1877-78* ...	66,543	123,605	16,23,86,000	95,13,010	15,28,72,990	53,33,214	1,33,19,650	4,64,270	17,10,40,124

COMPARED WITH ESTIMATES.

The Revised Estimates of the net expenditure upon the Army, as recorded in the Accounts, exceed the Original Estimates by Rs. 19,51,000, and the actual

* Orig. Est. † Rev. Est.

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net expenditure of 1875-76 by no less than Rs. 1,05,29,640: if we use the true rate of exchange for converting the Home Expenditure into Rupees, this excess over 1875-76 rises to Rs. 1,39,48,878: if all the items entered in the preceding Statement are counted, the excess is Rs. 1,30,46,948.

FINANCIAL IMPORTANCE.

It appears from this Statement, which does not quite exhaust the public expenditure upon the *Army*, that even its net cost in 1876-77, Rs. 17,24,97,497, exceeds one-third of the entire gross expenditure of British India, excepting the charge for Famine relief: the importance of our Military Finance is therefore pre-eminent; and I think it necessary to examine carefully the causes of the alarming growth of the cost of the Army.

ACCIDENTAL CAUSES OF APPARENT EXCESS.

The Army Receipts in 1875-76 were accidentally swollen by about Rs. 15,00,000, so that the increase to be explained upon the accounts of the Army, as recorded, is really the increase of gross expenditure (Rs. 89,92,410). Of this amount, again, it will be found that £300,000 is nominal, being due to the accidental transfer of payments at Home, amounting to £150,000, from 1875-76 to 1876-77.

COMPARISON OF REGULAR ESTIMATES WITH ACCOUNTS, 1875-76.

I proceed then to compare the Revised Estimates of expenditure for 1876-77 with the Accounts of 1875-76, in order to ascertain how the residue of that increase, *viz.*, £764,505 in England and Rs. 13,47,360 in India, has arisen. The following table brings out clearly the causes to which this increase is due:—

	Effective.				Non-Effective.			Grand Total, taking £1 = Rs. 10.
	England.		India.	Total, taking £1 = Rs. 10.	England.	India.	Total, taking £1 = Rs. 10.	
	Stores.	Other items.						
	£	£	Rs.	Rs.	£	Rs.	Rs.	Rs.
1869-70 ...	878,491	1,436,207	12,19,32,870	14,50,79,850	1,190,403	63,54,630	1,82,58,660	16,33,38,510
1870-71 ...	929,782	1,461,809	11,91,43,760	14,30,59,670	1,140,556	63,49,270	1,77,54,830	16,08,14,500
1871-72 ...	936,730	1,331,853	11,40,84,790	13,67,70,620	1,378,481	62,76,190	2,00,10,500	15,67,81,120
1872-73 ...	811,736	1,432,806	11,34,64,880	13,59,10,300	1,279,743	63,28,390	1,91,25,821	15,50,36,120
1873-74 ...	852,635	1,248,208	11,24,38,690	13,34,47,120	1,254,645	62,90,720	1,88,37,170	15,22,84,290
1874-75 ...	1,124,644	1,056,314	11,08,12,280	13,26,21,860	1,436,820	67,61,530	2,11,29,730	15,37,51,590
1875-76 ...	1,096,947	1,027,986	11,06,15,180	13,18,64,510	1,458,262	66,37,160	2,12,20,080	15,30,84,590
1876-77, Estimate	1,096,100	1,335,600	11,20,89,000	13,61,06,000	1,916,000	65,11,000	2,56,71,000	16,20,77,000
1877-78 ...	996,000	1,215,100	11,41,29,000	13,62,40,890	1,957,500	65,70,110	2,61,45,110	16,23,86,000

It will be observed that the excess in 1876-77 over 1875-76 is about equally divided between the Effective and Non-effective branches as follows:—

	Rs.
Increase in Effective	45,41,490
„ in Non-effective	44,50,920
	89,92,410

EFFECTIVE AT HOME.

The Effective increase is divided between India and England thus:—

England	£306,767
India	Rs. 14,73,820

HOME CHARGES OF REGIMENTS.

The *Home* increase is mainly in the *Home charges of Her Majesty's Regiments serving in India*, including *Furlough Allowances of Officers of the British Service*. The charges under these two Heads have been as follows:—

	£		£
1869-70	725,233	1874-75	509,407
1870-71	658,710	1875-76	453,812
1871-72	590,805	1876-77, Regular Estimates...	750,000
1872-73	659,774	1877-78, Original Estimates...	700,000
1873-74	567,012		

Of the increase in 1876-77, £180,000 is attributed to the accidental transfer of certain payments, amounting to £90,000, from 1875-76 to 1876-77, but for which transfer the figures would have been—

1875-76	£547,958	1876-77	£660,000

Still even this residue of increase which continues in 1877-78 is formidable: it is the result of much negotiation with the War Office at Home, and does not seem susceptible of definite explanation in India.

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An increase of £7,655 in the *Furlough Allowances of Indian Officers* is doubtless due to the concession of the privilege of drawing Furlough Pay at 2*s.* the rupee, with retrospective effect, to Officers who elected the Furlough Rules of 1868 before the 1st July 1871.

FURLOUGH ALLOWANCES. PASSAGE AND TRANSPORT.

The net cost of the passages of officers and troops and of the Overland Troop Transport Services has been as follows:—

	At Home.	Altogether at Home and in India, counting £1 = 10 Rupees.
	£	Rs.
1869-70	278,132	42,76,430
1870-71	311,652	82,56,750
1871-72	271,373	38,42,010
1872-73	329,395	44,22,090
1873-74	381,506	46,11,760
1874-75	292,859	47,04,140
1875-76	266,734	33,44,700
1876-77 } Estimates	316,600	35,61,000
1877-78 }	241,100	28,74,500

This charge has of late years been somewhat diminishing, but the cost of the transports is still great.

STORES.

The recent charges for stores, the yearly cost of which has been stated already, have been very heavy: this is owing to the supply of Snider Rifles to the Native Army, of new rifled guns to the Artillery, and of Martini-Henry Rifles to the European troops.

EFFECTIVE IN INDIA.

Of the Effective charges in India the following items show, on the whole till lately, no important increase of cost; *Army and Garrison Staff, Regimental Pay and Allowances, Ordnance Establishments, Stores and Camp Equipage, Ecclesiastical, Education and Volunteer Corps.*

The total expenditure for these items is as follows:—

	Rs.		Rs.
1869-70	7,79,97,350	1874-75	7,62,55,820
1870-71	7,58,73,910	1875-76	7,65,58,510
1871-72	7,63,10,110	1876-77 } Estimates ...	7,69,86,000
1872-73	7,58,66,690	1877-78 } ...	7,85,99,400
1873-74	7,57,65,150		

REGIMENTAL PAY AND ALLOWANCES.

The growth in 1876-77, and still more in the coming year, is in the item *Regimental Pay and Allowances*, and is due to increased allowances to Native Troops (estimated in all at Rs. 14,22,840 a year) and to Non-Commissioned Officers of British Troops (estimated to cost Rs. 4,00,000 a year): only a small part of these new burdens falls on 1876-77.

SERVICES WHICH SHOW NO INCREASE.

The *Administrative Staff, Commissariat, Clothing* and *Medical Establishments and Services* also show rather a saving than an increase:—

	Rs.		Rs.
1869-70	3,19,24,510	1874-75	2,71,28,750
1870-71	2,91,67,380	1875-76	2,64,75,270
1871-72	2,66,86,370	1876-77 } Estimates ...	2,66,56,000
1872-73	2,75,12,120	1877-78 } ...	2,81,56,310
1873-74	2,79,07,690		

COMMISSARIAT SUPPLIES.

The increase in 1876-77 and 1877-78 is chiefly in Commissariat supplies due to the Famine, which is estimated to add, in the two years, Rs. 18,00,000 to the cost of the Army, and to the purchase of malt liquor in India instead of in England, to the relief of the account there. Contracts have been made for 18,714 hogsheads of beer brewed at Murree, Kussowlie and other stations; and it is estimated that, in 1877-78, Rs. 3,62,220 will be thus transferred from the Home Accounts to India. Improved pay to British Medical Officers is calculated to cost Rs. 2,24,000 a year.

SERVICES WHICH SHOW DIMINUTION.

The remaining Heads are *Remounts and Cattle, Barrack Establishments, Martial Law, Sea Transports and Miscellaneous Services*, and they show a nominal diminution as follows:—

	Rs.		Rs.
1869-70	1,20,11,010	1874-75	74,27,710
1870-71	1,41,02,470	1875-76	75,81,400
1871-72	1,10,88,310	1876-77 } Estimates ...	84,47,000
1872-73	1,00,86,070	1877-78 } ...	73,74,180
1873-74	87,65,850		

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The decrease, as compared with earlier years, is, to a great extent, nominal, owing to the establishment of the Troop Transports, the cost of which is recorded in the Home Accounts, and to the transfer of Barrack Establishments to the Public Works Department. The excess in 1876-77 is in the item *Miscellaneous Services*, and is due to a charge of Rs. 10,00,000 awarded under revised instructions from the Secretary of State as compensation for loss of sums paid, up to the 1st February 1861, for the purchase of promotion; to the charges throughout India connected with the assumption of the Imperial Title (Rs. 3,00,000); and to compensation for dearness of provisions in Madras and Bombay (Rs. 4,00,000) included in the sum of Rs. 18,00,000 already stated.

Thus, of the increased Effective charges, £180,000 is due to accidental transfers of payments, amounting to £90,000, from 1875-76 to 1876-77, and the remaining Rs. 27,41,480 appear to be essentially due to the increased charges at Home for Her Majesty's Troops serving in India, and to the improved pay and allowances granted to the Native Troops and to British Non-Commissioned and Medical Officers.

NON-EFFECTIVE CHARGES.

I will now examine the increases in the *Non-effective* charges, which increases all occur at Home.

The first item is *Payments to the Imperial Government on account of the Retired Pay, &c., of Troops serving or having served in India*, the charges for which have been as follows:—

	£		£
1869-70	217,000	1874-75	318,388
1870-71	239,562	1875-76	350,000
1871-72	479,974	1876-77, 1877-78 Estimates ...	605,500 / 598,500
1872-73	371,635		
1873-74	288,300		

RETIRED PAY OF H. M.'s TROOPS.

This item shows an increase in 1876-77 of £255,500, of which £120,000 is attributed to the postponement of payments, amounting to £60,000, from 1876-77 to 1877-78. But for this postponement, the figures would have been—

1875-76 ... ... £410,000 | 1876-77 Estimate ... £545,500

the increase being £135,000. Like the *Home Charges of Her Majesty's Regiments serving in India*, these charges are the result of long negotiations with the War Office, and are beyond the control of the Government of India. The item *Deferred pay to discharged or deceased soldiers for service in India subsequent to 1st April 1876*, which is entered at £2,000 in 1876-77 and £40,000 in 1877-78, is expected to rise to £200,000 a year.

The next item appears for the first time in 1876-77, *viz.*, *Payments to the Imperial Government on account of the capitalised value, from 1st April 1874, of the proportion chargeable to Indian Revenue of the pensions granted between 18th February 1861 and 31st March 1870 to soldiers transferred from the Indian Local Army to the British Army*. This charge, which we do not expect to recur, is estimated to be in—

1876-77 ... ... £100,000 | 1877-78 ... ... £130,000

RETIRED PAY OF INDIAN OFFICERS.

The third item is *Retired Pay of Officers of the Indian Service, including Colonels' Allowances and including also the capitalised value of pensions granted to Indian Officers on retirement, representing the estimated value of the proportionate claim to the Colonels' Allowances*. The charges for this item, which accounts for £119,086 of the increase, are as follows:—

	£		£
1869-70	759,867	1874-75	982,209
1870-71	754,347	1875-76	982,114
1871-72	750,575	1876-77, Estimates ...	1,101,200
1872-73	765,004	1877-78 Do. ...	1,120,000
1873-74	816,598		

of which the capitalised payments, which are calculated to prevent a still larger increase hereafter, are:—

	£		£
1874-75	147,040	1876-77, 1877-78 Estimates ...	111,200 / 100,000
1875-76	75,775		

Regular Estimates, 1876-77.

LORD CLIVE'S FUND.

The pensions from Lord Clive's Fund are diminishing, thus:—

	£		£
1869-70	204,384	1874-75	133,462
1870-71	131,478	1875-76	121,908
1871-72	131,535	1876-77, 1877-78 Estimates ...	108,500 / 108,000
1872-73	132,730		
1873-74	133,167		

Thus it appears that, of the whole increase of £457,738 in the Home non-effective charges, £120,000 is due to an accidental transfer of payments from 1875-76 to 1876-77, £119,086 to the growing charge for *Retired Pay of Indian Officers, including Colonel's Allowances*, and £218,652 to increased demands by the Imperial Government for the retired pay and deferred pay of the troops serving or having served in India.

In concluding this Review of the Army Expenditure I have only to add that the Government of India must certainly endeavour to find the means of meeting the increased military charges, some of which are apparently inevitable, by economies in other Departments of the Military Service: their endeavours must be largely dependent for success upon the support of Her Majesty's Government. I do not assert that the whole of the additional expenditure on the Army has not been incurred for excellent objects, or that it could have been avoided; but that the Indian Revenues are liable to have great charges thrown upon them without the Government of India being consulted, and almost without any power of remonstrance, is a fact the gravity of which can hardly be exaggerated.

GUARANTEED INTEREST LESS NET TRAFFIC RECEIPTS.

Guaranteed interest less net traffic receipts shows the gratifying improvement of Rs. 84,07,000.

The following Statement exhibits the whole effects recorded in the Public Accounts and Estimates upon our Revenues, of the transactions with the Companies upon whose capital interest is guaranteed from Indian Revenues.

Transactions as recorded in the Finance Accounts, upon the hypothesis that £1 = Rs. 10.

TOTAL NET COST OF GUARANTEED UNDERTAKINGS ACCORDING TO THE ACCOUNTS.

	1869-70.	1870-71.	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.	1876-77, Original Estimates.	1876-76, Regular Estimates.	1877-78, Original Estimates.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
GUARANTEED INTEREST, LESS NET TRAFFIC RECEIPTS ...	1,54,70,640	1,63,48,110	1,72,33,180	2,11,95,010	1,43,73,530	1,24,45,620	97,53,100	1,26,00,000	41,93,000	1,00,00,000
LAND AND SUPERVISION ...	9,13,900	8,29,530	6,61,630	16,10,560	15,74,380	5,53,940	8,33,130	9,30,000	9,13,000	7,80,000
INTEREST ON REVENUE BALANCES	2,78,544	2,37,392	2,57,241	2,31,363	2,69,337	3,56,431	3,49,700	3,08,000	3,20,000	9,000
TOTAL EXPENDITURE ...	1,66,63,084	1,94,15,032	1,81,51,051	2,29,46,933	1,61,67,237	1,33,55,991	1,09,35,930	1,38,38,000	54,25,000	1,07,89,000
DEDUCT NET GAIN BY EXCHANGE	4,02,170	13,19,670	20,96,760	28,66,450	33,34,890	36,14,520	35,71,610	32,41,130	42,43,000	35,00,000
NET COST OF UNDERTAKINGS TO THE INDIAN REVENUES AS RECORDED IN THE FINANCE AND REVENUE ACCOUNTS ...	1,62,60,914	1,80,95,362	1,60,54,291	2,00,80,483	1,28,32,347	97,41,471	73,64,320	1,05,96,870	11,82,000	72,89,000

According to this Statement, the improvement in 1876-77, compared with the Original Estimates, is, altogether, no less than Rs. 94,14,870, and the net cost of the undertakings in 1876-77, only Rs. 11,82,000: but this Statement does not exhibit the true effect upon Indian Revenues of the transactions with these Companies: the system by which we combine the sterling transactions of the Home Treasury with the rupee transactions of the Indian Treasuries upon the hypothesis that Rs. 10 = £1, and call the totals pounds sterling or rupees, has many inconveniences; and especially obscures the truth as regards the important transactions with which I am now dealing.

STATISTICS OF THESE UNDERTAKINGS.

In the following table I have collected the facts of the last seven years, and the estimated facts of the present and coming years, as regards these

Regular Estimates, 1876-77.

undertakings, from which the results to the Indian Exchequer have to be ascertained: these facts are, in themselves, well worthy of a place in this review.

Transactions of the Companies upon whose Capital interest is guaranteed from Indian Revenues.

		1869-70.	1870-71.	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.	1876-77, Original Estimates.	1876-77, Regular Estimates.	1877-78, Original Estimates.
Traffic Earnings	Rs.	7,05,79,320	7,21,90,590	7,30,57,340	7,51,00,761	8,32,02,792	8,93,11,870	8,96,63,756	8,55,75,000	10,31,73,000	9,27,94,000
Working Expenses	Rs.	4,12,04,040	4,35,61,240	4,11,74,569	4,64,57,492	4,77,78,350	4,74,87,392	4,70,34,569	4,59,55,000	5,35,43,000	4,84,51,000
Percentage of Working Expenses on Earnings	Rs.	58·379	60·342	56·359	61·860	56·582	53·170	52·456	53·701	51·896	52·213
Net Traffic Receipts	Rs.	2,93,75,280	2,86,29,350	3,18,82,771	2,86,43,269	3,61,24,442	4,18,24,478	4,26,29,187	3,96,20,000	4,96,30,000	4,43,43,000
Surplus paid to Companies	Rs.	8,13,050	7,09,600	5,95,940	8,53,950	9,15,010	42,75,610	22,72,510	19,50,000	29,94,000	40,00,000
Net Traffic Receipts applicable to relief of Indian Revenues	Rs.	2,85,62,230	2,79,19,750	3,12,86,831	2,77,89,319	3,52,09,432	3,75,48,868	4,03,56,677	3,76,70,000	4,66,36,000	4,03,43,000
Gross Guaranteed Interest paid in sterling at Home	£	4,138,150	4,352,713	4,546,236	4,619,249	4,631,531	4,659,755	4,656,886	4,700,000	4,686,000	4,692,000
Do. do. do. paid in Rupees in India	Rs.	4,12,308	4,22,773	4,94,729	4,21,153	3,91,911	3,67,992	3,34,135	3,28,000	2,41,000	2,61,000
Equivalent of total Guaranteed Interest in Rupees, at Contract Rates	Rs.	4,54,11,983	4,76,98,809	4,98,34,366	5,41,29,570	5,06,18,932	5,08,96,887	5,08,13,729	4,73,00,000	4,70,83,000	4,71,61,000
Equivalent of total guaranteed interest in Rupees, sterling payments being converted at yearly average rates obtained for Secy. of State's Bills	Rs.	4,30,94,883	4,66,37,388	4,78,37,577	4,90,13,122	5,01,33,910	5,06,95,142	5,19,69,307	5,53,51,718	5,49,48,120	5,33,09,326
Net Capital paid in by Companies in India	Rs.	...	...	...	8,32,330	11,75,020	21,54,820	21,25,840	8,00,000	39,07,000	16,22,000
Net Capital withdrawn by Companies in India	Rs.	2,63,32,272	1,51,66,000	1,14,86,180	...	...	...	...	...	...	...
The foregoing net Capital converted into pounds at Contract Rates	£	2,434,128	1,407,359	1,097,811	27,760	75,369	137,307	176,991	50,416	339,092	128,458
The foregoing re-converted into Rupees at yearly average rates of Secretary of State's Bills	Rs.	2,51,06,598	1,49,42,532	1,14,33,204	2,92,020	8,09,452	14,82,968	19,62,462	5,90,229	39,58,759	14,52,362

True net cost of these undertakings.

From the foregoing table we can deduce the true cost of these undertakings to our Revenues as follows:—

True Cost to the Indian Revenues of the undertakings upon the Capital invested in which Interest is guaranteed.

	1869-70.	1870-71.	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.	1876-77, Estimates.	1876-77, Regular Estimates.	1877-78, Estimates.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Guaranteed Interest at the average rates obtained from Secretary of State's Bills	4,30,94,883	4,66,37,388	4,78,37,577	4,90,13,122	5,01,33,910	5,06,95,142	5,19,69,307	5,53,51,718	5,49,48,120	5,33,09,326
Land and Supervision	9,13,900	8,29,530	8,61,630	10,10,560	15,24,380	5,53,940	8,33,130	9,20,000	9,12,000	7,90,000
Interest on Revenue Balances	2,78,544	2,37,392	2,57,241	2,31,363	2,69,337	3,56,431	3,49,700	3,08,000	3,20,000	9,000
Loss by Contract Rates of Exchange on Capital Transactions	...	...	...	5,40,310	3,61,568	6,71,852	1,63,378	2,09,771	...	1,69,638
	4,42,87,327	4,77,04,310	4,87,56,448	5,13,95,355	5,22,93,195	5,22,77,366	5,33,15,515	5,67,99,489	5,61,80,120	5,42,67,964
Net Traffic Receipts applicable to relief of Indian Revenues	2,85,62,230	2,79,19,750	3,12,86,831	2,77,89,319	3,52,09,432	3,75,48,868	4,03,56,677	3,76,70,000	4,66,36,000	4,03,43,000
Gain by Contract Rates of Exchange on Capital Account	12,25,674	2,23,468	53,976	...	...	...	...	...	51,759	...
Total sets off	2,97,87,904	2,81,43,218	3,13,40,807	2,77,89,319	3,52,09,432	3,75,48,868	4,03,56,677	3,76,70,000	4,66,87,759	4,03,43,000
Net cost to Revenues	1,44,99,423	1,95,61,092	1,74,15,641	2,36,06,036	1,70,83,763	1,47,28,497	1,29,58,838	1,91,29,489	94,92,361	1,39,24,964

Regular Estimates, 1876-77.

The last table which I shall give is the following comparison of the true cost of these undertakings to our Revenues compared with the results shown in our Accounts:—

Comparison of true net cost with the Accounts.

	Net cost to Indian Revenues according to Finance Accounts.	True net cost.	More.	Less.
	Rs.	Rs.	Rs.	Rs.
1869-70	1,62,60,914	1,44,99,423	...	17,61,491
1870-71	1,80,96,362	1,95,61,092	14,64,730	
1871-72	1,60,54,291	1,74,15,641	13,61,350	
1872-73	2,00,80,483	2,36,06,036	35,25,553	
1873-74	1,28,32,347	1,70,83,763	42,51,416	
1874-75	97,41,471	1,47,28,497	49,87,026	
1875-76	73,64,320	1,29,58,838	55,94,518	
1876-77, Original ...	1,05,96,870	1,91,29,489	85,32,619	
1876-77, Revised ...	11,82,000	94,92,361	83,10,361	
1877-78	72,89,000	1,39,24,964	66,35,964	

Review of true cost, 1876-77.

Although the true estimated net cost, this year, of these undertakings thus exceeds the amount shown in our Accounts by Rs. 83,10,361, still it is by far the smallest burden that has resulted from them to our Revenues for many years; and the relief of Rs. 96,37,128 compared with the Original Estimates is most acceptable: the particulars of this improvement are as follows:—

	Better. Rs.
Net traffic Receipts applicable to relief of Indian Revenues ...	89,66,000
Exchange on Capital transactions	2,61,530
Reduction of Interest on Capital	4,03,598
Land and supervision	18,000
Total ...	96,49,128
Interest on Revenue Balances, worse	12,000
Net improvement ...	96,37,128

Of the improvement in the Net Traffic Receipts, about 9 lakhs of Rupees is attributed to the Delhi Assemblage, and about 29 lakhs to the Famine; the remainder is said to be due to a great traffic in seeds, wheat, and other produce, corresponding with the increased exports which we shall presently observe: the saving in interest is owing to the discharge of some debentures and to the renewal of others at lower rates.

Services of these Railways.

The fact that the gross traffic earnings are expected, for the first time, to exceed ten crores of Rupees, appears to me to be full of promise, and to be a signal demonstration of the services which these Railways already perform for India: there can be no question that multitudes will owe their lives to them this year. The gross traffic earnings of 1876-77 exceed those of 1869-70 by no less than Rs. 3,25,93,680, or 46 per cent., and the Net Traffic Receipts applicable to the relief of Indian Revenues in 1876-77 exceed the amount so applicable in 1869-70 by Rs. 1,80,73,770, or 46 per cent. The decrease in the percentage of working expenses is highly creditable to the management of these great undertakings, and to the supervision of the Government in the Public Works Department. Altogether, I have found nothing so gratifying in my present review of our finances as the progress of these Railways.

Madras Irrigation Company.

Their net financial result is burdened by the inclusion of the operations of the Madras Irrigation Company, which is, as yet, an absolute failure and a dead weight upon the Revenues, not nearly even paying its way.

True Net cost of Railways only.

The true cost of the Madras Irrigation Company's Works to the Revenues in 1876-77 is estimated to be Rs. 6,77,729, so that the whole cost of the Guaranteed Railway system (5,866 miles) to India in 1876-77 is now estimated at Rs. 88,14,632.

Net earnings of each Line.

The following is the Net Revenue earned (including Companies' Surplus) by each line:—

	Rs.		Rs.
East Indian	2,34,81,000	Sindh, Punjab, and Delhi ...	22,00,000
Great Indian Peninsular	1,43,00,000	Eastern Bengal	18,88,000
Bombay and Baroda ...	28,00,000	Oudh and Rohilkund ...	11,86,000
Madras	28,00,000	South India	9,75,000
		Total ...	4,96,30,000

Regular Estimates, 1876-77.

PUBLIC WORKS ORDINARY.

Public Works Ordinary.—The excess over the Net Grant in the Imperial portion of this Head is Rs. 9,28,000; but savings in the Provincial portion reduce the net excess to Rs. 5,57,000. The following figures show the Imperial expenditure of recent years compared with the present Estimates; they include the Estimates for 1877-78, which I shall presently explain:

	Original Estimate, 1876-77.	Regular Estimate, 1876-77.	Original Estimate, 1877-78.	1875-76.	1874-75.	1873-74.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Military Works	1,22,84,000	1,24,69,000	1,23,19,850	1,33,77,380	1,18,59,260	1,12,29,600
Other Services	27,14,000	29,68,000	32,34,650	32,06,110	30,05,750	29,97,976
Collieries	1,57,000	1,30,000	2,59,000	1,16,270	1,83,370	2,12,720
Furlough Allowances ...	4,90,000	5,40,000	5,40,000	4,71,960	4,47,750	4,99,940
Royal Civil Engineering College, England	2,30,000	2,40,000	2,40,000	2,37,650	2,67,190	3,97,690
Miscellaneous payments ...	45,000	40,000	40,000	33,050	25,130	— 21,080
Irrigation Works ...	94,00,000	95,88,000	90,06,000	1,07,02,400	92,56,330	82,40,390
Delhi Assemblage ...	...	2,83,000	...	...	...	...
	2,53,20,000	2,62,58,000	2,56,39,500	2,82,44,820	2,50,44,780	2,35,57,230

The excesses over the Grant are as follows: *Military Works*, Rs. 1,85,000, attributed to expected saving not being realised; *Other Services*, Rs. 2,54,000, of which Rs. 2,00,000 is for the new Government House and other Offices at Simla, and the rest is more than accounted for by the transfer of certain Light Houses from Provincial to Imperial Funds with a grant of Rs. 64,000; *Furlough Allowances*, Rs. 50,000; *Irrigation Works*, Rs. 1,88,000. It has been found necessary to grant, in all, Rs. 3,47,350 for urgent irrigation works not provided for in the Estimates; of this sum, Rs. 1,59,350 is made good by savings on items included in the grant; the excess of Rs. 1,88,000 remains. The only important item remaining is Rs. 2,83,000, which I have included in the Estimate given under the Head of *Political Services* of the total cost of the ceremonies of the 1st January 1877 throughout India.

PUBLIC WORKS EXTRAORDINARY.

Public Works Extraordinary.—The Grant was increased in the middle of the year by Rs. 20,00,000; that the excess now expected is only Rs. 4,10,000 is owing to the accidental transfer, at the last, of a payment in England of £128,000 for stores from 1876-77 to 1877-78. Of the whole Grant, Rs. 2,83,00,000 is being spent upon Railways and the rest on Canals.

The Railway expenditure is as follows:—

		Rs.			Rs.
Rajputana	...	13,99,000	Sindhia		
Western Rajputana		84,000	Northern Bengal	...	18,90,000
Neemuch	...	18,63,000	Tirhoot	...	42,69,000
Holkar	...	15,50,000	Rangoon	...	15,10,000
Wardha Valley	...	7,59,000	Punjab Northern	...	31,04,000
Chatisgarh	...	76,000	Indus Valley	...	38,59,000
				...	1,00,00,000

SUMMARY.

This completes my review of the Revenue and Expenditure of 1876-77 as now estimated. Compared with the Original Estimates, the general result is that, but for the Famine, the Original Estimates, although they were in some respects more sanguine than is usual, would have been more than made good. In the midst of the gloom that the Famine casts upon the financial situation to-day, we must not forget that this result was, at one time, little expected: in July 1876 the Government was justly so alarmed at the continued fall in the price of silver, that the Viceroy deemed it right to issue a general warning to all authorities throughout India that every possible economy was called for: I am hardly prepared to say that the comparatively favorable results which, apart from the Famine, I have

now set forth, can be directly traced to that warning; but I know that, in some cases, it led to vigorous measures of retrenchment, which have already facilitated certain important financial measures which I shall describe in speaking to the Legislative Council of the arrangements proposed for the coming year.

Regular Estimates, 1876-77.

WAYS AND MEANS, 1876-77.

WAYS AND MEANS, 1876-77.

I must next compare the Regular Estimate of *Ways* and *Means* for 1876-77 with the Original Estimate, using, as before, the abstract tables in Statements IV, V, and VI.

LIABILITIES.

The *Deficit of Imperial Revenue* has grown, as we have seen, from Rs. 3,61,50,000 to Rs. 6,07,83,000. The *Deficit of Provincial and Local Revenue* is now estimated at Rs. 28,77,000, being more than the Estimate by Rs. 1,07,000. The payments on account of the *Military Service Funds* are now estimated at Rs. 27,69,000, being Rs. 89,000 more than we expected. The net *Loans to Native States and Public bodies* are expected to be Rs. 61,30,000, being Rs. 16,50,000 more than was expected.

LOANS TO NATIVE STATES AND PUBLIC BODIES.

As these transactions possess considerable interest, I present the following account of them:—

Loans to Native States and Public bodies.

		Advanced.	Recovered.	Net advances.
1872-73	...	43,88,360	17,89,690	25,98,670
1873-74	...	58,08,490	12,36,850	45,71,640
1874-75	...	80,16,540	19,00,270	61,16,270
1875-76	...	55,87,980	17,13,110	38,74,870
1876-77	...	75,10,000	13,80,000	61,30,000
TOTAL	...	3,13,11,370	80,90,920	2,32,91,450

During these five years, the sum of Rs. 2,32,91,450 has been for the most part (the loans to Native States being inconsiderable) invested, by the agency of various public bodies, in works of local improvement. The Grand Total outstanding due to the Government of India on this account, on the 31st of March 1876, was Rs. 5,67,78,790, full details of which are given in the 70th Account appended to the Finance and Revenue Accounts of India for 1875-76. The largest items are Rs. 2,14,75,860, due from the *Bombay Port Trust*; Rs. 92,05,560 from the *Calcutta Municipal Corporation*; Rs. 59,83,420 from the *Calcutta Port Fund and Port Trust*; Rs. 57,51,000 from the *Bombay Municipality*; and Rs. 21,26,670 for the *Hooghly Bridge*.

GUARANTEED CAPITAL WITHDRAWN.

The Guaranteed Railway Companies were expected to withdraw net Rs. 10,43,000: they will, it is believed, actually withdraw Rs. 1,21,42,000.

ASSETS.

Deposits and Remittances shew an adverse balance of Rs. 78,00,000, being more than Estimate Rs. 53,70,000. Thus, we now expect to have to provide, otherwise than from the Revenues, Rs. 9,25,01,000, being more than Sir William Muir's Estimate by Rs. 4,19,08,000.

CIVIL FUNDS.

Of this large sum, the Covenanted and Uncovenanted *Civil Funds* will yield Rs. 11,40,000, being more than was estimated by Rs. 2,50,000. *Savings Banks Deposits* are expected to supply Rs. 10,60,000 instead of Rs. 5,00,000.

SAVINGS BANKS.

This item is not important financially; but it has so much interest of its own, that I will state the past figures:—

Savings Banks.

		Deposited.	Withdrawn.	Net Deposits.
		Rs.	Rs.	Rs.
1872-73	...	89,89,940	65,75,820	24,14,120
1873-74	...	1,17,73,520	91,86,580	25,86,940
1874-75	...	73,08,730	72,09,370	99,360
1875-76	...	73,75,390	65,35,180	8,40,210
1876-77	...	57,60,000	47,00,000	10,60,000
		4,12,07,580	3,42,06,950	70,00,630

The balances in the hands of the Government on the 31st March 1876 are shown in the 65th Account appended tothe Finance and Revenue Accounts for 1875-76 to have been Rs. 1,83,08,140, of which Rs. 1,45,19,370 were in the

Statistics, 1876-77.

Presidency Savings Banks (Rs. 93,86,040 in Bombay alone); Rs. 17,13,540 were in Regimental Savings Banks; and Rs. 20,75,230 in District Savings Banks. It was ascertained in 1873 that the Presidency Savings' Banks were being used, especially at Bombay, for purposes for which they were not intended; and means were taken to prevent the abuse. The *District Savings Banks* have made some progress during the year, but they are still quite in their infancy.

DEBT INCURRED, 1876-77.

The net amount borrowed in 1876-77 is Rs. 3,72,40,000, being more by Rs. 74,60,000 than was estimated by Sir William Muir: the excess of £1,960,000 borrowed in England was, so far, neutralised by operations in India, chiefly by the purchase of securities already described.

REDUCTION OF BALANCES.

If some unimportant items are omitted, the rest of our requirements for the year have been supplied from the Balances in our treasuries, which have been reduced by Rs. 5,41,27,937 in India, and raised by £228,200 in England. Sir William Muir calculated upon a reduction of only Rs. 1,76,23,000: he expected the Government of India to reduce its Balances by Rs. 2,69,06,000, and the Secretary of State to increase his Balance by £928,300. I have shown that the Opening Balances proved to be larger by Rs. 88,16,000 (*viz.*, Rs. 70,93,000 in India, and £172,300 in England) than was at that time expected. But making allowances for this, the net reduction amounts to the formidable sum of Rs. 2,54,07,000 in excess of Sir W. Muir's estimate, of which Rs. 2,01,29,000 is in India, and £527,800 in England. I cannot speak for the Secretary of State as regards the Balances in the Home Treasury, but the estimated Balances in India on the 31st March next (Rs. 11,53,97,000) are decidedly too low; and we have only submitted to them under the pressure arising out of the Famine.

COMMERCIAL STATISTICS, 1876-77.

COMMERCIAL STATISTICS, 1876-77.

The Exports and Imports of Merchandise (including Government stores but excluding treasure) during the ten months from April to January, in the years 1872-73 to 1876-77, were—

TRADE OF TEN MONTHS.

April to January.	Exports (including re-exports).	Imports.	Net Exports.
	Rs.	Rs.	Rs.
1872-73 ...	*43,78,45,284	25,52,53,692	18,25,91,592
1873-74 ...	*43,09,58,722	26,43,52,662	16,66,06,060
1874-75 ...	44,31,72,208	29,42,86,036	14,88,86,172
1875-76 ...	46,30,93,697	30,82,62,938	15,48,30,759
1876-77 ..	48,26,54,961	30,24,29,230	18,02,25,731

* These figures are for private trade only, those for Government Stores not being available.

Including treasure, the Net Exports during the same periods were—

April to January.	Net Exports of Merchandise.	Net Imports of Treasure.	Net Exports.
	Rs.	Rs.	Rs.
1872-73 ...	18,25,91,592	2,90,97,380	15,34,94,212
1873-74 ...	16,66,06,060	1,15,05,223	15,51,00,837
1874-75 ...	14,88,86,172	5,04,96,376	9,83,89,796
1875-76 ...	15,48,30,759	2,45,25,580	13,03,05,179
1876-77 ...	18,02,25,731	5,21,85,306	12,80,40,425

The Gross Exports of commodities (other than treasure) in the ten months of 1876-77 exceeded those in the corresponding period in 1875-76 by nearly 2 crores, whilst the imports were 58 lakhs less: the Net Imports of treasure in the ten months of 1876-77 were 276 lakhs more than in the corresponding period in 1875-76.

The exports of the principal articles of Indian produce were as follows:— Statistics, 1876-77.

(Values in Rupees.)

		1872-73.	1873-74.	1874-75.	1875-76.	1876-77.	
Coffee	(Cwt)	226,000	234,000	167,000	165,000	169,000	EXPORTS.
	(Value)	64,72,000	86,17,000	74,04,000	66,23,000	72,25,000	
Cotton Goods—							
Twist and Yarn ...	lbs.	1,529,000	2,009,000	2,143,000	4,587,000	6,817,000	
	Value	8,23,000	10,53,000	11,11,000	19,68,000	31,66,000	
Manufactures	Value	27,17,000	35,37,000	31,46,000	32,62,000	37,59,000	
Indigo	(Cwt.)	94,000	88,000	65,000	78,000	83,000	
	(Value)	2,83,82,000	2,76,12,000	2,10,75,000	2,03,80,000	2,45,04,000	
Rice and Paddy	(Cwt.)	17,373,000	13,829,000	10,048,000	13,046,000	11,656,000	
	(Value)	4,25,58,000	3,82,53,000	3,15,13,000	3,54,97,000	3,39,77,000	
Wheat	(Cwt.)	320,000	1,338,000	998,000	2,156,000	4,839,000	
	(Value)	13,52,000	61,16,000	45,76,000	77,56,000	1,67,34,000	
Hides and Skins	Value	2,30,71,000	2,09,52,000	2,05,66,000	2,37,88,000	2,30,98,000	
Jute, Raw and manufactured ...	Value	3,63,27,000	3,06,90,000	2,94,91,000	2,63,96,000	2,89,54,000	
Lac	Value	15,65,000	19,44,000	19,24,000	59,36,000	42,53,000	
Seeds	Cwt.	...	...	...	8,514,000	8,559,000	
	Value	1,29,41,000	1,90,73,000	2,45,19,000	4,41,45,000	4,68,86,000	
Opium	Chests	69,000	72,000	81,000	73,000	82,000	
	Value	9,67,05,000	9,23,48,000	10,18,01,000	9,18,68,000	10,49,10,000	
Saltpetre	Cwt.	396,000	390,000	423,000	301,000	370,000	
	Value	40,77,000	40,64,000	38,70,000	25,50,000	30,27,000	
Silk, Raw and manufactured ...	Value	1,11,61,000	1,08,14,000	87,27,000	53,19,000	80,14,000	
Sugar and saccharine produce ...	Value	46,77,000	19,17,000	27,91,000	22,66,000	60,60,000	
Tea	lbs.	15,710,000	16,800,000	17,231,000	21,255,000	25,186,000	
	Value	1,40,33,000	1,52,02,000	1,59,09,000	1,89,99,000	2,26,18,000	
Wood, Teak	Value	32,53,000	33,16,000	26,39,000	35,63,000	27,32,000	
Wool, Raw	lbs.	16,344,000	16,062,000	17,924,000	19,507,000	19,846,000	
	Value	66,58,000	74,55,000	80,68,000	89,93,000	89,10,000	

COTTON MILLS.

The export of *Cotton Goods* continues to grow remarkably. There are now, or will immediately be, fifty-two mills at work in India for spinning and weaving cotton, *viz.*:—

	Mills.	Spindles.	Throstles.	Looms.
Bombay ...	40	932,530	21,476	8,390
Bengal ...	4	101,194	3,352	100
North-Western Provinces	2	27,350	...	275
Madras ...	3	26,800	...	44
Nagpur ...	1	30,000	...	450
Hyderabad ...	1	15,172	...	200
Indore ...	1		*No information.*	
Total ...	52	1,133,046	24,828	9,459

The increase in exports of *Wheat*, *Seeds*, and *Tea* is very considerable; and, after three years of depression below the amount in 1872-73, the export of *Sugar* in 1876-77 has greatly exceeded that in 1872-73.

IMPORTS.

The following table of imports of principal articles during the ten months from April to January in 1872-73 to 1876-77 shows a slight improvement in *Cotton Goods* and a material improvement in *Metals*, which two classes of goods form the bulk of the imports. Grey cotton goods, of which the quantities in 1875 declined below the imports in 1874, show an improvement in the ten months, compared with the corresponding period in 1875-76. In the remaining articles there is, on the whole, a falling off in comparison with 1875-76:—the decline of machinery and mill-work being considerable: woollen manufactures, though less than in 1875-76, are in advance of the corresponding amounts in 1872-73 to 1874-75. I reserve for my Statement in this

Statistics, 1876-77.

Legislative Council the remarks which I have to make regarding the import duties levied on cotton goods.

(Values in Rupees.)

		1872-73.	1873-74.	1874-75.	1875-76.	1876-77.
Apparel	Value	52,04,000	49,15,000	52,36,000	53,17,000	44,43,000
Coal	Tons	233,000	240,000	220,000	243,000	336,000
	Value	32,69,000	49,62,000	42,17,000	41,60,000	62,67,000
Cotton Goods—						
Twist and Yarn	lbs.	25,6 2,000	25,358,000	31,708,000	25,924,000	26,692,000
	Value	2,14,09,000	2,16,42,000	2,70,55,000	2,28,61,000	2,23,04,000
Manufactures ...	Value	11,99,17,000	12,76,16,000	13,55,07,000	13,08,42,000	13,03,80,000
Liquors	Gallons	28,08,000	33,28,000	38,93,000	32,45,000	49,56,000
	Value	1,23,14,000	1,11,22,000	1,19,68,000	1,19,48,000	1,26,86,000
Machinery and Millwork ...	Value	38,93,000	75,10,000	96,02,000	1,20,04,000	73,06,000
Metals	Value	1,51,23,000	1,30,65,000	2,00,73,000	2,47,22,000	2,77,08,000
Railway Plant and Rolling-stock	Value	44,44,000	93,61,0 0	80,89,000	1,33,78,000	1,20,25,000
Salt	Tons	239 000	2,39,000	199,000	3 3,000	256,000
	Value	70,95 (00	70,33,000	54,57,000	50,52,000	36,37,000
Silk, Raw and manufactured ...	Value	1,02,30,000	1,13,66,000	1,31,54,000	1,12,68,000	83,27,000
Spices	Value	19,19,000	12,41,000	15,31,000	31,57,000	36,79,000
Sugar and saccharine produce ...	Value	30,75,000	39,08,000	36,16,000	61,88,000	34,98,000
Tea	lbs.	1,961,000	1,233,000	1,364,000	2,268,000	1,537,000
	Value	19,61,000	12,33,000	13,64,000	19,72,000	12,18,000
Woollen Manufactures ...	Value	63,62,000	60,08,000	48,15,000	74,39,000	72,59,000

The Net Imports of gold and silver were as follows :—

April to January.	Net Imports of Gold.	Net Imports of Silver.	Total Net Imports of Treasure.
	Rs.	Rs.	Rs.
1872-73 ...	2,18,65,723	72,31,657	2,90,97,380
1873-74 ...	1,13,64,648	1,40,575	1,15,05,223
1874-75 ...	1,63,00,406	3,41,95,970	5,04,96,376
1875-76 ...	1,48,62,220	96,63,360	2,45,25,580
1876-77 ...	-41,02,337*	5,62,87,643	5,21,85,306

The condition of Trade in 1876-77 is understood to have been flourishing: doubtless the expansion of the Net Imports of Silver and the fact of there having been, for the first time, a Net Export of Gold, are closely connected with the fall in the gold-price of silver, and the consequent depression of the sterling exchange.

BANK'S RATE OF INTEREST AND DISCOUNT, 1876-77.

The Bank of Bengal's rate of interest on loans payable on demand has varied from 11 per cent. (from the 13th to the 27th April) to 5 per cent. (from 4th August to 21st September.) Money has thus been scarce and dear, a fact which may be attributed, partly, to the contraction of the Government Balances and the creation of a separate Government Reserve Treasury, but, to a much greater degree, probably, to the apprehensions felt by banks and capitalists as to the future value of silver. There is reason to believe that much capital was for a time, and may again be, withdrawn from the East in consequence of these apprehensions.

GOVERNMENT SECURITIES HELD BY PRESIDENCY BANKS.

The Government Securities held by the Presidency Banks have fallen from Rs. 2,44,71,000 on the 1st April and (by the latest returns) Rs. 1,64,73,000. The largest amount held by these institutions was at the end of June Rs. 2,69,15,000, since which date they have sold securities for Rs. 1,04,42,000. The following Statistics of the transactions of these Banks at the close of the 8th week (the latest date for which we have complete Statistics) of each calendar year are interesting.

STATISTICS OF PRESIDENCY BANKS.

	Assets.					Liabilities.			
	Government Securities held.	Advances on Government Securities.	Mercantile bills discounted.	Cash Balances.	Other Assets.	Reserve Funds.	Public Deposits.	Bank Post bills.	Other deposits and liabilities.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1871	151,28,000	128,57,000	351,48,000	995,08,000	58,94,000	25,44,000	624,14,000	21,76,000	677,75,000
1872	145,84,000	424,70,000	432,26,000	945,63,000	35,04,000	25,91,000	1,160,19,000	10,07,000	461,05,000
1873	219,52,000	145,04,000	370,13,000	896,36,000	55,11,000	29,79,000	795,65,000	3,83,000	520,64,000
1874	163,06,000	188,92,000	403,20,000	516,16,000	29,04,000	34,92,000	531,81,000	7,33,000	390,27,000
1875	231,93,000	170,92,000	380,22,000	579,90,000	38,07,000	35,56,000	512,00,000	6,61,000	471,00,000
1876	257,07,000	152,44,000	347,73,000	598,52,000	39,31,000	41,78,000	514,41,000	10,28,000	452,35,000
1877	164,13,000	148,87,000	325,91,000	472,81,000	33,02,000	41,96,000	305,74,000	3,86,000	443,18,000

* Net Exports.

Statistics, 1876-77.

PUBLIC DEPOSITS.

The public Deposits fell at one time (second week of January 1877) to Rs. 2,54,66,000. Their depletion is due to the decrease of the general Balances of the Government, and, latterly, to the demands for money for the operations against the famine in the Presidencies of Madras and Bombay.

PRESIDENCY BANKS' ACT, 1876.

The Presidency Banks' Act No. XI of 1876 came into operation on the 1st of May 1876, and is understood to have worked satisfactorily. New agreements have been completed, under this Act, between the Government and the Banks for the conduct of the public business at the Presidency Towns, and at the Branches of the Presidency Banks at country towns; and these agreements, too, have worked smoothly and well.

GOVERNMENT RESERVE TREASURY.

A Government Reserve Treasury was opened in Calcutta on the 11th May 1876. The largest Balance accumulated in this Treasury was Rs. 1,66,25,677 (*on the 1st November*): this amount rapidly decreased; and, since the middle of December, the contents of the Reserve Treasury have been nominal. Local revenue is not received at this Treasury, which is supplied only by remittances from the Calcutta Mint and from the interior of the country. It is considered important to concentrate the spare resources of the State, as far as possible, in one Government Reserve Treasury, in order that they may be more readily available for use, in case of need, than they would be if they were deposited, as heretofore, in the Presidency Banks and employed in their ordinary business. The Government intends always, in ordinary times, to leave with each Presidency Bank a balance calculated upon a liberal scale with reference to the public transactions at each Bank.

EXCHANGE, 1876-77.

The rates of exchange at which the Secretary of State sold his bills upon the Government of India have ranged from 1*s.* 6·57*d.* the rupee on the 5th July to 1*s.* 10·33*d.* on 24th January, following, of course, the Sterling price of silver: the average rate, as we have seen, is 1*s.* 8½*d.*

ADJUSTING RATE, 1876-77.

The rate fixed for the adjustment during the year of transactions with the Imperial Treasury is 1*s.* 9¾*d.*: this rate is fixed once a year, according to the state of the exchanges in London on the date on which the calculation is made: hitherto, no forecast of the probable course of the exchanges during the year has influenced the determination of the rate: this year, the rate has been so much above the market rate that the Treasury has lost heavily by it. The amount to which the rate applies, directly, in 1876-77 (apart from furlough allowances, the proportion of which affected by the rate I cannot exactly calculate) is estimated to be net £1,371,000. At the average rate of the year we should have received in India, in exchange for this sterling sum, Rs. 1,60,52,236; by the operation of the adjusting rate we have received only Rs. 1,51,28,275; the difference (Rs. 9,23,961) is loss to the Indian Treasury arising from the adjusting rate; and perhaps Rs. 1,50,000 may be added for loss on furlough allowances. The furlough allowances of our civil and military officers and the family remittances of military officers are affected by the adjusting rate; and, in so far as the high rate of the year has mitigated the loss sustained from the depreciation of silver, by our military officers and by our poorer civil officers, the Government does not grudge its loss. One consequence of the advantage enjoyed, this year, by these officers is to be observed in the remittance by them to their families through the India Office of £275,000 more than was expected.

PAPER CURRENCY, 1876-77.

The Paper Currency circulation during the first ten months of 1876 was only marked by the ordinary fluctuations due to season: towards the close of the year the circulation was increased by the issue of notes against bullion,—a measure authorised by the law but not hitherto adopted. The lowest point of the circulation, Rs. 10,53,22,945, occurred, as in 1875, in May: the recovery, however, which is observable in the dull season, took place earlier and more rapidly than in 1875: this agrees with the movements of the money-market; in 1875, the highest point of the Bank of Bengal's rates of discount was reached on the 13th May, and the first reduction took place on the 27th May; in 1876, the highest point was reached on the 13th April, and the first reduction took place on the 27th April. At the close of 1876, the amount of the circulation was almost exactly 12 crores of rupees. The largest circulation, Rs. 12,27,36,080, was on the 15th December.

Statistics, 1876-77.

MONEY ORDERS, 1876-77.

The Money Orders issued by the Government fell to a lower number and amount than has been reached for several years, as follows:—

	No. of Orders issued.	Amount.	Average amount of each Order.	Profit.
		Rs.	Rs. A. P.	Rs.
1869-70	210,781	1,16,63,338	55 5 4	60,894
1870-71	242,702	1,30,55,924	53 12 8	64,891
1871-72	251,213	1,25,14,115	49 13 5	58,017
1872-73	269,435	1,29,21,632	47 15 4	58,387
1873-74	245,879	1,07,20,240	43 7 3	66,825
1874-75	242,001	1,01,67,465	42 2 3	56,919
1875-76	231,907	91,26,625	39 5 8	55,664

The low average amount of each order is satisfactory, as showing that these orders are being used for the purpose for which they were intended, *viz.*, to make small remittances: the diminishing use of the orders seems to show that the means of remitting money in the interior are becoming cheaper.

JOHN STRACHEY.

FORT WILLIAM,
FINANCIAL DEPARTMENT,
15th March 1877.

STATEMENTS.

I.

REVENUE AND EXPENDITURE OF THE GOVERNMENT OF INDIA IN INDIA AND IN ENGLAND.

[*£ 1 reckoned = Rs. 10.*]

REVENUE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with Regular Estimates, 1876-77.	
							Increase.	Decrease.
CIVIL.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Land Revenue ...	21,50,50,380	21,38,22,000	20,00,63,000	...	1,37,59,000	20,94,08,000	93,45,000	...
II.—Tributes and Contributions ...	72,61,880	70,00,000	70,50,000	50,000	...	69,79,000	...	71,000
III.—Forest	67,25,280	60,00,000	61,20,000	1,20,000	...	57,92,000	...	3,28,000
IV.—Excise on Spirits and Drugs	2,49,32,320	2,52,50,000	2,48,75,000	...	3,75,000	2,56,17,000	7,42,000	...
V.—Assessed Taxes ...	5,100	...	2,000	2,000	...	...	...	2,000
VI.—Customs	2,72,25,330	2,62,00,000	2,46,92,000	...	15,08,000	2,48,69,000	1,77,000	...
VII.—Salt	6,24,44,150	6,30,00,000	6,34,30,000	4,30,000	...	6,34,30,000	...	...
VIII.—Opium	8,47,14,250	8,20,00,000	9,17,68,000	97,68,000	...	8,61,00,000	...	56,68,000
IX.—Stamps	2,83,53,680	2,83,70,000	2,86,40,000	2,70,000	...	2,89,64,000	3,24,000	...
X.—Mint	11,04,890	12,40,000	21,43,000	9,03,000	...	17,50,000	...	3,93,000
XI.—Post Office ...	76,37,650	77,80,000	80,38,000	2,58,000	...	82,59,000	2,21,000	...
XII.—Telegraph ...	30,90,400	29,00,000	33,21,000	4,21,000	...	31,55,000	...	1,66,000
XIII.—Law and Justice ...	79,64,600	84,20,000	80,83,000	...	3,37,000	84,27,000	3,44,000	...
XIV.—Police	8,41,600	5,28,000	6,56,000	1,28,000	...	7,00,000	44,000	...
XV.—Marine	23,04,310	20,04,000	20,86,000	82,000	...	20,19,000	...	67,000
XVI.—Education	10,38,910	10,28,000	10,12,000	...	16,000	10,19,000	7,000	...
XVII.—Interest	56,11,890	50,80,000	51,99,000	1,19,000	...	51,25,000	...	74,000
XVIII.—Receipts in aid of Superannuation, Retired and Compassionate Allowances	74,91,660	59,10,000	59,68,000	28,000	...	59,74,000	6,000	...
XIX.—Gain by Exchange ...	39,53,650	34,70,000	46,27,000	11,57,000	...	38,79,000	...	7,48,000
XX.—Miscellaneous ...	36,82,710	34,81,000	37,72,000	2,91,000	...	27,93,000	...	9,79,000
Total ...	50,14,34,640	49,35,13,000	49,15,45,000	...	19,68,000	49,42,59,000	27,14,000	...
Army	1,04,56,130	87,80,000	91,06,000	3,26,000	...	89,20,000	...	1,86,000
Public Works Ordinary ...	13,80,053	12,84,000	13,41,000	57,000	...	19,95,000	6,54,000	...
Irrigation	51,77,200	52,70,000	50,07,000	...	2,63,000	55,16,000	5,09,000	...
State Railways	28,95,120	41,50,000	36,96,000	...	4,54,000	67,48,000	30,52,000	...
Provincial Contributions ...	14,81,150	3,07,000	1,85,000	...	1,22,000	41,51,000	39,66,000	...
Balances of Local Governments decreased	23,33,594	16,50,000	11,87,000	...	4,63,000	3,38,000	...	8,49,000
GRAND TOTAL ...	52,51,57,887	51,49,54,000	51,20,67,000	...	28,87,000	52,19,27,000	98,60,000	...
Deficit, excluding Public Works Extraordinary	...	...	2,27,83,000	2,42,23,000	...	62,17,000	...	1,65,66,000
Deficit	2,60,17,468	3,61,50,000	6,07,83,000	2,46,33,000	...	4,24,97,000	...	1,82,86,000

EXPENDITURE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with Regular Estimates, 1876-77.	
							Increase.	Decrease.
CIVIL.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Interest on Funded and Unfunded Debt ...	5,17,81,080	5,36,00,000	5,41,07,000	5,07 000	...	5,64,65,000	23,58,000	...
2.—Interest on Service Funds and other Accounts ...	38,58,600	39,07,000	38,61,000	...	46,000	35,96,000	...	2,65,000
3.—Refunds and Drawbacks ...	34,63,175	30,49,000	29,10,000	...	1,39,000	30,60,000	1,50,000	...
4.—Land Revenue ...	2,53,34,500	2,48,79,000	2,50,98,000	2,19,000	...	2,50,66,000	...	32,000
5.—Forest ...	40,36,682	41,74,000	43,89,000	2,15,000	...	41,83,000	...	2,06,000
6.—Excise ...	10,13,231	8,70,000	10,83,000	2,13,000	...	10,71,000	...	12,000
7.—Customs ...	18,67,571	18,92,000	19,51,000	59,000	...	19,33,000	...	18,000
8.—Salt ...	50,75,796	52,60,000	48,65,000	...	3,95,000	51,87,000	3,22,000	...
9.—Opium ...	2,21,85,650	2,20,00,000	2,80,18,000	60,18,000	...	2,36,00,000	...	44,18,000
10.—Stamps ...	10,64,716	10,30,000	9,77,000	...	53,000	9,82,000	5,000	...
11.—Mint ...	10,76,260	9,40,000	12,97,000	3,57,000	...	8,92,000	...	4,05,000
12.—Post Office ...	84,85,035	86,91,000	86,37,000	...	54,000	89,43,000	3,06,000	...
13.—Telegraph ...	49,06,240	48,8 ,000	49,18,000	38,000	...	49,55,000	37,000	...
14.—Administration ...	1,42,69,076	1,39,40,000	1,45,92,000	6,52,000	...	1,42,32,000	...	3,60,000
15.—Minor Departments ...	34,49,947	31,48,000	31,33,000	...	15,000	32,28,000	95,000	...
16.—Law and Justice ...	3,21,24,471	3,27,46,000	3,25,71,000	...	1,75,000	3,29,44,000	3,73,000	...
17.—Police ...	2,13,00,488	2,10,18,000	2,11,74,000	1,56,000	...	2,09,50,000	...	2,24,000
18.—Marine ...	62,98,671	57,62,000	56,64,000	...	98,000	54,47,000	...	2,17,000
19.—Education ...	75,51,205	77,18,000	73,45,000	...	3,73,000	74,13,000	68,000	...
20.—Ecclesiastical ...	16,21,888	16,63,000	16,63,000	...	...	16,66,000	3,000	...
21.—Medical ...	60,79,717	59,39,000	59,24,000	...	15,000	59,89,000	65,000	...
22.—Stationery and Printing...	43,75,751	36,68,000	40,93,000	4,25,000	...	41,42,000	49,000	...
23.—Political Agencies ...	43,33,370	34,92,000	53,31,000	18,39,000	...	39,60,000	...	13,71,000
24.—Allowances and Assignments under Treaties and Engagements ...	1,71,37,240	1,69,60,000	1,67,89,000	...	1,71,000	1,67,35,000	...	54,000
25.—Civil Furlough and Absentee Allowances in England ...	22,91,990	22,30,000	24,06,000	1,76,000	...	23,81,000	...	25,000
26.—Superannuation, Retired and Compassionate Allowances ...	1,93,93,050	1,79,60,000	1,80,05,000	45,000	...	1,81,27,000	1,22,000	...
27.—Loss by Exchange ...	1,42,97,220	2,33,20,000	2,13,51,000	...	19,69,000	1,60,00,000	...	53,51,000
28.—Miscellaneous ...	33,06,444	20,12,000	24,27,000	4,15,000	...	20,26,000	...	4,01,000
Famine Relief ...	59,57,793	...	1,91,10,000	1,91,10,000	...	1,42,50,000	...	48,60,000
TOTAL CIVIL ...	29,79,36,857	29,67,48,000	32,36,89,000	2,69,41,000	...	30,94,23,000	...	1,42,66,000
Army ...	15,30,84,590	15,97,90,000	16,20,77,000	22,87,000	...	16,23,86,000	3,09,000	...
Public Works Ordinary ...	4,42,72,376	4,03,08,000	4,09,22,000	6,14,000	...	3,96,96,000	...	12,26,000
State Railways ...	21,47,130	29,70,000	26,54,000	...	3,16,000	48,30,000	21,76,000	...
Land and Supervision (Guaranteed Railways) ...	8,33,130	9,30,000	9,12,000	...	18,000	7,80,000	...	1,32,000
Guaranteed Interest, less net Traffic Receipts ...	97,53,098	1,26,00,000	41,93,000	...	84,07,000	1,00,00,000	58,07,000	...
Balances of Local Governments increased ...	4,41,884	1,68,000	4,03,000	2,35,000	...	10,29,000	6,26,000	...
TOTAL ORDINARY ...	50,84,69,065	51,35,14,000	53,48,50,000	2,13,36,000	...	52,81,44,000	...	67,06,000
Public Works Extraordinary ..	4,27,06,290	3,75,90,000	3,80,00,000	4,10,000	...	3,62,80,000	...	17,20,000
GRAND TOTAL ...	55,11,75,355	55,11,04,000	57,28,50,000	2,17,46,000	...	56,44,24,000	...	84,26,000
Surplus, excluding Public Works Extraordinary ...	1,66,88,822	14,40,000	...	...	...	...	...	...
Gross Guaranteed Interest ...	*4,69,02,996*	*4,79,28,000*	*4,71,01,000*	...	*2,27,000*	*4,71,82,000*	*81,000*	...
Net Traffic Receipts ...	*3,71,49,898*	*3,47,28,000*	*4,29,08,000*	*81,80,009*	...	*3,71,82,000*	...	*57,26,000*
Guaranteed Interest, less net Traffic Receipts ...	*97,53,098*	*1,26,00,000*	*41,93,000*	...	*84,07,000*	*1,00,00,000*	*58,07,000*	...

Fort William;
FINANCIAL DEPARTMENT,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

II.

REVENUE AND EXPENDITURE OF THE GOVERNMENT OF INDIA IN INDIA.

REVENUE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
I.—Land Revenue ...	21,50,50,380	21,38,22,000	20,00,63,000	...	1,37,59,000	20,94,08,000	93,45,000	...
II.—Tributes and Contributions from N. States...	72,61,880	70,00,000	70,50,000	50,000	...	69,79,000	...	71,000
III.—Forest	67,25,280	60,00,000	61,20,000	1,20,000	...	57,92,000	...	3,28,000
IV.—Excise on Spirits and Drugs	2,49,32,320	2,52,50,000	2,48,75,000	...	3,75,000	2,56,17,000	7,42,000	...
V.—Assessed Taxes ...	5,100	...	2,000	2,000	...	...	...	2,000
VI.—Customs	2,72,25,330	2,62,00,000	2,46,92,000	...	15,08,000	2,48,69,000	1,77,000	...
VII.—Salt	6,24,44,150	6,30,00,000	6,34,30,000	4,30,000	...	6,34,30,000	...	...
VIII.—Opium	8,47,14,250	8,20,00,000	9,17,68,000	97,68,000	...	8,61,00,000	...	56,68,000
IX.—Stamps	2,83,53,680	2,83,70,000	2,86,40,000	2,70,000	...	2,89,64,000	3,24,000	...
X.—Mint	11,04,590	12,40,000	21,43,000	9,03,000	...	17,50,000	...	3,93,000
XI.—Post Office ...	76,37,650	77,80,000	80,38,000	2,58,000	...	82,59,000	2,21,000	...
XII.—Telegraph ...	29,19,180	28,15,000	31,72,000	3,57,000	...	30,94,000	...	78,000
XIII.—Law and Justice ...	79,64,600	84,20,000	80,83,000	...	3,37,000	84,27,000	3,44,000	...
XIV.—Police	8,41,600	5,28,000	6,56,000	1,28,000	...	7,00,000	44,000	...
XV.—Marine	22,97,310	20,04,000	20,86,000	82,000	...	20,19,000	...	67,000
XVI.—Education	10,38,910	10,28,000	10,12,000	...	16,000	10,19,000	7,000	...
XVII.—Interest	52,49,160	48,80,000	50,99,000	2,19,000	...	50,25,000	...	74,000
XVIII.—Receipts in aid of Superannuation, Retired and Compassionate Allowances	65,61,670	50,44,000	50,52,000	8,000	...	50,59,000	7,000	...
XIX.—Gain by Exchange on Transactions with London	39,53,650	34,70,000	46,27,000	11,57,000	...	38,79,000	...	7,48,000
XX.—Miscellaneous ...	34,94,380	32,75,000	33,55,000	80,000	...	26,73,000	...	6,82,000
TOTAL ...	49,97,75,070	49,21,26,000	48,99,63,000	...	21,63,000	49,30,63,000	31,00,000	...
Army	93,84,640	84,08,000	86,30,000	2,22,000	...	84,50,000	...	1,80,000
Public Works Ordinary ...	12,04,543	11,04,000	11,64,000	60,000	...	18,14,000	6,50,000	...
Irrigation	51,74,530	52,70,000	50,07,000	...	2,63,000	55,16,000	5,09,000	...
State Railways	28,95,120	41,50,000	36,96,000	...	4,54,000	67,48,000	30,52,000	...
Provincial Contributions ...	14,81,150	3,07,000	1,85,000	...	1,22,000	41,51,000	39,66,000	...
Balances of Local Governments Decreased	23,33,594	16,50,000	11,87,000	...	4,63,000	3,38,000	...	8,49,000
TOTAL ORDINARY ...	52,22,48,647	51,30,15,000	50,98,32,000	...	31,83,000	52,00,80,000	1,02,48,000	...

EXPENDITURE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Interest on Funded and Unfunded Debt ...	3,01,72,530	3,10,64,000	3,10,40,000	...	24,000	3,16,00,000	5,60,000	...
2.—Interest on Service Funds and other Accounts ...	38,53,270	39,07,000	38,61,000	...	46,000	35,96,000	...	2,65,000
3.—Refunds and Drawbacks ...	34,63,175	30,49,000	29,10,000	...	1,39,000	30,60,000	1,50,000	...
4.—Land Revenue ...	2,52,91,660	2,48,27,000	2,50,52,000	2,25,000	...	2,50,22,000	...	30,000
5.—Forest	40,11,202	41,49,000	43,63,000	2,14,000	...	41,57,000	...	2,06,000
6.—Excise on Spirits and Drugs	10,13,231	8,70,000	10,62,000	1,92,000	...	10,71,000	9,000	...
7.—Customs	18,66,131	18,92,000	19,50,000	58,000	...	19,33,000	...	17,000
8.—Salt	50,72,096	52,56,000	48,34,000	...	4,22,000	51,87,000	3,53,000	...
9.—Opium	2,21,78,510	2,19,90,000	2,80,18,000	60,28,000	...	2,36,00,000	...	44,18,000
10.—Stamps	7,12,016	7,17,000	7,24,000	7,000	...	7,23,000	...	1,000
11.—Mint	8,22,760	7,90,000	8,84,000	94,000	...	8,60,000	...	24,000
12.—Post Office	78,33,765	78,65,000	78,57,000	...	8,000	79,63,000	1,06,000	...
13.—Telegraph	40,54,620	38,13,000	38,50,000	37,000	...	39,41,000	91,000	...
14.—Administration ...	1,19,39,326	1,17,10,000	1,22,52,000	5,42,000	...	1,19,86,000	...	2,66,000
15.—Minor Departments ...	30,92,067	27,72,000	27,56,000	...	16,000	27,82,000	26,000	...
16.—Law and Justice ...	3,21,09,761	3,27,18,000	3,25,52,000	...	1,66,000	3,28,93,000	3,41,000	...
17.—Police	2,13,00,488	2,10,18,000	2,11,74,000	1,56,000	...	2,09,50,000	...	2,24,000
18.—Marine	43,14,481	40,36,000	38,88,000	...	1,48,000	39,99,000	1,11,000	...
19.—Education	75,48,205	77,12,000	73,36,000	...	3,76,000	74,07,000	71,000	...
20.—Ecclesiastical	16,11,338	16,54,000	16,30,000	...	24,000	16,52,000	22,000	...
21.—Medical	60,79,717	59,39,000	59,24,000	...	15,000	59,89,000	65,000	...
22.—Stationery and Printing...	22,85,431	24,63,000	24,03,000	...	60,000	23,55,000	...	48,000
23.—Political	41,80,440	29,[illegible]000	51,48,000	22,12,000	...	32,65,000	...	18,83,000
24.—Allowances and Assignments under Treaties and Engagements ...	1,69,43,880	1,67,52,000	1,65,78,000	...	1,74,000	1,65,24,000	...	54,000
25.—Civil Furlough, &c., Allowances	7,680	...	6,000	6,000	...	1,000	...	5,000
26.—Superannuation, Retired and Compassionate Allowances ...	79,87,950	58,60,000	57,45,000	...	1,15,000	57,67,000	22,000	...
27.—Loss by Exchange on Transactions with London ...	1,42,97,220	2,33,20,000	2,13,51,000	...	19,69,000	1,60,00,000	...	53,51,000
28.—Miscellaneous ...	29,22,134	16,82,000	19,87,000	3,05,000	...	16,36,000	...	3,51,000
Famine Relief... ...	59,51,913	...	1,91,10,000	1,91,10,000	...	1,42,50,000	...	48,60,000
TOTAL CIVIL ...	25,29,17,897	25,07,61,000	27,62,45,000	2,54,84,000	...	26,01,69,000	...	1,60,76,000
Army	11,72,52,640	11,82,07,000	11,86,00,000	3,93,000	...	12,07,00,000	21,00,000	...
Public Works Ordinary ...	4,33,25,886	3,94,03,000	4,00,08,000	6,05,000	...	3,86,69,000	...	13,39,000
State Railways	21,47,130	29,20,000	26,54,000	...	2,66,000	48,30,000	21,76,000	...
Land and Supervision (Guaranteed Railways)	8,33,130	9,30,000	9,12,000	...	18,000	7,80,000	...	1,32,000
TOTAL ORDINARY ...	41,64,76,683	41,22,21,000	43,84,19,000	2,61,98,000	...	42,51,48,000	...	1,32,71,000
Public Works Extraordinary ...	3,52,27,210	3,01,50,000	3,14,54,000	12,95,000	...	2,89,35,000	...	25,19,000
Balances of Local Governments Increased	4,41,884	1,68,000	4,03,000	2,35,000		10,29,000	6,26,000	...
GRAND TOTAL ...	45,21,45,777	44,25,48,000	47,02,76,000	2,77,28,000	...	45,51,12,000	...	1,51,64,000

Fort William;
Financial Department,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

II

REVENUE AND EXPENDITURE AT THE HOME

REVENUE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with the Regular Estimates, 1876-77. Increase.	Decrease.
	£	£	£	£	£	£	£	£
I.—Land Revenue ...	...	...	...	...	...	...	...	...
X.—Mint ...	30	...	...	...	...	...	...	...
XII.—Telegraph ..	17,122	8,500	14,900	6,400	...	6,100	...	8,800
XV.—Marine ...	700	...	...	...	...	...	...	...
XVI.—Education ...	...	...	...	...	...	...	...	...
XVII.—Interest ...	36,273	20,000	10,000	...	10,000	10,000	...	...
XVIII.—Receipts in aid of Superannuation, Retired and Compassionate Allowances	92,999	89,600	91,600	2,000	...	91,500	...	100
XX.—Miscellaneous ...	18,833	20,600	41,700	21,100	...	12,000	...	29,700
TOTAL ...	165,957	138,700	158,200	19,500	...	119,600	...	38,600
Army	107,149	37,200	47,600	10,400	...	47,000	...	600
Public Works Ordinary ...	17,551	18,000	17,700	...	300	18,100	400	...
Irrigation	267	...	...	...	...	...	...	...
GRAND TOTAL ...	290,924	193,900	223,500	29,600	...	184,700	...	38,800

Fort William;
Financial Department,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

I.

TREASURY OF THE GOVERNMENT OF INDIA.

EXPENDITURE.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Budget Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	£	£	£	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	2,160,855	2,253,600	2,306,700	53,100	...	2,486,500	179,800	...
2.—Interest on Service Funds and other Accounts ...	533	...	...	...	...	...	...	...
4.—Land Revenue ...	4,284	5,200	4,600	...	600	4,400	...	200
5.—Forest	2,548	2,500	2,600	100	...	2,600	...	...
6.—Excise	...	...	2,100	2,100	...	...	...	2,100
7.—Customs	144	...	100	100	...	...	...	100
8.—Salt	280	400	3,100	2,700	...	...	...	3,100
9.—Opium	714	1,000	...	...	1,000	...	...	...
10.—Stamps	35,270	31,300	25,300	...	6,000	25,900	600	...
11.—Mint	25,350	15,000	41,300	26,300	...	3,200	...	38,100
12.—Post Office	65,127	82,600	78,000	...	4,600	98,000	20,000	...
13.—Telegraph	85,162	106,700	106,800	100	...	101,400	...	5,400
14.—Administration ...	232,975	223,000	234,000	11,000	...	224,600	...	9,400
15.—Minor Departments ...	35,783	37,600	37,700	100	...	44,600	6,900	...
16.—Law and Justice ...	1,471	2,800	1,900	...	900	5,100	3,200	...
18.—Marine	198,419	172,600	177,600	5,000	...	144,800	...	32,800
19.—Education	300	600	900	300	...	600	...	300
20.—Ecclesiastical	1,055	900	3,300	2,400	...	1,400	...	1,900
22.—Stationery and Printing...	209,032	120,500	169,000	48,500	...	178,700	9,700	...
23.—Political	15,293	55,600	18,300	...	37,300	69,500	51,200	...
24.—Allowance, &c. ...	19,336	20,800	21,100	300	...	21,100	...	...
25.—Civil Furlough and Absentee Allowances ...	228,431	223 000	240,000	17,000	...	238,000	...	2,000
26.—Superannuation, &c. ...	1,140,510	1,210,000	1,226,000	16,000	...	1,236,000	10,000	...
28.—Miscellaneous... ...	38,431	33,000	44,000	11,000	...	39,000	...	5,000
Famine Relief... ...	588	...	...	...	...	...	...	...
Total ...	4,501,896	4,598,700	4,744,400	145,700	...	4,925,400	181,000	...
Army	3,583,195	4,158,300	4,347,700	189,400	...	4,168,600	...	179,100
Public Works Ordinary ...	94,649	90,500	91,400	900	...	102,700	11,300	...
State Railways	...	5,000	...	...	5,000	...	...	...
Guaranteed Interest less Net Traffic Receipts	975,310	1,260,000	419,300	...	840,700	1,000,000	580,700	...
Total Ordinary ...	9,155,050	10,112,500	9,602,800	...	509,700	10,196,700	593,900	...
Public Works Extraordinary ...	747,908	743,100	654,600	...	88,500	734,500	79,900	...
GRAND TOTAL ...	9,902,958	10,855,600	10,257,400	...	598,200	10,931,200	673,800	...

E. F. HARRISON,
Comptroller General.

R. B. CHAPMA[illegible]
Secy. to the Govt.

IV.

RECEIPTS AND DISBURSEMENTS AT THE TREASURIES OF THE GOVERNMENT OF INDIA IN INDIA AND IN ENGLAND.

[£ 1 reckoned = Rs. 10.]

RECEIPTS.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
I.—Opening balance ...	17,97,41,843	16,99,08,000	17,87,24,000	88,16,000	...	12,68,78,000	...	5,18,46,000
II.—Imperial revenue ...	52,51,57,887	51,49,54,000	51,20,67,000	...	28,87,000	52,19,27,000	98,60,000	...
III.—Traffic earnings of guaranteed railways	8,96,71,083	8,53,02,000	10,31,74,000	1,78,72,000	...	9,27,94,000	...	1,03,80,000
IV.—Local revenue ...	4,11,81,370	3,47,08,000	3,51,99,000	4,91,000	...	3,59,03,000	7,04,000	...
V.—Service funds, civil ...	54,41,655	55,00,000	53,40,000	...	1,60,000	53,80,000	40,000	...
VI.—Service funds, military	743	...	...	...	...	...	...	...
VII.—Loans to native states, corporations and individuals repaid ...	17,13,110	15,20,000	13,80,000	...	1,40,000	15,80,000	2,00,000	...
VIII.—Savings banks' deposits	73,75,388	70,00,000	57,60,000	...	12,40,000	55,80,000	...	1,80,000
IX.—Other deposits received & advances recovered	12,84,37,471	10,99,30,000	11,52,79,000	53,49,000	...	10,55,33,000	...	97,46,000
X.—Local remittances ...	88,58,810	30,00,000	70,00,000	40,00,000	...	80,00,000	10,00,000	...
XI.—Inter-provincial and inter-departmental transactions ...	16,55,32,950	17,00,00,000	17,00,00,000	...	...	17,00,00,000	...	...
XII.—Remittance account with the Home Treasury ...	1,30,16,030	1,01,90,000	1,39,90,000	38,00,000	...	1,17,00,000	...	22,90,000
XIII.—Secretary of State's bills on India sold*	12,38,96,130	13,66,00,000	12,75,00,000	...	91,00,000	12,25,00,000	...	50,00,000
XIV.—Sundry obligations incurred ...	60,79,462	50,00,000	55,10,000	5,10,000	...	56,80,000	1,70,000	...
XV.—Public debt incurred*	4,58,53,400	3,47,00,000	5,81,40,000	2,34,40,000	...	7,37,80,000	1,56,40,000	...
XVI.—Guaranteed railway capital received ...	3,36,96,442	2,37,82,000	2,63,56,000	25,74,000	...	2,15,12,000	...	48,44,000
TOTAL ...	137,56,53,774	131,20,94,000	136,54,19,000	5,33,25,000		130,87,47,000		5,66,72,000

DISBURSEMENTS.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Imperial expenditure ...	55,11,75,357	55,11,04,000	57,28,50,000	2,17,46,000	...	56,44,24,000	...	84,26,000
2.—Working expenses of guaranteed railways ...	4,70,32,997	4,59,17,000	5,35,44,000	76,27,000	...	4,84,51,000	...	50,93,000
3.—Surplus profits paid to railway companies ...	22,72,502	19,50,000	29,94,000	10,44,000	...	40,00,000	10,06,000	...
4.—Credited to Government as gain from contract rates of exchange on railway revenue account ...	32,15,686	27,07,000	37,28,000	10,21,000	...	31,61,000	...	5,67,000
5.—Interest on guaranteed railway capital supplied from surplus earnings...	3,71,49,898	3,47,28,000	4,29,08,000	81,80,000	...	3,71,82,000	...	57,26,000
6.—Local expenditure ...	4,52,04,300	3,73,90,000	3,80,76,000	6,86,000	...	3,45,06,000	...	35,70,000
7.—Service funds, civil ...	43,23,184	46,10,000	42,00,000	...	4,10,000	45,70,000	3,70,000	...
8.—Service funds, military ...	41,37,010	26,80,000	27,69,000	89,000	...	28,33,000	64,000	...
9.—Loans advanced to native states, corporations and individuals ...	55,87,986	60,00,000	75,10,000	15,10,000	...	65,80,000	...	9,30,000
10.—Savings banks' deposits withdrawn ...	65,35,182	65,00,000	47,00,000	...	18,00,000	50,80,000	3,80,000	...
11.—Other deposits repaid and advances made ...	12,64,18,933	10,89,78,000	12,01,99,000	1,12,21,000	...	10,97,80,000	...	1,04,19,000
12.—Local remittances ...	72,52,285	30,00,000	80,00,000	50,00,000	...	80,00,000	...	...
13.—Inter-provincial and inter-departmental transactions ...	15,81,86,631	17,00,00,000	17,25,00,000	25,00,000	...	17,00,00,000	...	25,00,000
14.—Remittance account with the Home Treasury ...	1,26,97,260	1,36,60,000	1,66,90,000	30,30,000	...	1,21,62,000	...	45,28,000
15.—Secretary of State's bills on India paid ...	13,08,10,830	13,66,00,000	12,41,80,000	...	1,24,20,000	12,25,00,000	...	16,80,000
16.—Sundry obligations discharged ...	60,43,344	42,40,000	42,95,000	55,000	...	39,25,000	...	3,70,000
17.—Public debt discharged ...	47,58,181	49,20,000	2,09,00,000	1,59,80,000	...	87,80,000	...	1,21,20,000
18.—Credited to Government as gain from contract rates of exchange on railway capital account	3,55,925	3,56,000	5,16,000	1,60,000	...	3,39,000	...	1,77,000
19.—Guaranteed railway capital withdrawn ...	4,37,72,353	2,44,69,000	3,79,82,000	1,35,13,000	...	2,73,62,000	...	1,06,20,000
20.—Closing balance ...	17,87,23,930	15,22,85,000	12,68,78,000	...	2,54,07,000	13,51,12,000	82,34,000	...
TOTAL ...	137,56,53,774	131,20,94,000	136,54,19,000	5,33,25,000	...	130,87,47,000	...	5,66,72,000

* The Estimates in this Statement of the amounts to be borrowed and to be supplied to the Home Treasury by Bills in 1877-78 are the best that can now be made; but they are subject to modification as the year goes on; the Government must not be understood to pledge itself that the Secretary of State will raise by Bills the exact amount stated; or that the exact amount stated will be borrowed during the year; or that it will be borrowed in India or in England as the case may be

Abstract of the above shewing how the Ways and Means are provided.

ACCOUNTS, 1875-76.

	Rs.		Rs.
Savings banks' deposits ...	8,40,206	Deficit of imperial revenue ...	2,60,17,470
Deposits received and advances recovered ...	20,18,538	Deficit of local revenue	40,22,930
Service funds, civil ...	11,18,471	Service funds, military ...	41,36,267
Sundry obligations ...	36,118	Loans to native states, corporations and individuals...	38,74,876
Remittances	23,56,914	Guaranteed Railway Capital withdrawn ...	1,04,31,836
Public debt incurred ...	4,10,95,219		
Cash balance reduced ...	10,17,913		
TOTAL ...	4,84,83,379	TOTAL ...	4,84,83,379

REGULAR ESTIMATES, 1876-77.

	Rs.		Rs.
Service funds, civil ...	11,40,000	Deficit of imperial revenue ...	6,07,83,000
Savings banks' deposits ...	10,60,000	Deficit of local revenue	28,77,000
Public debt incurred ...	3,72,40,000	Service funds, military ...	27,69,000
Sundry obligations ...	12,15,000	Loans to native states, corporations and individuals	61,30,000
Cash balance reduced ...	5,18,46,000	Deposits repaid ...	49,20,000
		Remittances ...	28,80,000
		Guaranteed railway capital withdrawn ...	1,21,42,000
TOTAL ...	9,25,01,000	TOTAL ...	9,25,01,000

BUDGET ESTIMATES, 1877-78.

	Rs.		Rs.
Service funds, civil ...	8,10,000	Deficit of imperial revenue	4,24,97,000
Surplus of local revenue ...	13,97,000	Service funds, military ...	28,33,000
Savings banks' deposits ...	5,00,000	Loans to native states, corporations and individuals	50,00,000
Sundry obligations ...	17,55,000	Deposits repaid and advances made ...	42,47,000
Public debt incurred ...	6,50,00,000	Guaranteed railway capital withdrawn ...	61,89,000
		Remittances ...	4,62,000
		Cash balance increased ...	82,34,000
TOTAL ...	6,94,62,000	TOTAL ...	6,94,62,000

Fort William;
Financial Department,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

RECEIPTS AND DISBURSEMENTS AT THE TREASURIES OF THE GOVERNMENT OF INDIA IN INDIA.

RECEIPTS.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.
I.—Opening Balance ...	15,17,78,143	16,24,32,000	16,95,25,000	70,93,000	...	11,53,97,000	..	5,41,28,000
II.—Imperial Revenue ...	52,22,48,647	51,30,15,000	50,98,32,000	...	31,83,000	52,00,80,000	1,02,48,000	...
III.—Traffic Earnings of Guaranteed Railways	8,96,62,183	8,53,02,000	10,31,74,000	1,78,72,000	...	9,27,94,000	...	1,03,80,000
IV.—Local Revenue ...	4,11,81,370	3,47,08,000	3,51,99,000	4,91,000	...	3,59,03,000	7,04,000	...
V.—Service Funds, Civil ...	54,41,655	55,00,000	53,40,000	...	1,60,000	53,80,000	40,000	...
VI.—Service Funds, Military	743	...	...	...	...	...	...	...
VII.—Loans to Native States, Corporations and Individuals Repaid ...	17,13,110	15,20,000	13,80,000	...	1,40,000	15,80,000	2,00,000	...
VIII.—Savings Banks' Deposits	73,75,388	70,00,000	57,60,000	...	12,40,000	55,80,000	...	1,80,000
IX.—Other Deposits Received & Advances Recovered	12,81,31,261	10,98,90,000	11,42,08,000	43,18,000	...	10,54,93,000	...	87,15,000
X.—Local Remittances ...	88,58,810	30,00,000	70,00,000	40,00,000	...	80,00,000	10,00,000	...
XI.—Inter-Provincial and Inter-Departmental Transactions ...	16,55,32,950	17,00,00,000	17,00,00,000	...	...	17,00,60,000	...	...
XII.—Remittance Account with the Home Treasury ...	1,20,72,130	87,90,000	1,30,70,000	42,80,000	...	1,02,20,000	...	28,50,000
XIII.—Secretary of State's Bills on India sold* ..	...	...	...	...	...	...	...	...
XIV.—Sundry Obligations Incurred ...	60,79,462	50,00,000	55,10,000	5,10,000	...	56,80,000	1,70,000	...
XV.—Public Debt Incurred*	3,38,53,400	83,00,000	71,40,000	...	11,60,000	3,62,80,000	2,91,40,000	...
XVI.—Guaranteed Railway Capital Received ...	1,68,27,412	1,46,12,000	1,74,19,000	28,07,000	...	1,63,68,000	...	10,51,000
TOTAL ...	119,07,56,664	112,90,69,000	116,45,57,000	3,54,88,000		1,12,87,55,000		3,58,02,000

DISBURSEMENTS.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Imperial Expenditure ...	45,21,45,777	44,25,48,000	47,02,76,000	2,77,28,000	...	45,51,12,000	...	1,51,64,000
2.—Working Expenses of Guaranteed Railways ...	4,70,32,997	4,59,17,000	5,35,44,000	76,27,000	...	4,84,51,000	...	50,93,000
3.—Surplus Profits paid to Railway Companies ...	22,72,502	19,50,000	29,94,000	10,44,000	...	40,00,000	10,06,000	...
4.—Credited to Government as Gain from Contract Rates of Exchange on Railway Revenue Account ...	32,15,686	27,07,000	37,28,000	10,21,000	...	31,61,000	...	5,67,000
5.—Interest on Guaranteed Railway Capital supplied from Surplus Earnings...	3,34,133	3,28,000	2,41,000	...	87,000	2,62,000	21,000	...
6.—Local Expenditure ...	4,52,04,300	3,73,90,000	3,80,76,000	6,86,000	...	3,45,06,000	...	35,70,000
7.—Service Funds, Civil ...	43,23,184	46,10,000	42,00,000	...	4,10,000	45,70,000	3,70,000	...
8.—Service Funds, Military ...	41,37,010	26,80,000	27,69,000	89,000	...	28,33,000	64,000	...
9.—Loans advanced to Native States, Corporations and Individuals ...	55,87,986	60,00,000	75,10,000	15,10,000	...	65,80,000	...	9,30,000
10.—Savings Banks' Deposits withdrawn ...	65,35,182	65,00,000	47,00,000	...	18,00,000	50,80,000	3,80,000	...
11.—Other Deposits Repaid and Advances Made ...	12,63,01,613	10,89,38,000	12,01,59,000	1,12,21,000	...	10,97,40,000	...	1,04,19,000
12.—Local Remittances ...	72,52,287	30,00,000	80,00,000	50,00,000	...	80,00,000	...	...
13.—Inter-Provincial and Inter-Departmental Transactions ...	15,81,86,631	17,00,00,000	17,25,00,000	25,00,000	...	17,00,00,000	...	25,00,000
14.—Remittance Account with the Home Treasury ...	19,32,580	13,90,000	20,60,000	6,70,000	...	11,70,000	...	8,90,000
15.—Secretary of State's Bills on India Paid ...	13,08,10,830	13,66,00,000	12,41,80,000	...	1,24,20,000	12,25,00,000	...	16,80,000
16.—Sundry Obligations Discharged ...	60,43,344	42,40,000	42,95,000	55,000	...	39,25,000	...	3,70,000
17.—Public Debt Discharged ...	47,58,181	49,20,000	1,59,00,000	1,09,80,000	...	87,80,000	...	71,20,000
18.—Credited to Government as Gain from Contract Rates of Exchange on Railway Capital Account	3,55,925	3,56,000	5,16,000	1,60,000	...	3,39,000	...	1,77,000
19.—Guaranteed Railway Capital Withdrawn ...	1,48,01,573	1,34,69,000	1,35,12,000	43,000	...	1,47,46,000	12,34,000	...
20.—Closing Balance ...	16,95,24,940	13,55,26,000	11,53,97,000	...	2,01,29,000	12,50,00,000	96,03,000	...
TOTAL ...	119,07,56,664	112,90,69,000	116,45,57,000	3,54,88,000	...	112,87,55,000	...	3,58,02,000

* The Estimates in this Statement of the amounts to be borrowed and to be supplied to the Home Treasury by Bills in 1877-78 are the best that can now be made; but they are subject to modification as the year goes on; the Government must not be understood to pledge itself that the Secretary of State will raise by Bills the exact amount stated; or that the exact amount stated will be borrowed during the year; or that it will be borrowed in India or in England as the case may be.

Abstract of the above showing how the Ways and Means are provided.

ACCOUNTS, 1875-76.

	Rs.
Surplus of Imperial Revenue ...	7,01,02,870
Guaranteed Railway Traffic Earnings ...	3,68,06,862
Deposits received and Advances Recovered ...	18,29,648
Service Funds, Civil ...	11,18,471
Savings Banks' Deposits ...	8,40,206
Remittances ...	1,90,92,392
Public Debt Incurred ...	2,90,95,219
Sundry Obligations ...	36,118
Guaranteed Railway Capital received ...	16,69,914
TOTAL ...	16,05,91,700

	Rs.
Deficit of Local Revenue	40,22,930
Service Funds, Military ...	41,36,267
Loans to Native States, Corporations and Individuals	38,74,876
Secretary of State's Bills paid ...	13,08,10,830
Cash Balance increased ...	1,77,46,797
TOTAL ...	16,05,91,700

REGULAR ESTIMATES, 1876-77.

	Rs.
Surplus of Imperial Revenue ...	3,96,56,000
Guaranteed Railway Traffic Earnings ...	4,26,67,000
Service Funds, Civil ...	11,40,000
Savings Banks' Deposits ...	10,60,000
Remittances ...	75,10,000
Sundry Obligations ...	12,15,000
Guaranteed Railway Capital received ...	33,91,000
Cash Balance reduced ...	5,41,28,000
TOTAL ...	15,06,67,000

	Rs.
Deficit of Local Revenue	28,77,000
Service Funds, Military ...	27,69,000
Loans to Native States, Corporations and Individuals	61,30,000
Deposits Repaid and Advances made ...	59,51,000
Secretary of State's Bills paid ...	12,41,80,000
Public Debt discharged ...	87,60,000
TOTAL ...	15,06,67,000

BUDGET ESTIMATES, 1877-78.

	Rs.
Surplus of Imperial Revenue ...	6,49,68,000
Surplus of Local Revenue ...	13,97,000
Guaranteed Railway Traffic Earnings ...	3,69,20,000
Service Funds, Civil ...	8,10,000
Savings Banks' Deposits ...	5,00,000
Remittances ...	90,50,000
Sundry Obligations ...	17,55,000
Public Debt Incurred ...	2,75,00,000
Guaranteed Railway Capital received... ...	12,83,000
TOTAL ...	14,41,83,000

	Rs.
Service Funds, Military ...	28,33,000
Loans to Native States, Corporations and Individuals	50,00,000
Deposits Repaid and Advances made ...	42,47,000
Secretary of State's Bills paid ...	12,25,00,000
Cash Balance increased ...	96,03,000
TOTAL ...	14,41,83,000

FORT WILLIAM;
FINANCIAL DEPARTMENT,

EDWIN KELLNER,
Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

VI.

RECEIPTS AND DISBURSEMENTS AT THE HOME TREASURY OF THE GOVERNMENT OF INDIA IN ENGLAND.

RECEIPTS.	Accounts, 1875-76.	Budget Estimates, 1876-77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	£	£	£	£	£	£	£	£
I.—Opening balance ...	2,796,370	747,600	919,900	172,300	...	1,148,100	228,200	...
II.—Imperial revenue ...	290,924	193,900	223,500	29,600	...	184,700	...	38,800
III.—Traffic earnings of guaranteed railways	890	...	...	...	...	...	...	...
X.—Other deposits received and advances recovered ...	30,621	4,000	107,100	103,100	...	4,000	...	103,100
XIII.—Remittance account with the Home Treasury ...	94,890	140,000	92,000	...	48,000	148,000	56,000	...
XIV.—Secretary of State's bills on India sold*	12,389,613	13,660,000	12,750,000	...	910,000	12,250,000	...	500,000
XVI.—Public debt incurred*	1,200,000	2,640,000	5,100,000	2,460,000	...	3,750,000	...	1,350,000
XVII.—Guaranteed railway capital received ...	1,686,903	917,000	893,700	...	23,300	514,400	...	379,300
TOTAL ...	18,489,711	18,302,500	20,086,200	1,783,700	...	17,999,200	...	2,087,000

DISBURSEMENTS.	Accounts, 1875 76.	Budget Estimates, 1876 77.	Regular Estimates, 1876-77.	Increase.	Decrease.	Budget Estimates, 1877-78.	Estimates, 1877-78, compared with Regular Estimates, 1876-77. Increase.	Decrease.
	£	£	£	£	£	£	£	£
1.—Imperial expenditure ...	8,927,648	9,595,600	9,838,100	242,500	...	9,931,200	93,100	...
4.—Interest on guaranteed railway capital supplied from surplus earnings	4,656,886	4,700,000	4,686,000	...	14,000	4,692,000	6,000	...
11.—Other deposits repaid and advances made ...	11,732	4,000	4,000	..	...	4,000	...	...
14.—Remittance account with the Home Treasury ...	1,076,468	1,227,000	1,463,000	236,000	...	1,099,200	...	363,800
17.—Public debt discharged ...	...	....	500,000	500,000	...	...	...	500,000
18.—Guaranteed railway capital withdrawn ...	2,897,078	1,100,000	2,447,000	1,347,000	...	1,261,600	...	1,185,400
20.—Closing balance ...	919,899	1,675,900	1,148,100	...	527,800	1,011,200	...	136,900
TOTAL ...	18,489,711	18,302,500	20,086,200	1,783,700	...	17,999,200	...	2,087,000

* The Estimates in this Statement of the amounts to be borrowed and to be supplied to the Home Treasury by Bills in 1877-78 are the best the Secretary of State will raise by Bills the exact amount stated; or that the exact amount stated will that can now be made; but they are subject to modification as the year goes on; the Government must not be understood to pledge itself that be borrowed during the year; or that it will be borrowed in India or in England as the case may be.

Abstract of the above showing how the Ways and Means are provided.

ACCOUNTS, 1875-76.				REGULAR ESTIMATES, 1876-77.		BUDGET ESTIMATES, 1877-78.			
	£		£		£		£		£
Secretary of State's bills sold ...	12,389,613	Deficit of revenue ...	8,636,724	Secretary of State's bills sold ...	12,750,000	Secretary of State's bills sold ...	12,250,000	Deficit of revenue ...	9,746,500
Deposits received and advances recovered ...	18,889	Interest on guaranteed railway capital ...	4,655,996	Public debt incurred ...	4,600,000	Public debt incurred ...	3,750,000	Interest on guaranteed railway capital ...	4,692,000
Public debt incurred ...	1,200,000	Remittances ...	982,078	Deposits received and advances recovered ...	103,100	Cash balance reduced ...	136,900	Remittances ...	951,200
Cash balance reduced ...	1,876,471	Guaranteed railway capital withdrawn ...	1,210,175					Guaranteed railway capital withdrawn ...	747,200
TOTAL ...	15,484,973	TOTAL ...	15,484,973	TOTAL ...	17,453,100	TOTAL ...	16,136,900	TOTAL ...	16,136,900

MATES, 1876-77.			
	£		£
Deficit of revenue ...	9,614 600		
Interest on guaranteed railway capital ...	4,686,000		
Remittances ...	1,371,000		
Guaranteed railway capital withdrawn ...	1,553,300		
Cash balance increased ...	228,200		
TOTAL ...	17,453,100	TOTAL ...	16,136,900

Fort William;
Financial Department,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

VII.

LOCAL REVENUE AND EXPENDITURE.

Estimates, 1877-78.

REVENUE.	ACCOUNTS, 1875-76.	BUDGET ESTIMATES, 1876-77.	REGULAR ESTIMATES, 1876-77.	REGULAR ESTIMATES, COMPARED WITH BUDGET ESTIMATES, 1876-77.	BUDGET ESTIMATES, 1877-78.	BUDGET ESTIMATES, 1877-78, COMPARED WITH REGULAR ESTIMATES, 1876-77.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
OPENING BALANCE ..	2,13,65,750	1,73,42,820	1,73,42,820	...	1,44,65,820	—28,77,000
TAXES, RATES AND CESSES—						
On lands ...	1,90,22,660	2,09,90,570	1,94,24,000	—15,66,570	2,10,12,000	+15,88,000
On houses ...	5,73,820	5,23,380	6,62,000	+ 1,38,620	6,65,000	+ 3,000
Assessed taxes ...	1,85,740	1,75,810	1,77,000	+ 1,190	1,88,000	+ 11,000
Miscellaneous taxes—						
Octrol ...	56,330	87,860	54,000	— 33,860	63,000	+ 9,000
License ...	3,61,900	3,64,810	3,75,000	+ 10,190	3,71,000	— 4,000
Miscellaneous ...	1,83,170	30,160	40,000	+ 9,840	30,000	— 10,000
	2,03,83,620	2,21,72,590	2,07,32,000	—14,40,590	2,23,29,000	+15,97,000
DEPARTMENTAL RECEIPTS—						
Jails ...	31,030	41,770	52,000	+ 10,230	55,000	+ 3,000
Registration ...	54,640	46,560	93,000	+ 46,440	1,08,000	+ 15,000
Police ...	3,54,030	2,92,850	2,20,000	— 72,850	2,58,000	+ 38,000
Education ...	6,30,380	4,91,990	4,93,000	+ 1,010	5,19,000	+ 26,000
Medical ...	73,830	67,900	76,000	+ 8,100	70,000	— 6,000
Printing ...	730	4,000	...	...	...	— 4,000
Marine ...	2,57,900	2,19,240	2,02,000	— 17,240	2,30,000	+ 28,000
	14,02,540	11,64,310	11,40,000	— 24,310	12,40,000	+ 100,000
MISCELLANEOUS RECEIPTS—						
Tolls ...	27,55,170	26,47,470	26,71,000	+ 23,530	26,38,000	— 33,000
Port dues ...	8,61,470	7,88,450	7,87,000	— 1,450	8,64,000	+ 77,000
Interest ...	1,13,120	3,31,000	3,83,000	+ 51,900	3,82,000	— 1,000
Rents ...	8,82,680	7,59,180	6,87,000	— 72,180	8,16,000	+ 1,29,000
Sale of lands, houses, &c.	1,96,930	2,45,520	2,17,000	— 28,520	1,42,000	— 75,000
Cattle trespass fines ...	10,19,450	10,18,380	10,88,000	+ 69,620	10,40,000	— 48,000
Miscellaneous fees and fines	7,69,710	8,11,780	7,52,000	— 59,780	7,41,000	— 11,000
Contributions ...	5,02,350	5,29,260	5,77,000	+ 47,740	5,46,000	— 31,000
Sundry receipts ...	23,57,080	7,14,420	16,66,000	+ 9,51,580	9,40,000	— 7,26,000
	94,57,960	78,45,560	88,28,000	+ 9,82,440	81,09,000	— 7,19,000
CONTRIBUTIONS ...	64,33,500	10,00,460	16,43,000	+ 6,42,540	12,40,000	— 4,03,000
PUBLIC WORKS ...	15,64,190	18,67,660	15,63,000	— 3,04,660	14,70,000	— 93,000
TOTAL REVENUE ...	3,92,41,810	3,40,50,580	3,39,06,000	— 1,44,580	3,43,88,000	+ 4,82,000
DEBT ACCOUNTS ..	14,97,680	4,89,420	8,90,000	+ 4,00,580	4,86,000	— 4,04,000
BALANCES OF THE LOCAL GOVERNMENTS INCREASED	4 41,880	1,68,000	4,03,000	+ 2,35,000	10,29,000	+ 6,26,000
	4,11,81,370	3,47,08,000	3,51,99,000	+ 4,91,000	3,59,03,000	+ 7,04,000
GRAND TOTAL ... Rs.	6,25,47,120	5,20,50,820	5,25,41,820	+ 4,91,000	5,03,68,820	—21,73,000

EXPENDITURE.	ACCOUNTS, 1875-76.	BUDGET ESTIMATES, 1876-77.	REGULAR ESTIMATES, 1876-77.*	REGULAR ESTIMATES, COMPARED WITH BUDGET ESTIMATES, 1876-77.	BUDGET ESTIMATES, 1877-78.	BUDGET ESTIMATES, 1877-78, COMPARED WITH REGULAR ESTIMATES, 1876-77.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
REFUNDS ...	6,75,630	1,73,660	4,11,000	+ 2,37,340	1,16,000	— 2,95,000
COLLECTION OF TAXES AND CESSES ...	2,42,880	2,52,790	2,43,000	— 9,790	2,38,000	— 5,000
JAILS ...	30,970	14,700	15,000	+ 300	13,000	— 2,000
REGISTRATION ...	40,250	39,450	45,000	+ 5,550	57,000	+ 12,000
POLICE ...	31,43,680	31,11,350	30,83,000	— 28,350	31,29,000	+ 46,000
EDUCATION ...	29,90,220	32,54,090	33,06,000	+ 51,910	32,59,000	— 47,000
MEDICAL ...	8,43,090	9,92,440	9,38,000	— 54,440	10,05,000	+ 67,000
PRINTING ...	7,200	7,910	12,000	+ 4,090	5,000	— 7,000
MARINE ...	5,26,780	6,96,470	6,54,000	— 42,470	6,95,000	+ 41,000
MINOR ESTABLISHMENTS—						
General management ...	9,23,060	6,56,870	8,94,000	+ 2,37,130	9,03,000	+ 9,000
Model farms ...	...	...	...	...	...	...
Botanical and other public gardens ...	55,880	51,790	52,000	+ 210	51,000	— 1,000
Collection of tolls, rates, rents, &c. ...	1,42,110	1,53,810	1,91,000	+ 37,190	1,64,000	— 27,000
Collection of cattle trespass fines ...	3,56,780	4,13,460	3,82,000	— 31,460	4,31,000	+ 49,000
Cemeteries ...	2,620	2 240	3.000	+ 760	3,000	...
District post ...	5,42.050	5,61,570	5,46,000	— 15,570	5.77,000	+ 31,000
Miscellaneous establishments	55,64,620	58,81,310	52,60,000	— 6,21,310	56,31,000	+ 3,71,000
	75.87.120	77,21,050	73,28,000	— 3,93,050	77,60,000	+ 4,32,000
MISCELLANEOUS ...	42,35.500	10.73.260	22,14,000	+11,40,740	10,17,000	—11,97,000
CONTRIBUTIONS ...	17,61,710	10,74,240	16,26,000	+ 5,51,760	10.97.000	— 5,29,000
	2,20.85,030	1,84,11,410	1,98.75.000	+14,63.590	1,83.91,000	—14,84,000
PUBLIC WORKS ...	1,93,39,740	1,71,31,680	1,66,19,000	— 5,12,680	1,52,27,000	—13.92,000
TOTAL EXPENDITURE ...	4,14,24,770	3,55,43,090	3,64,94,000	+ 9,50,910	3,36,18,000	—28,76,000
DEBT ACCOUNTS ...	14,45,940	1,96,910	3,95,000	+ 1,98,090	5,50,000	+ 1,55,000
BALANCES OF THE LOCAL GOVERNMENTS DECREASED	23,33,590	16.50,000	11,87,000	— 4,63,000	3,38,000	— 8,49,000
	4,52,04,300	3,73,90,000	3,80,76,000	+ 6,86,000	3,45,06,000	—35,70,000
CLOSING BALANCE ...	1.73,42,820	1,46,60,820	1,44,65,820	— 1,95,000	1,58,62,820	+ 13,97,000
GRAND TOTAL ... Rs.	6,25,47,120	5,20,50,820	5,25,41,820	+ 4,91,000	5,03,68,820	— 21,73,000

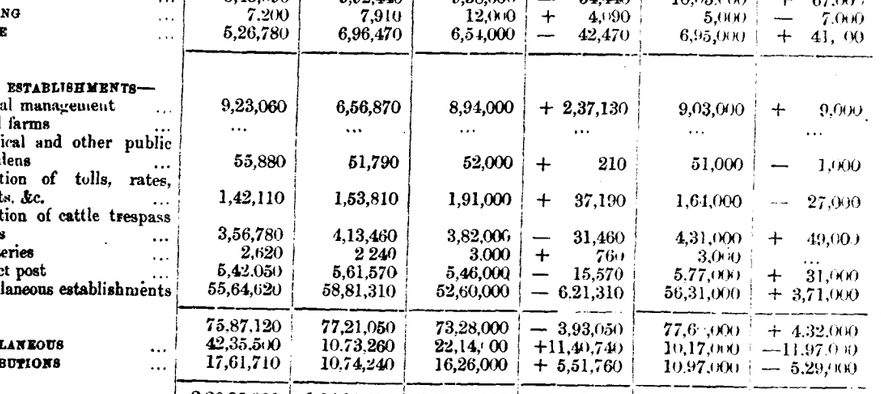
FORT WILLIAM;
FINANCIAL DEPARTMENT,
The 15th March 1877.

EDWIN KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

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

Printed and Published for the GOVT. OF INDIA, *at the Office of* SUPDT GOVT. PRINTING, 8, *Hastings Street, Calcutta.*



The Gazette of India,

EXTRAORDINARY.

Published by Authority.

SIMLA, WEDNESDAY, APRIL 18, 1877.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

No. 354.

Simla, the 18th April 1877.

A vacancy having occurred in the office of an Ordinary Member of the Council of the Governor General of India by the resignation of the Hon'ble Sir Arthur Hobhouse, Q.C., K.C.S.I., Her Majesty the Queen, Empress of India, has been graciously pleased to appoint Whitley Stokes, Esquire, C.S.I., Barrister-at-Law, to be an Ordinary Member of the Council of the Governor General of India.

Mr. Stokes has on the afternoon of this day, under the usual salute, taken his seat as an Ordinary Member of the Governor General's Council.

By order of the Governor General in Council,

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

Printed and published for the Govt. of India, in the GOVT. CENTRAL BRANCH PRESS, *Simla.*

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CALCUTTA, MONDAY, MARCH 19, 1877. { Register No. 33.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

No. 241.

Fort William, the 19th March 1877.

A VACANCY having occurred in the Office of an Ordinary Member of the Council of the Governor General of India by the resignation of Major-General the Hon'ble Sir H. W. Norman, K.C.B., Her Majesty has been graciously pleased to appoint Major-General Sir Edwin Beaumont Johnson, Royal Artillery, K.C.B., to be an Ordinary Member of the Council of the Governor General of India.

Major-General Sir E. B. Johnson has this day, under the usual salute, taken his seat as an Ordinary Member of the Governor General's Council.

By order of the Governor General in Council,

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

Printed and published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING, *8, Hastings Street, Calcutta.*

The Gazette of India,

EXTRAORDINARY.

Published by Authority.

SIMLA, THURSDAY, JUNE 7, 1877.

FINANCIAL DEPARTMENT.

NOTIFICATION.

No. 1111.

Simla, the 7th June 1877.

His Excellency the Right Hon'ble the Governor General in Council has resolved to borrow Two-and-a-half Crores of Rupees for the public service in the following manner.

2. Promissory Notes will be issued for the said amount, bearing interest at the rate of four per centum per annum: the form and conditions of these Notes will be those of the Notes of the Consolidated Transfer Loan of 1842-43, of which Loan they will form a part. No Note will be issued for less than one hundred rupees, or for any amount not being a multiple of one hundred rupees: the Notes will be payable to order, and interest thereon will be paid half-yearly, on the First day of February and the First day of August.

3. Tenders for the whole or part of the above-named sum of Two-and-a-half Crores of Rupees will be received by the Comptroller General from this date to noon of Monday, the Ninth day of July next.

4. Each tender must be addressed, in the form annexed to this Notification, to the Comptroller General, Treasury Buildings, Calcutta, and enclosed in a sealed cover superscribed "Tender for Loan."

5. Tenders will be opened at the Office of the Comptroller General in Calcutta, at noon on Monday, the Ninth day of July next.

6. Accepted tenders must be paid, in five equal instalments, on the following dates:—

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877:

but the whole or any part of any tender may be paid at any time after its acceptance is notified.

7. Interest upon each payment will be paid in advance, from the date when such payment is received, to the 31st January next.

8. Payment of any accepted tender may be made to the account of the Government in one of the Presidency Banks of Bengal, Madras or Bombay, or in any Branch of any of the Presidency Banks, or into any Government treasury or treasuries in India that may be named in the tender.

9. Each tender must be accompanied by a receipt from one of the Presidency Banks of Bengal, Madras or Bombay, or one of their Branches, or from an Officer in charge of some Government treasury, or by a cheque on a banker in Calcutta, Madras or Bombay, or by Government Promissory Notes made payable to the Comptroller General, for not less than one-hundredth part of the tender: this deposit of one per cent. will be treated as in part payment of the last instalment, and will be forfeited if the allotment is not fully taken up: a cash deposit may, after the tender in support of which it is made is accepted, be replaced by a Government Promissory Note.

10. Scrip receipts for instalments paid will be given by the Presidency Banks of Bengal, Madras and Bombay, or their Branches, or by the Officers in charge of the Government treasuries at which payment is made: these receipts will, as soon as possible, be exchanged for Promissory Notes.

11. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and placed upon the table, in a sealed envelope, when the tenders are opened, but will not be declared unless tenders for Two-and-a-half Crores of Rupees are received but not accepted.

12. The rate stated in a tender must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. Tenders at the recorded minimum rate, and at rates above the recorded minimum, will be accepted in the order of the rates tendered, beginning with the highest rate: the amount allotted at the lowest rate at which tenders are accepted, will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders.

14. The names of the persons whose tenders are accepted in whole or in part, will be posted, for general information, at the Presidency Banks of Bengal, Madras and Bombay.

FORM OF TENDER.

I hereby tender for rupees of the Loan advertised in the Notification published in the *Gazette of India* Extraordinary, dated the 7th June 1877, and agree to pay for the same, subject to the conditions notified, at the rate of rupees annas* for every hundred rupees allotted to me.

* Fractions of an anna not allowed.

I enclose a *deposit receipt*† for rupees , and engage, if my offer be accepted, to pay to the account of the Government at the Presidency Bank of‡ [or at the Branch of the Bank of ; or into the Government treasury at‡ as the case may be] the first instalment on or before Monday, the 23rd day of July next, and the several later instalments on or before the dates fixed by the Notification, as follows:—

† Or cheque or Government Promissory Note.

‡ Here enter the name of bank or treasury.

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877.

NOTES.—(1).—*A separate tender must be made at each rate tendered, and a separate deposit must accompany each tender. In order to avoid mistakes, it is desirable that the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English.*

(2).—*This Notification will be published, simultaneously, by the Secretary of State for India, in London.*

By Order of the Governor General in Council,

R. B. CHAPMAN,
Secretary to the Government of India.

Printed and published for the GOVT. OF INDIA, *in the* GOVT. CENTRAL BRANCH PRESS, *Simla.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 1. } CALCUTTA, SATURDAY, JANUARY 6, 1877. { Register No. 33.

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

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SUPPLEMENT No. 1.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Camp Delhi, the 25th December 1876.

His Excellency the Viceroy and Governor General made his entry into Delhi at 2 P. M. on Saturday, the 23rd December 1876.

His Excellency was received at the Railway Station by the President of the Council, the Lieutenant-Governors of the Punjab, Bengal, and North-West Provinces, the Commander-in-Chief in India, and the Commissioner of Delhi.

In accordance with an invitation addressed to them, the Ruling Chiefs present in Delhi assembled at the Railway Station to meet His Excellency on arrival.

The Resident of Hyderabad, the Chief Commissioners of Mysore, Assam, Central Provinces, Oude, and British Burmah, and the Governor General's Agents in Rajpootana, Central India, and Baroda were also present at the Station to receive His Excellency.

A European and Native Guard of Honor was drawn up on the platform on each side of the exit from the Station, and presented arms as His Excellency the Viceroy alighted from his carriage.

At the same moment, a Royal salute was fired from a Battery stationed at the junction of the Kauriapul and Queen's Roads.

The Viceroy then delivered the following address:—

"PRINCES, CHIEFS, AND NOBLES! It is with feelings of unusual pleasure that I find you here assembled from all parts of India to take part in a ceremonial which I trust will be the means of drawing still closer the bonds of union between the Government of Her Majesty and the great Allies and Feudatories of the Empire.

"I thank you for the cordiality with which you have responded to my invitation, and trust that the close of our proceedings will confirm the auspicious character of their commencement. Accept my hearty welcome to Delhi."

Having saluted the Ruling Chiefs present, His Excellency mounted his elephant, and, followed by his Personal Staff and the Lieutenant-Governors of the Punjab, Bengal, and the North-West Provinces, the Commander-in-Chief in India, and Sir Henry Norman, moved to the head of the Procession between the double line of elephants drawn up in the Queen's Road.

The Procession was formed in the following order:—

The Deputy Assistant Quarter-Master-General in charge of His Excellency's Camp.

The 11th (Prince Albert's Own) Hussars.

A/C Battery Royal Horse Artillery.

The 3rd (Prince of Wales' Own) Bombay Light Cavalry.

The Orderly Officer, Personal Escort. | The Brigade-Major, Personal Escort.

The General Officer Commanding Personal Escort.

(On Elephants.)

Two Aides-de-Camp to His Excellency the Viceroy. | Two Aides-de-Camp to His Excellency the Viceroy.

(On Horseback.)

The Chief Herald of the Imperial Assemblage.

Twelve Trumpeters (six abreast).

The Body-Guard.

(On Elephants.)

THE VICEROY
&
LADY LYTTON.

The family of His Excellency the Viceroy.

Detachment of the Body-Guard.

Staff of His Excellency the Viceroy on six elephants.

Head Quarters and 2 Squadrons of the 10th (Prince of Wales' Own Royal) Hussars.

(On Horseback.)

The Inspector General of Police, Punjab. | The Officer Commanding the Station.

(On Elephants.)

THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

Two Members of the Staff of the Lieutenant-Governor of the Punjab. | Two Members of the Staff of the Lieutenant-Governor of the Punjab.

THE LIEUTENANT-GOVERNOR OF BENGAL.

Two Members of the Staff of the Lieutenant-Governor of Bengal. | Two Members of the Staff of the Lieutenant-Governor of Bengal.

THE LIEUTENANT-GOVERNOR OF THE NORTH-WEST PROVINCES.

Two Members of the Staff of the Lieutenant-Governor of the North-West Provinces. | Two Members of the Staff of the Lieutenant-Governor of the North-West Provinces.

THE COMMANDER-IN-CHIEF IN INDIA.

Two Members of the Staff of the Comman in-Chief in India. | Two Members of the Staff of the Commander-in-Chief in India.

Staff of His Excellency the Governor of Madras. | Staff of His Excellency the Governor of Bombay.

(On Horseback.)

Officers of the Head-Quarters Staff of the Army.

Officers of the Staff of the Force at Delhi.

One Squadron of the 10th (Prince of Wales' Own Royal) Hussars.

(On Elephants.)

Major-General the Hon'ble Sir H. W. Norman, K.C.B. | Chief Justice of Bengal.

The Hon'ble Arthur Hobhouse, Q. C. | Chief Justice of the N. W. P.

Colonel the Hon'ble Sir A. Clarke, K.C.M.G., C.B. | The Hon'ble Sir A. J. Arbuthnot, K.C.S.I.

Commander-in-Chief, Bombay. | The Hon'ble E. C. Bayley, C.S.I.

Members of the Legislative Council, Native Noblemen and Gentlemen, Secretaries to Government, &c.

3rd Regiment Madras Light Cavalry.

4th Regiment Bengal Cavalry.

F/F Battery Royal Horse Artillery.

15th (King's) Hussars.

The following was the line of route of the Procession:—

Queen's Road.	Futtehpooree Bazar.
Lothian Road.	Circular Road.
Khas Road.	Continuation of Hamilton Road.
Round the Musjid.	Grand Trunk Road.
The Dariba.	Ridge Road.
Chandnee Chowk.	Main Street to Viceroy's Camp.

The troops available at Delhi were disposed along the line of route of the Procession, under orders from His Excellency the Commander-in-Chief in India.

The troops and followers of the Ruling Chiefs were drawn up at various points along the line of route. They were disposed as follows:—

Rajpootana Chiefs.

Commencing from the Canal on both sides of the Lothian Road till its junction with the Chandnee Chowk, where British Troops were stationed. Continued on both sides of the Lothian Road as far as the Khas Road, and again on both sides of the Khas Road up to the Jumma Musjid.

Punjab Chiefs.

Commencing outside the Lahore Gate, and extending thence along both sides of the Circular Road till its junction with the road leading from the Cabulee Gate to the Grand Trunk Road. Thence along a portion of the Grand Trunk Road till it enters the Subzee Mundee, where British Troops were stationed.

Bombay, North-West Provinces, and Central Provinces Chiefs.

From the position occupied by the British Troops last mentioned along both sides of the Grand Trunk Road, up to the point of junction with the road which leads to the Ridge. Thence along the latter road as far as the Mutiny Monument, where British Troops were stationed.

Central India and Madras Chiefs.

From the Mutiny Monument along the Ridge on both sides of the road as far as Hindoo Rao's house, where British Troops were stationed. Continued thence as far as the Chowboorjee Musjid, where British Troops were stationed.

Bengal Chiefs.

From the Chowboorjee Musjid, in the order marginally noted, along the Ridge on both sides of the road as far as the Flagstaff Tower.

Gaekwar of Baroda.
Maharaja of Mysore.
Nizam of Hyderabad.

Foreign Princes and Governors, Deputations or Envoys from Foreign States, and the Foreign Consuls present at Delhi, were provided with suitable accommodation to witness the Procession at the Jumma Musjid, where also accommodation was provided for titular Chiefs and persons specially invited.

As His Excellency passed the Fort, a Royal salute was fired from it and his standard hoisted.

On arrival at the foot of the Ridge, the troops preceding the Procession turned off, and the Viceroy, attended by his Personal Staff and accompanied by the Lieutenant-Governors and the Commander-in-Chief in India, proceeded down the main street of the Camp.

The remaining Civil and Military Officers of Government and others taking part in the Procession turned to the right, on arrival at the entrance of the Viceregal Camp, and dispersed after clearing the front of the Camp.

As His Excellency entered the Grand Street of the Camp, a Royal salute was fired from a Battery placed on the Ridge, and at the sound of the first gun the Viceroy's standard was displayed at the Flagstaff.

A Guard of Honor, European and Native, was drawn up in front of the Viceroy's Tent, and presented arms as His Excellency arrived opposite the main entrance.

The Lieutenant-Governors of the Punjab, Bengal, and North-West Provinces, and Commander-in-Chief in India, took leave of His Excellency at the Viceregal Camp.

By Command,

G. POMEROY COLLEY, *Colonel,*
Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATION.—ESTABLISHMENTS.

Fort William, the 3rd January 1877.

No. 1.—The Hon'ble Ashley Eden reported his return from furlough on the 14th ultimo, and has obtained the usual subsidiary leave to enable him to join his appointment.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATION.—FORESTS.

Fort William, the 3rd January 1877.

No. 1393.—The Honourable the President in Council is pleased to make the following promotions in the Burma Forest Department :—

Mr. J. Adamson, officiating as Deputy Conservator of the 3rd Grade, is confirmed in that grade.

Mr. A. E. Wild, Assistant Conservator of Forests of the 1st Grade, is promoted to the 3rd Grade of Deputy Conservators.

Mr. M. H. Ferras, B.A., Assistant Conservator of Forests of the 2nd Grade, and at present officiating as Inspector of Schools, is promoted to the 3rd Grade of Deputy Conservators.

Mr. R. H. C. Whittall, Assistant Conservator of Forests of the 2nd Grade, is promoted to the 3rd Grade of Deputy Conservators.

Mr. H. C. Hill is promoted from the 2nd to the 1st Grade of Assistant Conservators, and is appointed to officiate as a Deputy Conservator of the 3rd Grade from the 10th November 1876, on which date he reported his arrival in Burma.

Mr. E. P. Popert and Mr. C. F. Nepean are promoted from the 2nd to the 1st Grade of Assistant Conservators.

These promotions, excepting that of Mr. Hill, will take effect from the 13th October 1876.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Camp Delhi, the 26th December 1876.

IMPERIAL ASSEMBLAGE.

No. 10 *D. C. P.*—On Monday, the 25th December 1876, a Deputation from His Excellency the Viceroy and Governor General proceeded to enquire after the health of the following Chiefs :—

Ajeygarh. The Maharaja of
Alwar. The Maharao Raja of
Baroda. The Gaekwar of
Bhaunagar. The Thakur Saheb of
Bhawulpur. The Nawab of
Bhopal. The Begum of
Bhurtpore. The Maharaja of
Bijawur. The Maharaja of
Bilaspur. The Raja of
Bundi. The Maharao of
Cashmere. The Maharaja of
Chamba. The Raja of
Chirkari. The Maharaja of
Chutterpur. The Maharaja of
Dattiah. The Maharaja of
Dewas. The Raja of
Dhar. The Raja of
Dholpur. The Rana of
Faridkot. The Raja of
Gwalior. Maharaja Sindia of
Hyderabad. The Nizam of
Indore. Maharaja Holkar of
Jawrah. The Nawab of
Jaipur. The Maharaja of
Jhallawar. The Maharaj Rana of
Jhind. The Raja of
Jodhpur. The Maharaja of
Junagarh. The Nawab of
Karauli. The Maharaja of
Khairpur. Mir Ali Murad of
Kishengarh. The Maharaja of
Maler Kotla. The Nawab of
Mandi. The Raja of
Mysore. The Maharaja of
Nabha. The Raja of
Nahun. The Raja of
Nowanagar. The Jam of
Oorcha (Tehri). The Maharaja of
Panna. The Maharaja of
Rajpipla. The Raja of
Ratlam. The Raja of
Rewah. The Maharaja of
Suket. The Raja of
Sumpthur. The Raja of
Tehri. The Raja of
Tonk. The Nawab of
Udaipur. The Maharana of

GENERAL.

The 30th December 1876.

No. 4. *D. C. G.*—Mr. F. Henvey, Under Secretary to the Government of India in the Foreign Department, is appointed to officiate as Resident, 2nd Class, and as Resident in Nipal, from the date on which he may assume charge, *vice* Mr. C. E. R. Girdlestone.

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

FINANCIAL DEPARTMENT.

NOTIFICATION.—ACCOUNTS.

Fort William, the 5th January 1877.

No. 6.—The following is published for general information :—

TENDERS FOR THE BERAR SURPLUS CASH BALANCES.

SEASON 1877.

NOTICE TO BANKERS, CAPITALISTS, AND OTHERS.

Tenders are invited for the purchase of Bills drawn against the surplus Cash Balances of the Berar Treasuries, for the calendar year 1877, on the conditions specified in the Rules noted below :—

1. Bills will be available for issue on the Treasuries of Akola and Amraoti in the months, and to the probable extent, noted in statement at foot.
2. Nothing, however, in this Notification shall pledge the Resident at Hyderabad to provide the exact sums estimated to be available in the months specified, and such tenders as are approved will be registered for final acceptance, to the extent to which money may be actually available. As a guide, however, to Bankers, Capitalists, and others, to tender for the probable Surplus during the year above quoted, it is hereby intimated that the Surplus Cash Balances available annually for the preceding three years amounted to Rs. 1,40,00,000, or an average per annum of Rs. 46,66,666, and that the probable Surplus for the ensuing season, it is estimated, will be about Rs. 30,00,000, as shown in statement below.
3. All tenders should be submitted in sealed envelopes, addressed as follows :—

WITHDRAWAL OF BERAR SURPLUS FOR SEASON 1877.

Tender for Bills on (Akola or Amraoti, as the case may be) for the month of (February or March, as the case may be).

TO THE FIRST ASSISTANT RESIDENT,
HYDERABAD, DECCAN.

4. Tenders must on no account be written in the vernacular, and should specify the month or months for which the tenders are made. Separate tenders must be submitted for each month for Bills on Akola, and separate tenders must also be submitted for each month for Bills on Amraoti. Infringement of this rule will involve rejection of the tender. For the convenience of intending purchasers, printed forms of tenders will be kept in stock by the Extra Assistant Commissioner, Hyderabad, and will be issued to applicants.
5. The name and address of the person tendering should be clearly written at foot of the tender in English (in addition to the vernacular, if signature is in the vernacular).
6. Tenders may be for the whole, or any portion, in even thousands, of the amount advertised.
7. Tenders must specify the rate of exchange at which the tender is made, the par or assay value of 100 Government Rupees being equivalent to 116-14-6 in Halli Sicca Currency.
8. Each tender must be accompanied by a deposit of Rs. 5,000 in Halli Sicca coin, or Government Securities, as a guarantee of good faith; which deposit will be returned in the event of non-acceptance of tender, but the tender itself will not be returned.
9. Tenders will be opened at the Hyderabad Residency at noon, on Monday the 12th February 1877; and persons tendering are invited to be present, or to be represented by their Agents.
10. The Resident will not bind himself to accept the highest or any tender, nor will any reason be assigned for rejection of tenders.
11. Persons whose tenders may be finally accepted in whole or in part will be required, at the option of the Resident, to deposit 10 per cent. of the amount of their tenders on acceptance, and no portion of the deposit will be refunded till the *full* amount of Bills is received into the Treasury. This deposit will be forfeited in whole or in part, at the option of the Resident, in the event of non-compliance with the terms of the tender.
12. Persons whose tenders may be finally accepted will be required to pay the amount of their tenders into the Resident's Treasury between the 15th of the month to which the tenders refer and the 14th of the month following. No larger amount will be received on any one day into the Government Treasury than can be conveniently counted and examined by the establishment entertained for that purpose.
13. Persons whose tenders may be finally accepted will be required to pay the equivalent into the Resident's Treasury at Hyderabad in new Halli Sicca Rupees prior to the issue of Bills.
14. The Bills will be drawn at sight, in even thousands, and paid in Government Rupees at the Treasuries drawn upon. No Bill will be drawn for less than 5,000 Government Rupees, but Bills for sums in excess of this amount, in even thousands, will be issued to suit the convenience of purchasers.

N. B.—If when the last instalment of Land Revenue has been paid up the state of the collections should warrant such a course, a supplementary Notification will be issued stating whether any and what further limited amount will be available for withdrawal.

The following Statement shows the amount of the Actual Surplus withdrawn from Berar annually for the three years 1874—1876, and that which is estimated to be available for withdrawal for the year 1877.

MONTHS.	PRECEDING THREE YEARS.			Amount estimated for 1877, and for which tenders are now invited.
	1874.	1875.	1876.	
	Rs.	Rs.	Rs.	Rs.
Jan. ...	9,22,500	...	...	...
Feb. ...	16,37,500	15,00,000	19,65,000	*b*15,00,000
March ...	14,40,000	15,00,000	19,30,000	*c*15,00,000
April ...	*a*11,00,000	...	1,05,000	...
May ...	...	...	...	...
June ...	...	15,55,000	...	...
July ...	...	3,45,000	...	...
Aug. ...	...	...	...	...
Sep. ...	...	...	...	...
Oct. ...	...	...	...	...
Nov. ...	...	...	...	...
Dec. ...	...	...	...	...
TOTAL ...	*d*51,00,000	*d*49,00,000	*d*40,00,000	30,00,000

(*a*) This sum was placed by the Resident at the disposal of the Accountant General Bombay.
(*b*) At Akola 7½ lakhs. At Amraoti 7½ lakhs.
(*c*) At do 7½ do. At do 7½ do
(*d*) The average per annum from 1874 to 1876, Rs. 46,66,666.

(By Order)

C. B. EUAN SMITH,
First Assistant Resident.

R. H. HOLLINGBERY,
Asstt. Secretary to the Govt. of India.

MILITARY DEPARTMENT.

Camp Delhi, the 27th December 1876.

No. 1296.—His Excellency the Governor General in Council is pleased to make the following promotions and appointments in the Department of the Military Secretariat of the Government of India:—

Lieutenant-Colonel W. M. Lees, 1st Assistant Secretary, to be Deputy Secretary, *vice* Colonel A. B. Johnson, nominated to be Military Secretary to the Council of India.

Captain E. H. H. Collen, 2nd Assistant Secretary, to be 1st Assistant Secretary, *vice* Lieutenant-Colonel Lees.

Captain A. C. W. Crookshank, 3rd Assistant Secretary, to be 2nd Assistant Secretary, *vice* Captain Collen.

The above promotions will have effect from the 25th December 1876.

Captain T. Deane, Bengal Staff Corps, Adjutant of the Governor General's Body-Guard, to be 3rd Assistant Secretary, with effect from the date on which he may join and take up the duties of his appointment.

Major C. E. Bates, Wing Officer, 32nd (Punjab) Regiment of Native Infantry (Pioneers), will officiate as 3rd Assistant Secretary as a temporary arrangement until further orders.

The 1st January 1877.

No. 1.—The Viceroy and Governor General of India in Council has much gratification in announcing to the Native Armies of India that, with a view to the improvement of the condition of the Native Commissioned and Non-Commissioned Officers and Men serving in the Armies of the three Presidencies and the Punjab Frontier Force, the following measures, recommended by the Government of India, have received the sanction of Her Majesty's Government:—

I.—A grant of Rs. 30 will be made to every recruit of Artillery, Infantry, and Sappers and Miners, and to the Madras Cavalry and Governor General's Body-Guard, on enlistment, to aid in the provision of the established kit.

II.—An annual allowance of Rs. 4 will be given to every Non-Commissioned Officer, Drummer, and Private of Artillery, Infantry, and Sappers and Miners, and to the Madras Cavalry and Governor General's Body-Guard, in aid of half-mounting. This will not be given to soldiers of less service than eighteen months.

III.—Good-conduct pay at the rate* of one, two, and three rupees monthly will be granted in future as follows, *viz.*, to the Bengal Cavalry and Punjab Frontier Force, after three, nine, and fifteen years, instead of after six, ten, and fifteen years' service; and to the Madras Cavalry, to the Artillery of the Bombay Army and Punjab Frontier Force, and to the Infantry and Sappers and Miners of all three Presidencies, after a service of three, nine, and fifteen years, instead of one and two rupees after six and ten years, as at present.

IV.—Increased pay will be given to Native Commissioned Officers at the following rates, which include cantonment batta, *viz.*:—

GOVERNOR GENERAL'S BODY-GUARD.

		Per mensem. Rs.	A.	P.
1 Subadar	... ...	180	0	0
1 Jemadar	... ...	70	0	0
1 „	... ...	60	0	0

MADRAS CAVALRY.

Subadars ... one-half	... ...	150	0	0
„ „	... ...	110	0	0
Jemadars ... one-half	... ...	60	0	0
„ „	... ...	50	0	0

BODY-GUARD OF THE GOVERNOR OF BOMBAY.

1 Ressaldar	... ...	250	0	0
1 Ressaidar	... ...	135	0	0
1 Jemadar	... ...	70	0	0

* NOTE.—This advantage is already enjoyed by the Bombay Cavalry, the Privates of which draw on enlistment the highest rate of pay, inclusive of good-conduct pay, attainable by Privates of the Bengal Cavalry and Punjab Frontier Force.

BOMBAY CAVALRY EACH REGIMENT, INCLUDING THE SIND HORSE.

1 Ressaldar Major	... ...	300	0	0
1 Ressaldar	... ...	250	0	0
1 „	... ...	200	0	0
1 Ressaidar	... ...	150	0	0
1 „	... ...	135	0	0
1 „	... ...	120	0	0
1 Woordie Major	... ...	150	0	0
6 Naib Ressaldars	...	3 80	0	0
		3 75	0	0
6 Jemadars	...	3 70	0	0
		3 65	0	0

ARTILLERY.

Subadars ... after 6 years' service		100	0	0
„ ... under 6 „	...	80	0	0
Jemadars ... after 6 „	...	50	0	0
„ ... under 6 „	...	40	0	0

INFANTRY OF THE THREE PRESIDENCIES AND PUNJAB FRONTIER FORCE AND SAPPERS AND MINERS.

Subadars ... one-half	... ...	100	0	0
„ ... „	... ...	80	0	0
Jemadars ... one-half	... ...	50	0	0
„ ... „	... ...	40	0	0

In the Bombay Sappers and Miners two Subadars and three Jemadars will receive the higher rates, and the remaining Officers the lower rates of pay.

The allowance to all Subadar-Majors will be increased from Rs. 25 to Rs. 50 per mensem.

V.—Compensation for dearness of provisions, which is now granted to other branches of the service in the three Presidencies, will be extended to the Bengal Cavalry, including that of the Punjab Frontier Force.

The several indulgences thus granted to the Native Armies of India will have effect from the date on which Her Majesty's gracious assumption of the style and title of Empress of India is proclaimed to Her Majesty's subjects in this Empire, *viz.*, from the 1st January 1877.

No. 2.—In continuation of G. O. No. 1 of this date, His Excellency the Viceroy has much gratification in announcing to the Native Armies of India that, in order still further to record Her Imperial Majesty's appreciation of the services of the Native Officers, and in commemoration of the assumption of the Imperial title, the Right Hon'ble the Secretary of State has been pleased, on the recommendation of the Government of India, to sanction an increase to the Order of British India from its present establishment to 175 members of each class, proportioned as follows, to the three Armies:—

	1st Class.	2nd Class.
Bengal ...	... 88	88
Madras ...	... 53	53
Bombay ...	... 34	34
TOTAL	... 175	175
GRAND TOTAL	... 350	

2. G. G. O. No. 551 of 1868 is cancelled. All vacancies in the above establishment will hereafter be filled up as they occur, whether caused by an effective or non-effective member.

3. In pursuance of the above, His Excellency the Governor General in Council is pleased to admit the following Native Officers to the 1st and 2nd Classes, respectively, of the Order of British India:—

To the 1st Class, with the title of "Sirdar Bahadur."

BENGAL.

Inspector, 4th Class, Khan Sing, Oude Police, late Ferozepore Regiment.
Ressaldar-Major Raheemdad Khan, "Bahadur," 2nd Bengal Cavalry.
Subadar-Major Thakoorpersad Misser, "Bahadur," 4th Regiment Native Infantry.
Subadar Gobrayh Sing, "Bahadur," 8th Regiment Native Infantry.
Subadar-Major Shawa Ram, "Bahadur," 13th (The Shekhawattee) Regiment Native Infantry.
Subadar-Major Ram Rutton, "Bahadur," 15th (The Loodianah) Regiment Native Infantry.
Subadar Ramchurun, "Bahadur," 38th (The Agra) Regiment Native Infantry.
Subadar-Major Runbahadoor Singh, "Bahadur," 42nd (Assam) Regiment Native Light Infantry.
Subadar-Major Bahadoor, "Bahadur," 43rd (Assam) Regiment Native Light Infantry.
Subadar Runbeer, "Bahadur," 1st Goorkha Regiment Light Infantry.
Subadar Surrupjeet Thappa, "Bahadur," 2nd (Prince of Wales' Own) Goorkha Regiment (The Sirmoor Rifles).
Subadar-Major Taij Bahadur Khawas, "Bahadur," 3rd Goorkha (The Kemaoon) Regiment.
Ressaldar Ramtuhul Sing, "Bahadur," 4th Punjab Cavalry, Punjab Frontier Force.
Subadar-Major Unoka Sing, "Bahadur," 5th Regiment Native Light Infantry.
Subadar-Major Jewun Sing, "Bahadur," 32nd (Punjab) Regiment Native Infantry (Pioneers).
Subadar Hubbeeboollah Khan, "Bahadur," Governor General's Body-Guard.
Subadar-Major Kurrug Sing Rana, "Bahadur," 44th (Sylhet) Regiment Native Light Infantry.
Subadar-Major Bullea Thappa, "Bahadur," 4th Goorkha Regiment.
Subadar Sewsahie Sing, "Bahadur," 34th (The Futtehgurh) Regiment Native Infantry.
Ressaldar Ausuf Ally, "Bahadur," 3rd Bengal Cavalry.
Subadar-Major Bussawun Singh, "Bahadur," Corps of Sappers and Miners.
Subadar-Major Kurramutoollah Khan, "Bahadur," 33rd (The Allahabad) Regiment Native Infantry.
Subadar-Major Pyabb, "Bahadur," 1st Punjab Infantry, Punjab Frontier Force.
Ressaldar Kumrooddeen Khan, "Bahadur," 17th Bengal Cavalry.
Subadar-Major Bulwunt Sing, "Bahadur," 6th Regiment Native Light Infantry.
Subadar Sewbuccus Doobey, "Bahadur," 11th Regiment Native Infantry.
Ressaldar-Major Meer Jaffir Ally, "Bahadur," 5th Punjab Cavalry, Punjab Frontier Force.
Ressaldar-Major Allaooddeen Khan, "Bahadur," 2nd Cavalry, Hyderabad Contingent.
Subadar Ram Chunder, "Bahadur," 2nd (Prince of Wales' Own) Goorkha Regiment (The Sirmoor Rifles).

Subadar Hoomail Khan, "Bahadur," 42nd (Assam) Regiment Native Light Infantry.
Subadar Ramoo Kuthait, "Bahadur," 13th (The Shekhawattee) Regiment Native Infantry.
Ressaldar Moortuza Khan, "Bahadur," 6th Bengal Cavalry.

MADRAS.

Subadar-Major Sheik Homed, "Bahadur," 6th Regiment Native Infantry.
Subadar-Major Sheik Surver, "Bahadur," 29th Regiment Native Infantry.
Subadar-Major Kistnamah, "Bahadur," 41st Regiment Native Infantry.
Subadar-Major Mootoosawmy, "Bahadur," 5th Regiment Native Infantry.
Subadar-Major Sheik Hussein, "Bahadur," 26th Regiment Native Infantry.
Subadar Rungasawmy, "Bahadur," 26th Regiment Native Infantry.
Subadar Jehangir Khan, "Bahadur," 26th Regiment Native Infantry.
Subadar Nirsumaloo, "Bahadur," 14th Regiment Native Infantry.
Subadar-Major Soobiah, "Bahadur," 35th Regiment Native Infantry.
Subadar-Major Mahomed Cassim, 30th Regiment Native Infantry.
Subadar-Major Luchmun Sing, 27th Regiment Native Infantry.
Subadar-Major Mohdeen Khan, 28th Regiment Native Infantry.
Subadar-Major Sheik Homed, 3rd Regiment Light Infantry.
Subadar-Major Mahomed Cassim, 3rd Regiment Light Cavalry.
Subadar-Major Appavoo, 25th Regiment Native Infantry.
Subadar-Major Dalliah, 17th Regiment Native Infantry.
Subadar-Major Appiah, 7th Regiment Native Infantry.
Subadar-Major Bauboo Ram, 38th Regiment Native Infantry.
Subadar-Major Yacoob Khan, 13th Regiment Native Infantry.

BOMBAY.

Ressaldar-Major Bennee Sing, "Bahadur," 3rd (Queen's Own) Regiment Light Cavalry.
Subadar-Major Simailjee Israel, "Bahadur," 27th Regiment Native Light Infantry, or 1st Belooch Regiment.
Subadar Ballojee Moray, "Bahadur," Corps of Sappers and Miners.
Subadar Shaik Emam Dharwar, "Bahadur," No. 1 Mountain Battery, Native Artillery.
Subadar Saye Errapa, "Bahadur," Corps of Sappers and Miners.
Ressaldar-Major Meer Kassum Ali, "Bahadur," 3rd Regiment Sind Horse.
Subadar-Major Samueljee Issajee, "Bahadur," 3rd Regiment Native Light Infantry.
Subadar-Major Peetamber, "Bahadur," 29th Regiment Native Infantry, or 2nd Belooch Regiment.
Subadar-Major Chundum Ditchit, "Bahadur," 15th Regiment Native Infantry.
Subadar-Major Rubenjee Israel, "Bahadur," 8th Regiment Native Infantry.
Ressaldar-Major Hoosain Bux, "Bahadur," Poona Horse.
Ressaldar-Major Moostuffa Khan, "Bahadur," 1st Regiment Sind Horse.
Subadar-Major Shaik Muddar, "Bahadur," 25th Regiment Native Light Infantry.
Subadar-Major Shaik Oosman, "Bahadur," 9th Regiment Native Infantry.
Subadar-Major Shaik Esmall, "Bahadur," 21st Regiment Native Infantry, or Marine Battalion.
Ressaldar-Major Shaik Hoosain, 2nd Regiment Light Cavalry.
Subadar-Major Devee Sing, 20th Regiment Native Infantry.
Subadar-Major Appurbul Sing, 14th Regiment Native Infantry.

To the 2nd Class, with the title of "Bahadur."

BENGAL.

Subadar-Major Gunnesha Sing, 27th (Punjab) Regiment Native Infantry.
Subadar-Major Gomundha Singh, 2nd Sikh Infantry, Punjab Frontier Force.
Subadar-Major Abdoolah Khan, 26th (Punjab) Regiment Native Infantry.
Subadar-Major Russool Khan, 6th Punjab Infantry, Punjab Frontier Force.
Subadar-Major Peer Bux, 22nd (Punjab) Regiment Native Infantry.
Subadar-Major Sohunlall Tewarry, 8th Regiment Native Infantry.
Subadar-Major Bhundoo Ram, Deolee Irregular Force, Infantry.
Ressaldar-Major Jaffer Ally Khan, 3rd Punjab Cavalry, Punjab Frontier Force.
Subadar-Major Murdan Ali Shah, No. 1 Mountain Battery, Punjab Frontier Force.
Ressaldar-Major Khanan Khan, Aide-de-Camp to the Viceroy, (Queen's Own) Corps of Guides, Cavalry.
Subadar-Major Jhummun Singh, 17th (The Loyal Poorbeah) Regiment Native Infantry.
Ressaldar-Major Sheikh Bahadoor, 1st Cavalry Hyderabad Contingent.
Subadar-Major Sheck Muhboob, 3rd Regiment Native Infantry.
Subadar-Major Urjoon Singh, 19th (Punjab) Regiment Native Infantry.
Subadar Gamah Khan, 24th (Punjab) Regiment Native Infantry.
Subadar Hookum Sing, 45th (Rattray's Sikhs) Regiment Native Infantry.
Subadar Nehal Singh, 20th (Punjab) Regiment Native Infantry.
Subadar Khoaj Mahomed, 9th Regiment Native Infantry.
Ressaldar Ram Sing, 2nd Regiment Central India Horse.
Subadar Siboo Sing Nagee, 3rd Goorkha (The Kemaoon) Regiment.
Subadar Chuttur Bhoj Awusthe, 4th Regiment Native Infantry.
Subadar Bhola Persad Sookl, Corps of Sappers and Miners.
Subadar Nehal Singh, 14th (The Ferozepore) Regiment Native Infantry.
Ressaldar Jehangeer Khan, 10th Bengal Lancers.
Subadar Runbeer Khuttree, 2nd (Prince of Wales' Own) Goorkha Regiment (The Sirmoor Rifles).
Subadar Sewtahal Sing, 2nd (Queen's Own) Regiment Native Light Infantry.

Subadar Goburdun Sing, 41st (The Gwalior) Regiment Native Infantry.
Ressaldar Tahour Khan, 6th Bengal Cavalry.
Subadar Rambuccus Misr, Nepal Escort.
Ressaidar and Woordie-Major Emam Buksh Khan, 15th Bengal Cavalry.

MADRAS.

Subadar-Major Mherwar Sing, 40th Regiment Native Infantry.
Subadar-Major Sheik Emaum, 15th Regiment Native Infantry.
Subadar-Major Nagiah, 31st Regiment Light Infantry.
Subadar-Major Veeragoo, 23rd Regiment Light Infantry.
Subadar-Major Venketsawmy, 8th Regiment Native Infantry.
Subadar-Major Bowani Sing, 16th Regiment Native Infantry.
Subadar-Major Sheik Booden, 4th Regiment Native Infantry.
Subadar-Major Abdool Nubby, 1st Regiment Light Cavalry.
Subadar Sirdar Khan, 1st Regiment Native Infantry.
Subadar Sheik Mirdeen, 19th Regiment Native Infantry.
Subadar Sheik Abdool Cawder, 2nd Regiment Native Infantry.
Subadar Syed Ahmed, 36th Regiment Native Infantry.
Subadar Sheik Secunder, 37th Regiment Native Infantry (Grenadiers).
Subadar Homed Beg, 9th Regiment Native Infantry.
Subadar Manuel Davis Cozen, 34th Regiment Light Infantry.
Subadar Sheik Oosman, 32nd Regiment Native Infantry.
Subadar Pethepeermal, 39th Regiment Native Infantry.
Subadar Rungiah, 22nd Regiment Native Infantry.
Subadar Mohomed Moideeree, 11th Regiment Native Infantry.
Subadar Syed Abdool Cawder, 10th Regiment Native Infantry.
Subadar Ghoolam Nubbee, 20th Regiment Native Infantry.
Subadar Yacoob Khan, 33rd Regiment Native Infantry.

BOMBAY.

Subadar-Major Louis Gabriel, 23rd Regiment Light Infantry.
Subadar-Major Shaik Sooltan, 6th Regiment Native Infantry.
Subadar-Major Solomon Elijah, 19th Regiment Native Infantry.
Subadar-Major Durriow Sing, 18th Regiment Native Infantry.
Subadar-Major Mahomed Khan, 11th Regiment Native Infantry.
Subadar-Major Bheema Nair, 26th Regiment Native Infantry.
Subadar-Major Lakshemon Rao Dongrey, 7th Regiment Native Infantry.
Subadar-Major Ittoojee Jadow, 24th Regiment Native Infantry.
Subadar-Major Essobjee Israel, 16th Regiment Native Infantry.
Subadar-Major Sayajee Scinday, 2nd (Prince of Wales' Own) Regiment Native Infantry (Grenadiers).
Subadar-Major Mahadoo Seerka, 22nd Regiment Native Infantry.
Subadar-Major Miosajee Israel, 17th Regiment Native Infantry.
Subadar-Major Wullee Mahomed, 1st Regiment Native Infantry (Grenadiers).
Subadar-Major Hajjee Khan, 30th Regiment Native Infantry, or Jacob's Rifles.
Subadar-Major Shaik Oomer, 10th Regiment Native Light Infantry.
Ressaldar-Major Shadee Khan, 2nd Regiment Sind Horse.
Subadar Shaik Mohideen, 9th Regiment Native Infantry.
Subadar Gunness Sing, 28th Regiment Native Infantry.
Subadar Shaik Abdoola, 13th Regiment Native Infantry.
Subadar Raghojee Moruskur, 4th Regiment Native Infantry, or Rifle Corps.
Subadar Bheeka, 3rd Regiment Native Light Infantry.

No. 3.—His Excellency the Governor General of India in Council is pleased to notify, with the sanction of Her Majesty's Government, that in future the British Officers attached to Native Regiments will, save in the case of the Commandant, be placed in two classes as respects designation.

2. Squadron and Wing Officers, including the Second in Command, will be designated Squadron and Wing "Commanders," and the remainder, including the Adjutant in the Cavalry, and the Adjutant and Quartermaster in the Infantry, will be styled Squadron and Wing "Officers" respectively. The post of Adjutant in the Cavalry, and of Adjutant and Quartermaster in the Infantry, will be filled by one of the Squadron or Wing Officers.

3. It is also notified, that in future Officers of Native Regiments nominated to purely Military or personal Staff appointments, tenable for fixed periods, will be "seconded" in their Regiments.

4. An Officer thus seconded will continue to hold his position in the Regiment, and be eligible to be promoted in room of any vacancy as if he were present, and will revert to his Regimental appointment on the expiration of his tour of Staff service.

No. 4.—His Excellency the Governor General in Council is pleased to announce that a Band will be allowed in every Regiment of Native Infantry in the three Presidencies, or Punjab Frontier Force, in which the Officers express a desire to establish one, and that in such cases the usual allowance will be granted in aid of its maintenance.

No. 5.—The following announcement in the *London Gazette* of this date is re-published for general information:—

WAR OFFICE, PALL MALL,
The 1st January 1877.

"The Queen has been graciously pleased, on the occasion of the Proclamation this day at Delhi of the addition of Empress of India to Her Majesty's Royal style and titles, to approve the Honorary Rank of General in the Army being conferred on His Highness Jioji Rao Sindia, G.C.S.I., Maharaja of Gwalior, and His Highness Ranbir Singh, G.C.S.I., Maharaja of Jammu and Cashmere."

No. 6.—Subject to the approval of Her Majesty's Government, His Excellency the Viceroy and Governor General has been pleased to confer on Rahim Khan, Khan Bahadoor, Assistant Surgeon, Lahore, the rank of Honorary Surgeon.

No. 7.—His Excellency the Governor General in Council is pleased, on the occasion of the assumption by Her Most Gracious Majesty the Queen, of the Title of Empress of India, to grant a day's pay to every petty Officer and Seaman and to every Non-Commissioned Officer and Private of the Royal Marines on board the vessels of the Royal Navy serving in the Indian Seas.

A day's pay, including good-conduct pay, will also be granted to every Non-Commissioned Officer and Soldier, British and Native, of Her Majesty's Army in India, and to every Non-Commissioned Officer and Private of the Volunteer Force present at the Imperial Assemblage.

No. 8.—With reference to the G. G. Os. noted in the margin, and with the sanction of Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to notify that:—

No. 656, dated the 25th June 1874.
No. 1, dated the 1st January 1875.
No. 294, dated the 15th March 1875.
No. 1, dated the 1st January 1876.

I. During the year 1877 ninety (90) Officers of the Staff Corps, and Cavalry and Infantry of the Indian Army, will be permitted to retire from the service, receiving, in addition to the pension to which they may be entitled by length of service under existing regulations, not exceeding the full-pay pension of a Colonel (£456-5-0 per annum), an annuity representing the estimated value of their prospective claim to the Colonel's allowance, or its capitalized value as they may prefer.

II. This offer is restricted to substantive Lieutenant-Colonels who shall have completed 28 years' service, from the date of first commission, on or before the date from which they apply to retire, who may either, 1st, have been appointed to one of the Staff Corps on or before the 12th September 1866, and can claim the Colonel's allowance under the provisions of G. G. O. No. 808 of the 26th September 1866, or 2ndly, may be entitled, under G. O. G. G. of the 12th September 1862, to the Colonel's allowance after 12 years' service in the rank of Lieutenant-Colonel.

III. The number allowed to retire under these conditions will be distributed as follows:—

For Bengal	...	40
„ Madras	...	30
„ Bombay	...	20
TOTAL	...	90

In the event of the whole of the retirements allotted to a particular Presidency not being taken up in that Presidency, those remaining will be distributed in such manner as may be determined by the Government of India.

IV. Applications to retire will be considered and disposed of successively according to priority of proposed dates of retirement until the number of retirements allotted to the service shall have been accomplished, when retirements under this order will cease for the year. In the event of its becoming necessary to select one from among two or three applicants for retirement on the same day, preference will be given according to seniority from the date of first commission.

V. Officers wishing to retire under the terms of this order must, whether in or out of India, submit their applications to the Office of the Adjutant-General of their respective Presidencies, naming such prospective dates for their retirements, as will admit of the receipt of their applications by the Adjutant-General on or before the date named, such date not to be earlier than the 1st April 1877.

VI. Officers whose applications are accepted, will be gazetted out from the dates named by themselves, but will continue to perform their duties and receive the pay and allowances of their positions until officially informed of their removal from the effective list, either by direct communication, or by publication of the Gazette at the station at which they may be serving.

VII. Officers retiring under this arrangement will forego both the good service pension, if they are in receipt thereof, and all claim to bonus compensation under the terms of the despatch of the 8th of August 1866,* No. 160.

* G. G. O. No. 808 of 26th September 1866.

VIII. Applicants to retire must state—
1st.—Their rank and service.
2nd.—Their age (supported by certificate of birth, or in its absence, by a formal declaration).
3rd.—Whether they wish to receive commutation for their prospective allowances in the shape of an annuity, or to capitalize its value. Officers who desire to receive the capitalized value of the annuity must attach to their applications a certificate in the form given in Appendix A. In the case of Officers retiring out of India, the health certificate required will be called for and furnished under instructions from the India Office in London.
4th.—Whether they desire to receive payment, wholly, or in part, in India, or in England.

IX. The Table given in Appendix B shows the rates at which the expectation of the Colonel's allowance will be calculated in carrying this order into effect in the case of Officers of various ages and service.

X. For the purpose of arriving at the amount payable in each case, whether as an annuity or in a single payment, Officers' ages will be calculated from their birthday next succeeding the date from which they propose to retire, and the number of years they have to serve before becoming entitled to the Colonel's allowance will be calculated from the date of the proposed retirement. When the period to serve contains a fraction of a year, the fraction, if it be six months or under six months, will be excluded altogether; if it exceeds six months, it will be reckoned as a complete year.

XI. Payments of the *capitalized value* of the annuity made in India under this order will be at the rate of 1*s.* 10½*d.* for the rupee.

XII. Officers who elect to receive an annuity in preference to the capital sum, will not, after their retirements have appeared in the Gazette, be allowed to capitalize such annuity under the provisions of this order; and it is to be understood that no separate applications from individual Officers to retire after the present retirements have been allotted will be entertained on the basis of this order.

XIII. Officers of the half-pay list of the Staff Corps will be permitted, if disposed to retire from the service, to avail themselves of this scheme of retirement, provided they are eligible thereto by the fulfilment, previously to their transfer to the half-pay list, of all the conditions required. The time passed by an Officer on the half-pay list of the Staff Corps will not count towards the 12 years in the grade of Lieutenant-Colonel required to qualify for promotion to the Colonel's allowance.

XIV. No application from Officers to cancel their retirement or to change the date of such retirement will be entertained after it has been announced in the official Gazette of the Presidency to which they belong.

APPENDIX A.

FORM OF MEDICAL CERTIFICATE IN THE CASE OF AN OFFICER IN INDIA APPLYING FOR THE CAPITALIZED VALUE OF THE ANNUITY.

I certify that I have examined Lieutenant-Colonel _____ of the _____ and find him to be in a state of health which affords the prospect of an average duration of life.

Station and date. *Surgeon.*

N. B.—The certificate to be in the handwriting of, and signed in India by, the Medical Officer in charge of the Regiment; or if the Officer who applies to capitalize his annuity is not serving with a Regiment, then by some other Civil or Military Medical Officer not under the rank of Surgeon-Major.

APPENDIX B.

TABLE FOR THE VALUATION OF PROSPECTIVE COLONEL'S ALLOWANCE.

Years to serve.	1. Values.	2. Ages.	3. Annuities.	1. Values.	2. Ages.	3. Annuities.	1. Values.	2. Ages.	3. Annuities.	1. Values.	2. Ages.	3. Annuities.	1. Values.	2. Ages.	3. Annuities.	1. Values.	2. Ages.	3. Annuities.
	£		£ s.	£		£ s.	£		£ s.	£		£ s.	£		£ s.	£		£ s.
12	2,310	42	176 10	2,231	43	172 13	2,160	44	169 9	2,095	45	166 17	2,037	46	164 16	1,984	47	163 6
11	2,508	43	194 5	2,425	44	190 5	2,351	45	187 4	2,285	46	184 16	2,226	47	183 5	2,174	48	182 6
10	2,726	44	213 17	2,640	45	210 4	2,564	46	207 8	2,496	47	205 10	2,439	48	204 11	2,390	49	204 9
9	2,967	45	236 6	2,879	46	232 18	2,801	47	230 12	2,735	48	229 8	2,682	49	229 8	2,640	50	230 9
8	3,236	46	261 15	3,145	47	258 19	3,069	48	257 8	3,008	49	257 5	2,962	50	258 11	2,930	51	261 6
7	3,536	47	291 1	3,446	48	289 1	3,375	49	288 14	3,321	50	289 19	3,288	51	293 4	3,244	52	295 8
6	3,874	48	324 18	3,790	49	324 4	3,727	50	325 7	3,687	51	328 16	3,640	52	331 9	3,583	53	333 5
5	4,260	49	364 8	4,185	50	365 7	4,137	51	368 19	4,081	52	371 13	4,012	53	373 18	3,949	54	375 9
4	4,704	50	410 14	4,646	51	414 6	4,580	52	417 1	4,508	53	419 6	4,431	54	421 19	4,363	55	421 14
3	5,222	51	465 14	5,143	52	468 6	5,058	53	470 10	4,969	54	472 1	4,876	55	473 4	4,776	56	473 11
2	5,781	52	526 8	5,680	53	528 7	5,576	54	529 14	5,467	55	530 12	5,358	56	531 7	5,243	57	531 7
1	6,385	53	593 18	6,261	54	594 17	6,135	55	595 8	6,008	56	595 17	5,883	57	596 5	5,750	58	595 18
0	7,038	54	668 12	6,890	55	668 12	6,742	56	668 12	6,597	57	668 12	6,452	58	668 12	6,302	59	668 12
	£		£ s.	£		£ s.	£		£ s.	£		£ s.	£		£ s.			
12	1,935	48	162 6	1,888	49	161 11	1,849	50	161 8	1,817	51	162 1	1,779	52	162 19			
11	2,128	49	182 0	2,085	50	182 1	2,052	51	183 0	2,012	52	183 4	1,965	53	182 15			
10	2,349	50	205 2	2,315	51	206 9	2,271	52	206 17	2,222	53	206 13	2,165	54	205 14			
9	2,608	51	232 12	2,562	52	233 7	2,509	53	233 7	2,449	54	232 13	2,388	55	231 5			
8	2,887	52	262 18	2,830	53	263 5	2,766	54	262 15	2,695	55	261 11	2,619	56	259 13			
7	3,189	53	296 12	3,120	54	296 8	3,043	55	295 7	2,962	56	293 14	2,875	57	291 7			
6	3,515	54	333 19	3,433	55	333 3	3,344	56	331 13	3,252	57	329 11	3,153	58	326 15			
5	3,868	55	375 7	3,773	56	374 2	3,672	57	373 3	3,566	58	369 11	3,456	59	366 13			
4	4,251	56	421 10	4,142	57	419 16	4,027	58	417 6	3,909	59	414 13	3,789	60	411 18			
3	4,667	57	472 19	4,542	58	471 15	4,414	59	468 5	4,285	60	465 17	4,157	61	464 2			
2	5,118	58	530 8	4,979	59	528 4	4,839	60	526 1	4,701	61	524 18	4,555	62	523 11			
1	5,610	59	595 3	5,458	60	593 9	5,309	61	592 0	5,152	62	592 2	4,986	63	591 4			
0	6,150	60	668 12	5,989	61	668 12	5,818	62	668 12	5,639	63	668 12	5,460	64	668 12			

DIRECTIONS FOR THE USE OF THE TABLE.

Find in the marginal column to the left of the Table the number of years the Officer has to serve before becoming entitled to the Colonel's allowance, and then in the same line of the Table the Officer's age—(in column 2).

The figure in the same line to the right of his age (in column No. 3, "Annuities") shews the annuity, and the figure to the left of his age (under column No. 1, "Values") shews the capitalized value of the annuity offered to him under this order.

EXAMPLE.—Lieutenant-Colonel A. applies to retire on the 1st April 1877. He will be 49 years of age on the 4th May 1877. He will become entitled to the Colonel's allowance on the 1st August 1882. For the purpose of making the calculation his age is 49, and the time he has to serve for the Colonel's allowance being five years and four months; the time he has to serve, for the purpose of the calculation under para. X of the order, is five years. The annuity offered to him is £364[illegible]-0, and its capitalized value is £4,260.

The 5th January 1877.

No. 9.—FURLOUGH AND LEAVE—

The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave :—

Lieutenant-Colonel (Brevet Colonel) Henry Stuart Bivar, Bengal Staff Corps, 1st Grade Deputy Commissioner, Khási and Jaintiá Hills, Assam,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Major Albert Seagrim, Bengal Staff Corps, Deputy Judge Advocate, Pesháwar and Rawul Pindi Circle,—private affairs, for five months, under Rule IX of the Regulations of 1868.

Surgeon-Major Joseph Christian Corbyn, M.B., Medical Department,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 10.—FURLOUGH AND LEAVE—

Honorary Surgeon William Arnold Kidd, Subordinate Medical Department, Superintendent, Hospital Apprentice Class, Medical College, Calcutta, is granted leave of absence for two months, with effect from the date on which he may avail himself of it, to visit Dinapore, on medical certificate, under the Regulations of 1868.

No. 11.—The under-mentioned Officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Bengal Staff Corps.

Lieutenant George Hugh Coles Dyce.	Lieutenant Augustus Keith Abbott.	}	30th December 1876.

No. 12.—PROMOTIONS—

1*st Bengal Cavalry.*—Jemadar Ukbur Ullee, to be Ressaidar, *vice* Sooltan Khan, deceased; Kote Duffadar Soorajoodeen, to be Jemadar, *vice* Ukbur Ullee, promoted. Dated the 7th December 1876.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 5th January 1877.

No. 1.—The following Officers and Subordinates are temporarily transferred from Bengal, Irrigation Branch, to Madras and Bombay, respectively, for employment on famine relief work :—

To MADRAS.

Mr. E. deGrousilliers, Executive Engineer, 3rd Grade.
Mr. F. G. Brooks, Executive Engineer, 3rd Grade.
Mr. G. W. Faulkner, Assistant Engineer, 1st Grade.
Mr. C. V. S. Cotton, Assistant Engineer, 2nd Grade.
Mr. A. J. Oldham, Assistant Engineer, 2nd Grade.
Mr. J. P. Scotland, Assistant Engineer, 2nd Grade.
Mr. T. Fouracres, Sub-Engineer, 1st Grade.
Mr. E. Bicknell, Sub-Engineer, 2nd Grade.
Mr. W. Johnstone, Supervisor, 1st Grade.

To BOMBAY.

Mr. N. E. Jennings, Temporary Assistant Engineer, 1st Grade.
Mr. A. M. Salmon, Assistant Engineer, 2nd Grade.

No. 2.—The services of Colonel F. J. Davies, B.I., Executive Engineer, 1st Grade, Military Works Branch, are replaced at the disposal of the Military Department, under the provisions of Public Works Department Notification No. 278, dated 23rd May 1872.

No. 3.—Mr. (late Sergeant) J. Low, Overseer, 1st Grade, and Assistant Master, Thomason Civil Engineering College, having obtained his discharge from the Army, is re-appointed to the Public Works Department as a Civilian in the same grade, with effect from 4th July 1876.

No. 4.—Mr. (late Sergeant) J. Williams, Overseer, 1st Grade, Central India, having obtained his discharge from the Army, is re-appointed to the Department as a Civilian in the same grade, with effect from 10th January 1876.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

Nº 2. CALCUTTA, SATURDAY, JANUARY 13, 1877. Register No. 33.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General :—

The Opium Act, 1876.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.—*(Nothing for publication.)*

SUPPLEMENT No. 2.

PART I.

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

FOREIGN DEPARTMENT.

NOTIFICATION.—POLITICAL.

Camp Delhi, the 30th December 1876.

No. 24 *D. C. P.*—On Tuesday, the 26th December 1876, His Excellency the Viceroy and Governor General received, with the usual ceremonies, the visits of the Ambassadors of His Majesty the King of Siam and His Highness the Maharaj Adhiraj of Nepal, and also of the following Native Chiefs :—

The Maharao Raja of Alwar.
The Gaekwar of Baroda.
The Maharaja of Benares.
The Nawab of Bhawalpur.
The Maharaja of Bhurtpore.
The Maharaja of Balrampur.
The Maharao Raja of Bundi.
The Rana of Dholpur.
The Nizam of Hyderabad.
The Maharaja of Jaipur.
The Maharaj Rana of Jhallawar.
The Raja of Jhind.
The Maharaja of Jodhpur.
The Maharaja of Jammu and Cashmere.
The Maharaja of Karauli.
The Maharaja of Kishengarh.
The Maharaja of Mysore.
The Raja of Nabha.
The Raja of Tehri.
The Nawab of Tonk.
The Maharana of Udaipur.

On Wednesday, the 27th December 1876, His Excellency the Viceroy and Governor General received, with the usual ceremonies, the visits of the following Native Chiefs of Central India :—

The Maharaja of Ajeygarh.
The Begum of Bhopal.
The Maharaja of Bijawar.
The Raja of Chattarpur.
The Maharaja of Chirkari.
The Maharaja of Dattia.
The Raja of Dewas.
The Raja of Dhar.
The Maharaja Sindia of Gwalior.
The Maharaja Holkar of Indore.
The Nawab of Jaurah.
The Maharaja of Urcha (Tehri).
The Maharaja of Panna.
The Raja of Ratlam.
The Maharaja of Rewah.
The Raja of Sampthar.

On the same day His Excellency the Viceroy and Governor General returned the visits of the following Native Chiefs of Rajputana and the Punjab :—

The Maharao Raja of Alwar.
The Nawab of Bhawalpur.
The Maharaja of Bhurtpore.
The Maharao Raja of Bundi.
The Rana of Dholpur.
The Maharaja of Jaipur.
The Maharaj Rana of Jhallawar.
The Raja of Jhind.
The Maharaja of Jodhpur.
The Maharaja of Jammu and Cashmere.
The Maharaja of Karauli.
The Maharaja of Kishengarh.
The Raja of Nabha.
The Nawab of Tonk.
The Maharana of Udaipur.

On Thursday, the 18th December 1876, His Excellency the Viceroy and Governor General received, with the usual ceremonies, the visits of the Deputation from His Highness the Sultan of Muscat and of the following Native Chiefs :—

The Prince of Arcot.
The Thakur Sahib of Bhaunagar.
The Raja of Kahlur (Bilaspur).
The Raja of Chamba.
The Raja of Faridkot.
The Nawab of Junagarh.
Mir Ali Murad Khan of Khairpur.
The Nawab of Maler Kotla.
The Raja of Mandi.
The Thakur Sahib of Morvi.
The Raja of Nahan (Simur).
The Jam of Nauanagar.
The Raja of Rajpipla.
The Raja of Suket.

On the same day His Excellency the Viceroy and Governor General returned the visits of the following Native Chiefs of Central India :—

The Maharaja of Ajeygarh.
The Begum of Bhopal.
The Maharaja of Bijawar.
The Maharaja of Chirkari.
The Raja of Chattarpur.
The Raja of Dewas.
The Raja of Dhar.
The Maharaja of Dattia.
The Maharaja Sindia of Gwalior.
The Maharaja Holkar of Indore.
The Nawab of Jaurah.
The Maharaja of Urcha.
The Maharaja of Panna.
The Raja of Ratlam.
The Maharaja of Rewah.
The Raja of Sampthar.

On Friday, the 29th December 1876, His Excellency the Viceroy and Governor General received, with the usual ceremonies, the visits of the Khan of Khelat, the Princess of Tanjore, and the following Native Chiefs and Nobles :—

The Jagirdar of Alipura.
The Raja of Bamra.
The Raja of Beronda.
Suliman Shah of Deogarh.
The Raja Janoji Bhonsla of Deor.
The Nawab of Dojana.
The Rao of Jigni.
The Raja of Kharond.
The Mahant of Kondka (Chinkadon).
The Raja of Kuch Behar.
The Sirdar of Kalsia.
The Nawab of Loharu.
The Mahant of Nandgaon.
The Jagirdar of Paldeo.
The Nawab of Pataudi.
The Thakur of Piploda.
The Jagirdar of Tori-Fatehpur.
Nana Ahir Rao.

In the afternoon of the same day His Excellency the Viceroy and Governor General returned the visits of the Khan of Khelat and the following Chiefs :—

The Gaekwar of Baroda.
The Maharaja of Benares.
The Thakur Sahib of Bhaunagar.
The Nawab of Junagarh.
Mir Ali Murad Khan of Khairpur.
The Maharaja of Mysore.
The Jam of Nauanagar.
The Raja of Rajpipla.

Later in the evening His Excellency the Viceroy and Governor General conferred Banners and Gold Medals on His Excellency the Governor of Madras and the Lieutenant-Governors of Bengal, North-West Provinces, and the Punjab, and Gold Medals on the Members of the Supreme Council, the Chief Commissioners of Oudh, Central Provinces, British Burma, Assam and Mysore, the Resident at Hyderabad, and the Agents to the Governor General in Central India, Rajputana, and Baroda.

At 10 A. M. on Saturday, the 30th December 1876, His Excellency the Viceroy and Governor General received the Consular Officers of Foreign Governments present at Delhi, and conferred Silver Medals upon them; and immediately afterwards His Excellency received and conferred Gold Medals on Sir Lewis Pelly and the Hon'ble Ashley Eden, C.S.I. Silver Medals were then conferred on the Secretaries to the Government of India and the Venerable the Archdeacon of Calcutta.

At 10-30 A. M. His Excellency received the Native Noblemen and Gentlemen, not being Ruling Chiefs, who had been invited by Local Governments and Administrations and Agencies to be present at the Imperial Assemblage.

In the afternoon His Excellency the Viceroy and Governor General returned the visits of—

The Prince of Arcot.
The Nizam of Hyderabad.
The Raja of Nahan.
The Princess of Tanjore.

On return to Camp, His Excellency received visits from His Excellency the Governor General of Portuguese India and His Excellency the Governor of Bombay,

and decorated them with Gold Medals, and presented a Banner to His Excellency the Governor of Bombay.

The principal Chiefs, at their visits to His Excellency, received Silken Banners, with the Armorial Bearings of the Chief emblazoned thereon and pendant from a pole surmounted by the Imperial Crown and a tablet on which the name of the Chief was inscribed; and all Chiefs, Native Nobles, and Gentlemen received Medals, gold or silver, according to rank, as gifts from Her Majesty the Queen and Empress of India.

When conferring the Banners and Medals, His Excellency the Viceroy addressed each Chief as follows:—

"I present Your Highness with this Banner as a personal gift from Her Majesty the Queen in commemoration of Her assumption of the Title of Empress of India.

"Her Majesty trusts that it may never be unfurled without reminding you, not only of the close union between the Throne of England and your loyal and princely House, but also of the earnest desire of the Paramount Power to see your dynasty strong, prosperous, and permanent.

"I further decorate you, by command of the Queen and Empress, with this Medal. May it be long worn by yourself, and long kept as an heirloom by your family, in remembrance of the auspicious date it bears."

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

IMPERIAL ASSEMBLAGE.

FOREIGN DEPARTMENT.

NOTIFICATIONS—POLITICAL.

Camp Delhi, the 1st January 1877.

No. 1 *D. C. P.*—On Monday, the 1st of January 1877, the Viceroy and Governor General of India held an Imperial Assemblage at Delhi for the purpose of proclaiming to the Chiefs and People of India the assumption of the title "EMPRESS OF INDIA" by Her Most Gracious Majesty the QUEEN.

The Assemblage was held in pavilions erected for the purpose on the plain to the north of the Viceregal Camp.

The Governors of Madras and Bombay, the Lieutenant-Governors of the Punjab, Bengal, and the North-West Provinces, the Commander-in-Chief in India, the Ruling Chiefs present at Delhi with their Attendants, and High Officers of Government, were seated in a semi-circle facing the Viceregal Throne.

A vast concourse of spectators, including His Excellency the Governor General of the Portuguese Settlements in India, His Highness the Khan of Khelat, the Deputation representing the Sultan of Muscat, Their Excellencies the Ambassadors from the King of Siam and the Maharaj Adhiraj of Nepal, the Envoy from the Amir of Kashgar, the Consular Officers of Foreign Governments, and Nobles and Gentlemen from all parts of India witnessed the proceedings.

The Troops assembled at Delhi and the troops, retinues, and followers of the Chiefs and Nobles were drawn up at various points in the vicinity of the place of Assemblage.

The following Ruling Chiefs were present at the Imperial Assemblage:—

Ajaigarh. The Maharaja of
Alipura. The Jagirdar of
Alwar. The Maharao Raja of
Belaspur. The Raja of
Bamra. The Raja of
Baroda. The Gaekwar of
Beronda. The Raja of
Bijawur. The Maharaja of
Bhopal. The Begum of
Bhurtpore. The Maharaja of
Bhaunagar. The Thakur Sahib of
Bhawalpur. The Nawab of
Bundi. The Maharao Raja of

Chamba. The Raja of
Charkari. The Maharaja of
Chatarpur. The Raja of
Datia. The Maharaja of
Dewas. The Raja of (junior branch)
Dhar. The Raja of
Dholpur. The Rana of
Dojana. The Nawab of
Faridkot. The Raja of
Gwalior. The Maharaja of
Haidarabad. The Nizam of
Indore. The Maharaja of
Jaipur. The Maharaja of
Jamu and Kashmir. The Maharaja of
Jaurah. The Nawab of
Jhallawar. The Maharaj Rana of
Jhind. The Raja of
Jigni. The Rao of
Jodhpur. The Maharaja of
Junagarh. The Nawab of
Kalsia. The Sirdar of
Karauli. The Maharaja of
Khairpur. The Meer of
Kharond. The Raja of
Kishangarh. The Maharaja of
Kondka. The Mahant of
Kuch Behar. The Raja of
Loharu. The Nawab of
Mysore. The Maharaja of
Maler Kotla. The Nawab of
Mandi. The Raja of
Morvi. The Thakur Saheb of
Nabha. The Raja of
Nahan. The Raja of
Nandgaon. The Mahant of
Nauanagar. The Jam of
Paldeo. The Jagirdar of
Panna. The Raja of
Pataudi. The Nawab of
Piploda. The Thakur of
Rajpipla. The Raja of
Ratlam. The Raja of
Rewah. The Maharaja of
Sampthar. The Raja of
Suket. The Raja of
Tehri. The Raja of
Tonk. The Nawab of
Tori-Fatepur. The Rao of
Udaipur. The Maharana of
Urcha. The Maharaja of

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL, on arriving at the place of Assemblage, was received with a Royal Salute without guns from the troops assembled.

At the Grand Entrance, the Viceroy and Governor General alighted from his carriage, and, preceded by his Staff, advanced to the Throne. As the Viceroy alighted, Heralds sounded a flourish of trumpets, and Military Bands played a Grand March until His Excellency arrived at the Throne. As His Excellency the Viceroy and Governor General ascended the Throne, the Bands played the National Anthem until His Excellency had taken his seat, while Guards of Honor drawn up on either side of the Throne presented arms.

The following Proclamation was then read aloud in the English language by the Chief Herald:—

VICTORIA, REGINA.

WHEREAS an Act has been passed in the present Session of Parliament intituled "An Act to enable Her Most Gracious Majesty to make an addition to the Royal

Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies," which Act recites that, by the Act for the Union of Great Britain and Ireland, it was provided that after such Union the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies should be such as His Majesty by His Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint: and which Act also recites that, by virtue of the said Act, and of a Royal Proclamation under the Great Seal, dated the 1st day of January 1801, Our present Style and Titles are " VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith :" and which Act also recites that, by the Act for the better government of India, it was enacted that the Government of India, theretofore vested in the East India Company in trust for Us, should become vested in Us, and that India should thenceforth be governed by Us and in Our name, and that it is expedient that there should be a recognition of the transfer of government so made by means of an addition to be made to Our Style and Titles: And which Act, after the said recitals, enacts that it shall be lawful for Us, with a view to such recognition as aforesaid, of the transfer of the Government of India, by Our Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the Style and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies as to Us may seem meet; We have thought fit by and with the advice of Our Privy Council, to appoint and declare, and We do hereby, by and with the said advice, appoint and declare that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein Our Style and Titles are used, save and except all Charters, Commissions, Letters Patent, Grants, Writs, Appointments, and other like instruments, not extending in their operation beyond the United Kingdom, the following addition shall be made to the Syle and Titles at present appertaining to the Imperial Crown of the United Kingdom and its Dependencies; that is to say, in the Latin tongue in these words: " INDIÆ IMPERATRIX." And in the English tongue in these words: " EMPRESS OF INDIA "

And Our will and pleasure further is, that the said addition shall not be made in the Commissions, Charters, Letters Patent, Grants, Writs, Appointments, and other like instruments, hereinbefore specially excepted.

And Our will and pleasure further is, that all gold, silver, and copper moneys, now current and lawful moneys of the United Kingdom, and all gold, silver, and copper moneys which shall, on or after this day, be coined by Our authority with the like impressions, shall, notwithstanding such addition to Our Style and Titles, be deemed and taken to be current and lawful moneys of the said United Kingdom; and further that all moneys coined for and issued in any of the Dependencies of the said United Kingdom, and declared by Our Proclamation to be current and lawful money of such Dependencies, respectively bearing our Style, or Titles, or any part or parts thereof, and all moneys which shall hereafter be coined and issued according to such Proclamation, shall, notwithstanding such addition, continue to be lawful and current money of such Dependencies respectively, until Our pleasure shall be further declared thereupon.

Given at Our Court at *Windsor* the twenty-eighth day of *April* one thousand eight hundred and seventy-six in the thirty-ninth year of Our Reign.

GOD SAVE THE QUEEN.

A translation in Urdu of the Proclamation was then read by the Foreign Secretary.

The Proclamation having been read, a salute of 101 salvos of Artillery and *feus-de-joie* were fired. The ROYAL STANDARD was hoisted in honor of HER MAJESTY THE QUEEN AND EMPRESS, and massed Bands played the National Anthem.

The Viceroy and Governor General then addressed the Assemblage as follows :—

On the first day of November, in the year 1858, a Proclamation was issued by the Queen of England, conveying to the Princes and People of India those assurances of Her Majesty's good will which, from that day to this, they have cherished as their most precious political possession.

The promises then made by a Sovereign, whose word has never been broken, need no confirmation from my lips. Eighteen years of progressive prosperity confirm them; and this great assemblage is the conspicuous evidence of their fulfilment. Undisturbed in the enjoyment of their hereditary honours, protected in the prosecution of their lawful interests, both the Princes and the People of this Empire have found a full security for the future in the generosity and justice of the past.

We are now assembled to proclaim the assumption by The Queen of the Title of Empress of India; and it is my duty, as Her Representative in this Country, to explain the gracious intentions of Her Majesty, in adding that title to the style and dignity of Her ancestral Crown.

Of all Her Majesty's Possessions throughout the world,—possessions comprising a seventh part of the earth's surface, and three hundred millions of its inhabitants,—there is not one that She regards with deeper interest than this great and ancient Empire.

At all times, and in all places, the British Crown has had able and zealous servants, but none more illustrious than those whose wisdom and heroism have won and kept for it the dominion of India. This achievement, in which all Her Majesty's subjects, European and Native, have worthily co-operated, has also been aided by the loyalty of Her Majesty's great allies and feudatories; whose soldiers have shared with Her Armies the toils and victories of war; whose sagacious fidelity has assisted Her Government in preserving and diffusing the blessings of peace; and whose presence here to-day at the solemn inauguration of Her Imperial Title, attest their confidence in the beneficence of Her power, and their interest in the unity of Her Empire.

This Empire, acquired by Her Ancestors, and consolidated by Herself, The Queen regards as a glorious inheritance to be maintained and transmitted intact to Her descendants; and She recognises in the possession of it the most solemn obligations to use Her great power for the welfare of all its people, with scrupulous regard for the rights of Her feudatory Princes. For this reason, it is Her Majesty's Royal pleasure to add to the titles of Her Crown one which shall be henceforth to all the Princes and Peoples of India the permanent symbol of its union with their interests, and its claim upon their loyal allegiance.

The successive dynasties whose rule in India the power of the British Crown has been called by Providence to replace and improve, were not unproductive of good and great Sovereigns; but the polity of their successors failed to secure the internal peace of their dominions. Strife became chronic and anarchy constantly recurrent. The weak were the prey of the strong, and the strong the victims of their own passions. Thus, sapped by incessant bloodshed and shaken by intestine broils, the great House of Tamerlane crumbled to decay; and it fell at last because it had ceased to be conducive to the progress of the East.

Now, under laws which impartially protect all races and all creeds, every subject of Her Majesty may peacefully enjoy his own. The toleration of the Government permits each member of the community to follow without molestation the rules and rites of his religion. The strong hand of Imperial Power is put forth, not to crush but to protect and guide; and the results of British Rule are everywhere around us in the rapid advance of the whole country and the increasing prosperity of all its provinces.

BRITISH ADMINISTRATORS AND FAITHFUL OFFICERS OF THE CROWN,—It is to your continued labours that these beneficent results are chiefly due; and it is to you, in the first instance, that I have now, in the name of Her Majesty, to express the gratitude and confidence of your Sovereign. Not less steadfastly than all your honoured predecessors, you have toiled for the good of this Great Empire with a persevering energy, public virtue, and self-devotion, unsurpassed in history.

The doors of fame are not open to all; but the opportunity of doing good is denied to none who seek it. Rapid promotion it is not often in the power of any Government to provide for its servants. But I feel assured that, in the service of the British Crown, public duty and personal devotion will ever have higher incentives than the expectation of public honours or personal emoluments. Much of the most important and valuable work of Indian administration has always been, and always must be, done, not by persons in prominent positions, but by those district officers on whose patient intelligence and courage the efficient operation of its whole system is essentially dependent.

I cannot give expression too emphatic to Her Majesty's grateful recognition of the admirable manner in which Her servants, both Civil and Military, have performed, and are performing, throughout India, tasks as delicate and difficult as any which the Crown can confide to its most trusted Subjects. MEMBERS OF THE CIVIL AND MILITARY SERVICES,—placed at an early age in positions of immense responsibility, submitting with cheerful devotion to a severely exacting discipline, personally exercising the most important administrative functions among populations whose language, creed, and customs, differ from your own,—may you ever be sustained in the firm yet gentle discharge of your arduous duties by the consciousness that, whilst you thus uphold

the high character of your race, and carry out the benign precepts of your religion, you are also conferring on all other creeds and races in this country the inestimable benefits of good government.

But it is not only to the official servants of the Crown that India is indebted for the wise application of the principles of Western civilization to the steady development of her vast resources: and I should ill represent the feelings of my August Mistress if, on this occasion, I failed to assure Her non-official European subjects in India of the cordial satisfaction with which Her Majesty recognizes and appreciates, not only their loyalty to Her Throne and Person, but also the benefits which Her Indian Empire derives from their industry, their enterprise, their social energy, and civic virtue.

Wishing to increase Her opportunities of distinguishing the public services, or private worth, of Her subjects throughout this important portion of Her Dominions, Her Majesty has been pleased not only to sanction a certain enlargement of the Most Exalted Order of the Star of India, and of the Order of British India, but also to institute for this purpose an entirely new Order which will be called the Order of the Indian Empire.

OFFICERS AND SOLDIERS OF THE ARMY OF INDIA, BRITISH AND NATIVE,—The Queen recalls with pride your heroic achievements on every occasion, when, fighting side by side, you have upheld the honour of Her arms. Confident that all future occasions will find you no less efficiently united in the faithful performance of that high duty, it is to you that Her Majesty entrusts the great charge of maintaining the peace, and protecting the prosperity, of Her Indian Dominions.

VOLUNTEER SOLDIERS,—Your loyal and successful endeavours to render yourselves capable of acting, if necessary, with the Regular Forces, claim cordial recognition on this occasion.

PRINCES AND CHIEFS OF THIS EMPIRE,—which finds in your loyalty a pledge of strength, in your prosperity a source of splendour, Her Majesty thanks you for your readiness, on which She reckons, if its interests be attacked or menaced, to assist Her Government in the defence of them. In The Queen's name I cordially welcome you to Delhi; recognizing in your presence, on this great occasion, conspicuous evidence of those sentiments of attachment to the Crown of England which received from you such emphatic expression during the recent visit of the Prince of Wales to this country. Her Majesty regards Her interests as identified with yours; and it is with the wish to confirm the confidence and perpetuate the intimacy of the relations now so happily uniting the British Crown and its feudatories and allies, that Her Majesty has been graciously pleased to assume the Imperial Title we proclaim to-day.

NATIVE SUBJECTS OF THE EMPRESS OF INDIA,—The present conditions and permanent interests of this Empire demand the supreme supervision and direction of their administration by English Officers trained in the principles of that polity whose assertion is necessary to preserve the continuity of Imperial rule. It is to the wise initiative of these Statesmen that India chiefly owes that steady progress in civilization which is a condition of her political importance, and the secret of her growing strength; and it is they who must long continue to form the most important practical channel through which the arts, the sciences, and the culture, of the West (which have given to Europe its present pre-eminence in peace and war), may freely flow towards the East for the common benefit of all its children.

But you the natives of India, whatever your race, and whatever your creed, have a recognized claim to share largely with your English fellow-subjects, according to your capacity for the task, in the administration of the country you inhabit. This claim is founded in the highest justice. It has been repeatedly affirmed by the greatest British and Indian Statesmen, and by the Legislation of the Imperial Parliament. It is recognized by the Government of India, as binding on its honour, and consonant with all the aims of its policy. The Government of India, therefore, notices with satisfaction the marked improvement during recent years in the character of the Native Public Service, especially in its higher grades.

The administration of this great Empire demands, from many of those to whom a share in it is entrusted, attributes not exclusively intellectual, qualifications to which moral and social superiority are essential. More especially, therefore, does it rest with those who, by birth, rank, and hereditary influence, are your natural leaders, to fit themselves and their children for the honourable duty which is open to them, by accepting the only education that can enable them to comprehend and practise the principles steadily maintained by the Government of The Queen, their Empress.

You must all adopt as your own that highest standard of public virtue which comprises loyalty, incorruptibility, impartiality, truth, and courage. The Government of Her Majesty will then cordially welcome your co-operation in the work of administration. For in every quarter of the globe over which its dominion is established, that Government trusts less to the strength of armies than to the willing allegiance of a contented and united people, who rally round the throne, because they recognise therein the stable condition of their permanent welfare.

It is on the gradual and enlightened participation of Her Indian subjects in the undisturbed exercise of this mild and just authority, and not upon the conquest of weaker States, or the annexation of neighbouring Territories, that Her Majesty relies for the development of Her Indian Empire. Her interests and duties, however, are not confined to Her own dominions. She sincerely desires to maintain the most frank and friendly relations with the Rulers of those Territories which, adjoining the Frontiers of this Empire, have so long owed their independence to the sheltering shadow of its Power. But, should the repose of that Power be at any time threatened from without, the Empress of India will know how to defend Her great inheritance. No foreign enemy can now attack the British Empire in India without thereby assailing the whole civilization of the East; and the unlimited resources of Her dominions, the courageous fidelity of Her allies and feudatories, and the loyal affection of Her subjects, have provided Her Majesty with ample power to repel and punish every assailant.

The presence, on this occasion, of the Representatives of Sovereigns, who, from the remotest parts of the East, have addressed to The Queen their congratulations on the event we celebrate to-day, significantly attests the pacific policy of the Government of India, and the cordiality of its relations with all neighbouring States. To His Highness the Khan of Khelat, and to those Ambassadors who have travelled so far to represent on British Territory the Asiatic Allies of the Empress of India, as also to our honoured guest His Excellency the Governor General of Goa, and to the Foreign Consular Body, I desire to offer, on behalf of Her Majesty's Indian Government, welcome to this Imperial Assemblage.

PRINCES AND PEOPLE OF INDIA,—It is now my pleasing duty to communicate to you the gracious message which The Queen, your Empress, has to-day addressed to you in Her own Royal and Imperial name. These are the words of the telegraphic message which I have this morning received from Her Majesty:

"We, Victoria by the Grace of God, of the United Kingdom, Queen, Empress of "India, send through our Viceroy to all our Officers, Civil and Military, and to all "Princes, Chiefs, and Peoples now at Delhi assembled, our Royal and Imperial Greeting, and assure them of the deep interest and earnest affection with which we regard "the people of Our Indian Empire. We have witnessed with heartfelt satisfaction the "reception which they have accorded to our beloved Son, and have been touched by "the evidence of their loyalty and attachment to Our House and Throne. We trust "that the present occasion may tend to unite in bonds of yet closer affection Ourselves "and our subjects; that from the highest to the humblest all may feel that under Our "rule the great principles of liberty, equity, and justice, are secured to them; and "that to promote their happiness, to add to their prosperity, and advance their "welfare, are the ever present aims and objects of Our Empire."

You will, I am confident, appreciate these gracious words.

GOD SAVE VICTORIA, QUEEN OF THE UNITED KINGDOM AND EMPRESS OF INDIA.

When the Viceroy and Governor General had concluded his Address, the Assembly spontaneously rose and joined the troops in giving repeated cheers; His Highness the Maharaja Sindhia, His Excellency Sir Salar Jung on behalf of His Highness the Nizam, His Highness the Maharaja of Jaipur on behalf of the Chiefs of Rajputana, Her Highness the Begum of Bhopal, His Highness the Maharaja of Cashmere, and other Chiefs also rose and gave expression to sentiments of loyalty and congratulation; massed Bands played the National Anthem; and at His Excellency's command the Assemblage was dissolved.

No. 2 *D. C. P.*—With the sanction of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and Empress of India, it is hereby notified that on and after the first day of January 1877, within British India, the salute for Her said Majesty the Queen and Empress will be ONE HUNDRED AND ONE Guns.

and the salutes for the Royal Flag and for the Viceroy and Governor General of India will each be THIRTY-ONE Guns.

No. 3 *D. C. P.*—Subject to the approval of Her Majesty's Government, the following revised Tables of Salutes to Native Princes and Chiefs is published for general information :—

I.—SALUTES ATTACHED TO CHIEFSHIPS.

Salutes of 21 guns.

Baroda. The Gaekwar of
Hyderabad. The Nizam of
Mysore. The Maharaja of

Salutes of 19 guns.

Bhopal. The Begum (or Nawab) of
Gwalior. The Maharaja Sindia of
Indore. The Maharaja Holkar of
Jammu and Cashmere. The Maharaja of
Khelat. The Khan of
Kolhapur. The Raja of
Meywar (Udaipur). The Maharana of
Travancor. The Maharaja of

Salutes of 17 guns.

Bhawulpur. The Nawab of
Bhurtpore. The Maharaja of
Bikanir. The Maharaja of
Bundi. The Maharao Raja of
Cochin. The Raja of
Jaipur. The Maharaja of
Karauli. The Maharaja of
Kotah. The Maharao of
Kutch. The Rao of
Marwar (Jodhpur). The Maharaja of
Pattiala. The Maharaja of
Rewah. The Maharaja of

Salutes of 15 guns.

Alwar. The Maharao Raja of
Dewas. Senior Raja of
" Junior Raja of
Dhar. The Maharaja of
Dholpur. The Rana of
Dungarpur. The Maharawul of
Dattia. The Maharaja of
Edur. The Maharaja of
Jessalmir. The Maharawul of
Jhallawar. The Maharaj Rana of
Khairpur. Mir Ali Murad Khan of
Kishengarh. The Maharaja of
Partabgarh. The Raja of
Serohi. The Rao of
Sikkim. The Maharaja of
Urcha (Tehri). The Maharaja of

Salutes of 13 guns.

Benares. The Maharaja of
Jaurah. The Nawab of
Kuch Behar. The Raja of
Rampur. The Nawab of
Rutlam. The Raja of
Tipperah. The Raja of

Salutes of 11 guns.

Ajeygarh. The Maharaja of
Banswara. The Maharawul of

Baoni. The Nawab of
Bhaunagar. The Thakur of
Bijawar. The Maharaja of
Cambay. The Nawab of
Chirkari. The Maharaja of
Chamba. The Raja of
Chatterpur. The Raja of
Drangdra. The Raj Sahib of
Faridkot. The Raja of
Jhabua. The Raja of
Jhind. The Raja of
Junagarh. The Nawab of
Kahlur (Bilaspur). The Raja of
Kapurthalla. The Raja of
Mandi. The Raja of
Nabha. The Raja of
Nauanagar. The Jam of
Narsingarh. The Raja of
Pahlanpur. The Dewan of
Porbandar. The Rana of
Panna. The Maharaja of
Radhanpur. The Nawab of
Rajgarh. The Nawab of
Rajpipla. The Raja of
Sitamau. The Raja of
Sillana. The Raja of
Sirmur (Nahan). The Raja of
Suket. The Raja of
Sampthar. The Maharaja of
Tonk. The Nawab of

Salutes of 9 guns.

Alirajpur. The Rana of
Balasinor. The Babee of
Baria. The Raja of
Barwani. The Rana of
Chota Udaipur. The Raja of
Fudhli. The Sultan of
Lahej. The Sultan of
Lunawara. The Rana of
Maler Kotla. The Nawab of
Nagode. The Raja of
Sawant Wari. The Sir Desai of
Sonth. The Raja of

II.—PERSONAL SALUTES.

Salutes of 21 guns.

Dhuleep Singh. His Highness Maharaja, G.C.S.I.
Gwalior. His Highness Jayaji Rao Sindia Bahadur, G.C.S.I., Maharaja of
Indore. His Highness Tukaji Rao Holkar Bahadur, G.C.S.I., Maharaja of
Jaipur. His Highness Sewae Ram Singh Bahadur, G.C.S.I., Maharaja of
Jammu and Cashmere. His Highness Ranbir Singh Bahadur, G.C.S.I., Maharaja of
Travancor. His Highness Sri Rama Varma, G.C.S.I., Maharaja of
Udaipur (Meywar). His Highness Sajjan Singh, Maharana of

Salutes of 19 guns.

Bengal. His Highness Nawab Mansur Ali Khan, Nawab Nazim of
Jodhpur. His Highness Jaswant Singh Bahadur, G.C.S.I., Maharaja of

Nepal. Maharaja Sir Jang Bahadur, G.C.B. & G.C.S.I., Prime Minister of
Rewah. His Highness Raghuraj Singh Bahadur, G.C.S.I., Maharaja of

Salutes of 17 guns.

Bhopal. His Highness Nawab Alijah Amir-ul-Mulk, Consort of Her Highness the Begum of
Hyderabad. Nawab Sir Salar Jang Bahadur, G.C.S.I., Minister of
Hyderabad. Nawab Amir-i-Kabir, Shams-ul-Umra Bahadur, Minister of
Kishengarh. His Highness Pirthi Sing Bahadur, Maharaja of
Tonk. His Highness Mahammad Ibrahim Khan Bahadur, Nawab of
Urcha (Tehri). His Highness Mohindar Partab Singh Bahadur, Maharaja of

Salutes of 15 guns.

Arcot. His Highness Prince Azim Jah Zahir-ud-daulah Bahadur of
Bhaunagar. His Highness Takht Singji, Thakur of
Bhopal. Her Highness the Qudsia Begum of
Drangdra. His Highness Man Singji Raj Sahib of
Junagarh. His Highness Mohabbat Khan, K.C.S.I., Nawab of
Nauanagar. His Highness Shri Wibhaji, Jam of
Rampur. His Highness Mahammad Kalb Ali Khan Bahadur, G.C.S.I., Nawab of

Salutes of 13 guns.

Burdwan. His Highness Maharaj Adhiraj Mehtab Chand Bahadur of
Jhind. His Highness Raghbir Singh Bahadur, G.C.S.I., Raja of
Nabha. His Highness Hira Singh Bahadur, Raja of
Panna. His Highness Sir Rudr Partap Singh Bahadur, K.C.S.I., Maharaja of
Tanjor. Her Highness Princess Vijaya Mehemi Mukta Boyi Amonani Raja Sahib of
Vizianagram. His Highness Maharaja Mirza Viziaram Gajapatty Raj Mania Sultan Bahadur, K.C.S.I., of

Salutes of 12 guns.

Maculla. Omar bin Sallah bin Muhammad, Nukeeb of
Shahar. Awadh bin Omar Alkayati, Jemadar of

Salutes of 11 guns.

Maler Kotla. Muhammad Ibrahim Ali Khan Bahadur, Nawab of
Morvi. Waghji, Thakur Sahib of
Tehri. His Highness Partab Sha, Raja of

Salutes of 9 guns.

Bansda. Shri Naraindeoji Ramdeoji, Maharawal of
Bironda. Ragbir Dyal, Raja of
Bulrampur. Maharaja Sir Dig Bijai Singh of
Dharmpur. Shri Gulab Singji Amar Singji, Maharawal of
Dhrol. Jai Singji, Thakur Sahib of
Gondal. Bhagwat Singji, Thakur Sahib of
Janjira. Sidi Ibrahim Khan, Nawab of
Kharond. Udit Pertap Deo, Raja of
Kilchipur. Amar Sing Bahadur, Rao of
Limri. Jaswant Singji, Thakur Sahib of
Myhere. Raghbir Singh, Raja of
Palitana. Sur Singji, Thakur Sahib of
Rajkot. Bauoji, Thakur Sahib of
Socotra. The Sultan of
Suchin. Sidi Abdul Kadir Mahammad Yacub Khan, Nawab of
Wadwan. Dajiraj, Thakur Sahib of
Wankanir. Bane Singji, Raj Sahib of

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

No. 4 *D. C. P.*—HER MAJESTY THE QUEEN of the United Kingdom and Empress of India, being desirous of seeking from time to time, in matters of importance, the counsel and advice of the Princes and Chiefs of India, and of thus associating them with the Paramount Power in a manner honourable to themselves and advantageous to the general interests of the Empire, has authorized me, through Her Principal Secretary of State for India, to confer, and I do hereby confer, in Her name, and on Her behalf, upon the under-mentioned Chiefs and High Officers of Government the most honourable title of "Counsellor of the Empress":—

Arbuthnot, the Hon'ble Sir A. J., K.C.S.I., Member of the Council of the Governor General (*ex-officio*).
Bayley, the Hon'ble E. C., C.S.I., Member of the Council of the Governor General (*ex-officio*).
Bundi. His Highness Ram Singh, Maharao Raja of
Buckingham and Chandos. His Excellency the Most Noble Richard Plantagenet Campbell, G.C.S.I., Duke of—Governor of Madras (*ex-officio*).
Cashmere. His Highness Ranbir Singh, G.C.S.I., Maharaja of Jammu and
Clarke, the Hon'ble Colonel Sir A., K.C.M.G., C.B., Member of the Council of the Governor General (*ex-officio*).
Couper, the Hon'ble Sir George, BART., C.B., Lieutenant-Governor of the North-Western Provinces (*ex-officio*).
Davies, the Hon'ble Sir Robert Henry, K.C.S.I., Lieutenant-Governor of the Punjab (*ex-officio*).
Gwalior. His Highness Jayaji Rao Sindia, Maharaja of
Haines, His Excellency General Sir F. P., K.C.B., Commander-in-Chief in India (*ex-officio*).
Hobhouse, the Hon'ble A., Q.C., Member of the Council of the Governor General (*ex-officio*).
Indore. His Highness Tukoji Rao Holkar, G.C.S.I., Maharaja of
Jaipur. His Highness Ram Singh, G.C.S.I., Maharaja of
Jhind. His Highness Raghbir Singh, G.C.S.I., Raja of
Norman, the Hon'ble Major-General Sir H. W., K.C.B., Member of the Council of the Governor General (*ex-officio*).
Rampur. His Highness Kalab Ali Khan, G.C.S.I., Nawab of
Strachey, the Hon'ble Sir J., K.C.S.I., Member of the Council of the Governor General (*ex-officio*).
Temple, the Hon'ble Sir R., BART., K.C.S.I., Lieutenant-Governor of Bengal (*ex-officio*).
Travancore. His Highness Rama Varma, G.C.S.I., Maharaja of
Wodehouse, His Excellency Sir P. E., G.C.S.I., K.C.B., Governor of Bombay (*ex-officio*).

LYTTON,
Viceroy and Governor General.

STAR OF INDIA.

The 1st January 1877.

No. 1 *S. I.*—The following announcement appears in the *London Gazette* of this day's date, and is republished for general information:—

"The Queen has been graciously pleased, on the occasion of the proclamation this day at Delhi of the addition of 'Empress of India' to Her Majesty's Royal Style and Titles, to make the following appointments to the First, Second, and Third Classes of the Most Exalted Order of the Star of India:—

To be Extra Knight Grand Commander.

His Royal Highness Arthur William Patrick Albert, Duke of Connaught and Strathearn, and Earl of Sussex.

To be Knights Grand Commanders.

His Highness Ram Singh, Maharao Raja of Bundi.
His Highness Jaswant Singh, Maharaja of Bhurtpore.
His Highness Ishri Prasad Narain Singh, Maharaja of Benares.
His Highness Azim Jah Zahir-ood-dowlah Bahadur, Prince of Arcot.

To be Knights Commanders.

His Highness Shivaji Chatrapati, Raja of Kolapore.
James Fitzjames Stephen, Esquire, one of Her Majesty's Counsellors, late Member of Council of the Governor General of India.
His Highness Raja Anand Rao Puar of Dhar.
Arthur Hobhouse, Esquire, one of Her Majesty's Counsellors, Second Ordinary Member of Council of the Governor General of India.
His Highness Man Singjee, Raj Saheb of Drangdra.
Edward Clive Bayley, Esquire, C.S.I., Bengal Civil Service, Third Ordinary Member of Council of the Governor General of India.
His Highness the Jam Shrivibhajee of Nauanagar.
Sir George Ebenezer Wilson Couper, Baronet, C.B., Bengal Civil Service, Lieutenant-Governor of the North-Western Provinces.
Rear Admiral Reginald John Macdonald, Commander-in-Chief of Her Majesty's Naval Forces in the East Indies.

To be Companions.

Saiad Futeh Ali, Khan Bahadoor, Nawab of Bunganapilly.
John Henry Morris, Esquire, Bengal Civil Service, Chief Commissioner, Central Provinces.
Jowala Sahai, Dewan of Cashmere.
Whitley Stokes, Esquire, Secretary to the Government of India in the Legislative Department.
Rao Sahib Wishwanath Narayen Mandlik, Member of Council of the Governor of Bombay for making Laws and Regulations.
George Thornhill, Esquire, Madras Civil Service, First Member of the Board of Revenue, Madras.
B. Krishnaiengar, Officiating Deputy Commissioner.
Augustus Rivers Thompson, Esquire, Bengal Civil Service, Acting Chief Commissioner, British Burma.
Azam Gouri Sanker Udesanker, Joint Administrator of Bhauanagar.
Thomas Henry Thornton, Esquire, Bengal Civil Service, Acting Secretary to Government in the Foreign Department.
Shashia Shastri, Dewan of Travancore.
Alexander Maclaurin Monteath, Esquire, Bengal Civil Service, Director-General of Post Offices.
Bukshee Khonan Singh, Commandant of the Forces of His Highness Maharaja Holkar of Indore.
Theodore Cracroft Hope, Esquire, Bombay Civil Service, Acting Secretary to the Government of India, Revenue, Agriculture, and Commerce Department.
Huzrut Nûr Khan, Minister of Jaurah.
Charles Theophilus Metcalfe, Esquire, Bengal Civil Service, Acting Commissioner of Police, Calcutta.
Govind Das Seth of Muttra.
Major Thomas Candy, Bombay Invalid Establishment.
Dosabhai Framjee, Second Police Magistrate, Bombay.
Major Robert Grove Sandeman, Bengal Staff Corps.
Captain Leopold John Herbert Grey, Bengal Staff Corps.
Captain Pierre Louis Napoleon Cavagnari, Bengal Staff Corps, Deputy Commissioner, Kohat.
George Christopher Molesworth Birdwood, Esquire, M. D., Edinburgh, late Bombay Medical Service.
George Welsh Kellner, Esquire, Accountant-General, Military Department, Calcutta.
Edwin Arnold, Esquire, late Principal, Poona College, Bombay.

By Order of His Excellency the Grand Master of the Most Exalted Order of the Star of India.

T. H. THORNTON,
Secretary to the Most Exalted Order of the Star of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.
The 1st January 1877.

No. 5 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Chiefs the titles specified opposite the name of each:—

Name of Chief.	*Title.*
His Highness the Gaekwar of Baroda ...	"Farzand-i-Khas-i-Daulat-i-Inglishia."
His Highness the Maharaja of Gwalior ...	"Hisam-us-Saltanat."
His Highness the Maharaja of Jammu and Cashmere	"Indar Mahindar Bahadur Sipar-i-Saltanat."

No. 6 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to recognize as titles of the under-mentioned Chiefs the title specified opposite the names of each:—

Name.	*Title.*
The Maharaja of Ajeygarh, Central India ...	"Sawai."
The Maharaja of Bijawar, Central India ...	
The Maharaja of Chirkari, Central India	"Sipahdar-ul-Mulk."
The Maharaja of Dattia, Central India ...	"Lokendar."

No. 7 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Chiefs and Gentlemen the title of "Maharaja" as a personal distinction:—

Anand Rao Puar, Raja of Dhar.
Chattar Singh, Raja Bahadur of Sampthar.
Dhanurjoy Narain Bhanj Deo, Raja of Killah Keonjhar, Orissa.
Debya Singh Deb, Raja of Puri, Orissa.
Jagadendro Nath Roy (senior branch of the Nattore family).
Raja Jotendro Mohun Tagore.
Kishen Chandar of Moharbanj, Orissa.
Mohipat Singh of Patna.
The Hon'ble Raja Narendra Krishna of Sobha Bazar, Calcutta.
Raj Krishna Singh, Raja of Susang, Mymensingh.
Raja Romanath Tagore of Calcutta.

No. 8 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Ladies the title of "Maharani" as a personal distinction:—

Rani Hara Sundari Debya of Searsol, Burdwan.
Rani Hingan Kumari of Paindra, Maunbhum.
Rani Surat Sundari Debya of Rajshahye.

No. 9 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Raja Sir Dinkur Rao, K.C.S.I., the title of "Raja Mushir-i-Khas Bahadur" as a personal distinction.

No. 10 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Chiefs and Gentlemen the title of "Raja Bahadur" as a personal distinction:—

Raghbir Dyal Singh, Raja of Bironda.
Khallak Singh, Raja of Surila.
Raja Bisesshar Malia of Searsol, Burdwan.
Raja Harballab Singh of Behar.
Raja Harnath Chaudhri of Dubalhatti, Rajshahye.
Raja Mangal Singh of Bhinai, Ajmere.
Raja Ram Ranjan Chakarbatty of Beerbhum.
Udit Pratap Deo, Raja of Kharond.

No. 11 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Raja" as a personal distinction:—

Babu Ajita Singh of Teraul, Pratabgarh.
Baba Balwant Rao of Jabalpur.

Raja Balwant Sing of Gangwanna.
Damara Kumara Venkattappa Nayudu, Zamindar of Kalahasti, North Arcot District.
Raja Deba Sing of Rajghar.
Digambar Mitter, C.S.I., Calcutta.
Rao Gangadhara Rama Rao, Zamindar of Pittapur, Godavery District.
Rao Chattar Singh, Jagirdar of Kannyadhana.
Harish Chandar Chaudhri, of Mymensing.
Kamal Krishna of Sobha Bazar, Calcutta.
Khettar Mohan Singh of Dinagepur.
Kunwar Har Narayan Singh of Hattrass, Aligarh District.
Lachman Singh, Deputy Collector, Bulandshahar.
Sir T. Madhava Rao, K.C.S.I., Minister of Baroda.
Thakur Madho Singh of Sawar, Ajmere.
Raja Partap Singh of Pisangan, Ajmere.
Ram Narayan Singh of Khaira, Monghyr.
Shama Nand Dey of Balasore.
Sham Shankar Rae of Teota.
Sirdar Surat Singh Majithia, C.S.I.
Rao Saheb Trimbakji Nana Ahir Rao of Nagpur.
Kando Kisor Bhupattee, Zamindar of Sukinda, Orissa.
Paddolab Rao, Zamindar of Aul, Orissa.

No. 12 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Rao Bahadur" as a personal distinction :—

Rao Bakht Singh of Baidla, Meywar.
Babut Singh, Thakur of Pokaran, Rajputana.
Bhagwant Rao Deshpanday of Ellichpur.
Daji Nilkant Nigarkar, Professor, Engineering College, Bombay.
Gopal Rao Hari, Judge of Small Cause Court, Ahmedabad.
Gokalji Jhala of Junagarh, Kattywar.
Jugjivandass Khushaldass, Deputy Collector, Surat.
Rao Saheb Hari Narayan, Police Inspector, Ahmadnagar.
Rao Chattarpati, Jagirdar of Alipura.
Kesri Singh, Thakur of Kuchawan, Rajputana.
Keru Lakshman Chhatri, Professor of Mathematics, Deccan College.
Khanderao Vishvanath, *alias* Rao Saheb Raste, 2nd class Sirdar of the Deccan.
Keshorao Bhasker, Deputy Assistant Political Agent, Kattywar.
Khushabai Sarabhai, Dafterdar, Rewa Kanta.
Dewan Lal Singh, Mukhtiarkar of Taluka Guni, in Hyderabad Collectorate, Sind.
Luxemon Singh, Rao of Jigni.
Madhorao Wassudeo Barve, Karbhari, Kolhapur.
Makaji Dhanji, late Karbhari, Drangdra.
Nand Shankar Taljashankar, Assistant Political Agent, Junawara and Sonth in Rewa Kanta.
Narayenrao Anant Mutalik of Karad, Sattara.
Narayen Bhai Dandekar, Director, Public Instruction, Berar.
Premabhai Hemabhai, Ahmadabad.
Rao Prithi Singh, Jagirdar of Tori-Fatehpur.
Sheonath Singh, Thakur of Kherwa, Rajputana.
Shivram Pandoorang of Bombay.
Sudasheo Rugunath Joshi, Karbhari, Mudhol.
Shrivalingaya Gada of Morthalli, Canara.
Trimalrao Venkatesh, late Judge, Small Cause Court, Dharwar.
Venaik Rao Janardan Kirtane, Naib Dewan of Baroda.
Veheridass Ajubhai, Desai of Neriad, Kaira, Bombay.
Waman Rao Pitamber Chitnis, Sherishtadar at Sawuntwari.
Wassodeo Bappuji, Assistant Engineer, Department Public Works, Bombay.

No. 13 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Rai Bahadur" as a personal distinction :—

Arcot Narayan Swami Mudeliar of Bangalore.
Babu Annoda Prasad Rai of Murshedabad.

Babu Boidyonath Pandit, Zemindar of Kila Darpan, Cuttack.
Lala Badri Das, Mukim to His Excellency the Viceroy.
Chahadi Subia, Assistant Commissioner, Coorg.
Das Mal, late Tahsildar, Hushiarpur.
Babu Durga Pershad Singh, Zamindar of Mudhobans, in Champaran.
Babu Golak Chandra Chaudhri of Chittagong.
Babu Gopal Mohan Sircar, Treasurer, Government House.
Harichand Yaduji, Head Clerk, Presidency Pay Office, Bombay.
Yella Mullappah Chetty, Bangalore.
Rai Kalian Singh, Honorary Magistrate, Amritsar.
The Hon'ble Babu Kristo Das Pal, Member of the Bengal Legislative Council.
Kanhya Lal, Assistant District Superintendent of Police, Punjab.
Lachman Rao, Aide-de-Camp of His Highness the Maharaja of Mysore.
Thakur Mangal Singh, Member of Regency Council, Alwar.
Bakhshi Narsappa, Aide-de-Camp of His Highness the Maharaja of Mysore.
Babu Narayan Chandar Chaudhri, Zamindar of Choraman in Dinagepur, Rajshahye.
Babu Nimai Charan Bose, Zamindar of Kothar in Balasor.
Ram Ratan Seth, Banker, Mian Mir.
Dr. Rajendra Lal Mitra of Calcutta.
The Hon'ble Babu Ram Sankar Sen, Member of the Bengal Legislative Council.
Babu Chaudhri Rudar Parsad, Zamindar of Nanpur, in Sitamurhi.
Pandit Rup Narain, Member of Regency Council, Alwar.
Babu Radha Ballab Singh Deo, Zamindar of Bancura.
Rai Saheb Singh, Honorary Magistrate, Delhi.
Babu Surjya Kant Acharjia, Zamindar of Murtagachi, Mymensingh.
Rai Umrao Singh, Honorary Magistrate, Delhi.
Babu Ugra Narain Singh, Zamindar of Supul, Bhagalpur.

No. 14 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Rao Sahib" as a personal distinction :—

Thakur Bahadur Singh of Musuda, Ajmere.
Govind Rao Krishna Bhashkat of Nimar.
Thakur Hari Singh of Deolia, Ajmere.
Thakur Kalyan Singh of Junean, Ajmere.
Madho Rao Gangadhar, Chitnavis of Nagpur.
Thakur Madho Singh of Kharwa, Ajmere.
Rajaba Mohite of Nagpur.
Thakur Ranjit Singh of Bandanwara, Ajmere.

No. 15 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Rao" as a personal distinction :—

Bahar Mal, Rawat of Barar, Mhairwara, Rajputana.
Jado Rao Panday, of Bhandara.
Uma, Rawat of Kukra, Mhairwara, Rajputana.
Anrudh Singh, Jagirdar of Paldeo, Central India.

No. 16 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Rai" as a personal distinction :—

Bishen Sarup, Inspector of Police, Ajmere.
Seth Chand Mal, Honorary Magistrate, Ajmere.
Kothari Chakkan Lal, Head of the Revenue Department, and in charge of the State Treasury, Meywar.
Mehta Panna Lal, Junior Minister, Meywar State.
Seth Samir Mal, Honorary Magistrate, Ajmere.

No. 17 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentleman the title of "Sirdar Bahadur" as a personal distinction :—

Rai Munshi Amin Chand, Judicial Assistant Commissioner, Ajmere.

No. 18 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentleman the title of "Sirdar" as a personal distinction :—

Ratan Singh (of Rhotas in the Jhilam District), District Superintendent of Police, Central Provinces.

No. 19 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentleman the title of "Thakur Rawut" as a personal distinction :—

Thakur Hira, of Dewer Pargana in Mhairwara, Rajputana.

No. 20 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentleman the title of "Thakur" as a personal distinction :—

Lachmi Narain Singh of Kera, Singbhum.

No. 21 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Nawab" as a personal distinction :—

Ahsan Ullah Khan Bahadur of Dacca.
Syad Abdul Hosen, Monghyr.
Mahammad Ali Khan Bahadur of Chatori, Bulandshahar District.
The Hon'ble Mir Mahammad Ali of Faridpur, Bengal.

No. 22 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Khan Bahadur" as a personal distinction :—

Abdul Rahim Khan, son of Shah Nawaz Khan of Isa Khel, Bannu District.
Aulad Hosen of Peharsar, in Bhurtpur, Assistant Commissioner, Central Provinces.
Abdul Kadir, Senior Assistant Commissioner and Town Magistrate, Mysore.
Maulvi Abdul Latif, Deputy Magistrate, Calcutta.
Ali Khan, Zemindar of Monghyr.
Nawab Alladad Khan of Karachi Collectorate.
Bhikan Khan, Zemindar of Parsauni, West Tirhoot.
Bomanji Sorabji, Assistant Engineer, Department of Public Works, Bombay.
Chaitan Sah, Assistant Surgeon, Peshawar.
Carsetji Rastamji, Chief Justice, Baroda.
Davur Rustamji Khurshedji Modi of Surat.
Dad Mahammad Jakrani of Jacobabad.
Kazi Ibrahim Mahammad of Bombay.
Ghaus Shah Kadri, Makandar, in the Baba Buden Hills.
Imamuddin Khan of Bangalore.
Jamsetji Dhunjibhoy Wadia, Master Builder, Bombay Dockyard.
Kadir Mohi-ud-din Saheb of Mysore.
Syad Kabil Shah of Varnahar in the Nagor Taluka, Sind.
Mahammad Jan, Honorary Magistrate, Amritsar.
Maulvi Masum Mian of Ballapur, Akola.
Mahammad Ali, Assistant Commissioner, Bangalore.
Mir Hydar Ali Khan, Mysore.
Mahammad Rashid Khan Chaudhri, Zamindar of Nator, Rajshahye.
Syad Mahammad Abu Said, Zemindar of Patna and Gya.
Muncherji Cowasji, Assistant Engineer, Department Public Works, Bombay.
Kazi Mir Jalaludin (Bombay).
Mirza Ali Mahammad, Karachi, Sind.
Mir Gul Hasan, Hyderabad, Sind.
Syad Murad Ali Shah of Rohri, Shikarpur.
Mir Hafiz Ali, Motawali, Dargah of Ajmere.
Mir Nizam Ali, Honorary Magistrate, Ajmere.
Naserwanji Carsetji of Ahmednagar, Bombay.
Pestonji Jehangir, Settlement Commissioner, Baroda.
Parumal, Hyderabad, Sind.
Pir Bakhsh, Kohawar, Zemindar in Shikarpur.

Rahmat Khan, Inspector of Police, Punjab.
Rustamji Sorabji of Broach in Guzerat.
Kazi Shahabuddin, Chief of the Revenue Department, Baroda.
Jamadar Saleh Hindi of Junagarh, Bombay.
Wali Mahammad of Dingan Bhurgri, in the Umarkot Taluka, Sind.

No. 23 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title of "Khan" as a personal distinction :—

Budha Khan of Hatun, Mhairwara, Rajputana.
Fateh Khan of Chang, ditto ditto.

No. 24 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Chiefs and Gentlemen the hereditary titles specified opposite each name :—

Name.	*Title.*
Maharaja Sir Jai Mangal Sing Bahadur, K.C.S.I., of Gidhaur, Monghyr ...	Maharaja Bahadur.
Dhurmjit Singh Deo, Chief of Udaipur, in the Chota Nagpur Mahal ...	Raja (to be attached to the Chiefship).
Nawab Khaja Abdul Gani of Dacca, C.S.I.	Nawab.

No. 25 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the under-mentioned Native Gentlemen the title specified opposite the name of each as a personal distinction :—

Name.	*Title.*
Dewan Gyasuddin Ali Khan, Sajjada Nashin, Ajmir	Sheikh-ul-Mushaikh.
Sirdar Atar Sing, Bahadaur, Zaildar, Patiala, and Member of Senate, Punjab University College, Lahore...	Malaz-ul-Ulama-o-ul-Fazala.

No. 26 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Diwan Gujraj Sing, the Diwan of Jassu, Central India, the designation of "Diwan Bahadur" as a personal distinction.

No. 27 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Pandit Manphul, C.S.I., Honorary Assistant Commissioner, the designation of Diwan as a personal distinction.

No. 28 *D. C. P.*—His Excellency the Viceroy and Governor General is pleased to confer the designation of Honorary Assistant Commissioner upon the under-mentioned Native Gentlemen :—

Nawab Abdul Majid Khan, Honorary Magistrate.
Sirdar Ajit Singh Atariwala, Amritsar.
Aga Kalb Abid, Extra Assistant Commissioner.
Colonel Dhanraj (of Kunjah, Gujrat), Extra Assistant Commissioner.
Syud Hadi Hosen Khan (of Delhi), Extra Assistant Commissioner.
Syud Kaim Ali, Extra Assistant Commissioner.
Rai Mul Singh, Honorary Magistrate, Gujranwalla.
Sodhi Man Singh (of Firozpur), Magistrate and Honorary Extra Assistant Commissioner.
Mahammad Sultan Khan, Extra Assistant Commissioner.
Mirza Azam Beg, Extra Assistant Commissioner.
Pandit Moti Lal, Kathju, Extra Assistant Commissioner.
Nawab Nawazish Ali Khan Kazilbash of Lahore.
Diwan Shankar Nath, Honorary Magistrate, Lahore.

No. 29 *D. C. P.*—His Excellency the Viceroy and Governor General has been pleased to confer on Mr. H. R. Cooke, Registrar of the Foreign Department, the

honorary rank of Assistant Secretary in the Foreign Department, in recognition of his long and faithful services.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Camp Delhi, the 30th December 1876.

No. 33 *C.*—His Excellency the Viceroy and Governor General has been pleased to confer the honorary title of Assistant Private Secretary to the Viceroy upon Mr. D. Panioty, the Registrar of the Private Secretary's Office, in recognition of his long and faithful service.

Extract from the Proceedings of the Government of India in the Home Department, No. 37 C, dated Camp Delhi, the 1st January 1877.

RESOLUTION.—The Viceroy and Governor General in Council has resolved to release a certain number of prisoners, and to remit a certain number of sentences against criminals in all the jails throughout India, in the Penal Settlement of Port Blair and, in the case of convicts sentenced in India, in the Straits Settlements, on the 1st proximo, as an act of clemency and grace, on the auspicious occasion of the assumption of the title of Empress of India by Her Majesty the Queen.

2. In this view, the cases of the following three different classes of prisoners in the jails in India have come under consideration :—

I.—General offenders.
II.—Civil prisoners.
III.—Political prisoners.

I.—General offenders.

3. As regards general offenders, the Governor General in Council has directed that ten per cent. of all the prisoners under confinement in each Province shall be released ; care being taken that the number released be spread as evenly as possible over all localities, and that the following be excluded from the Amnesty, namely :—

1st, those whose conduct during imprisonment in jail has been bad and turbulent;

2nd, those whose crimes are (like thuggee or dacoitee) excepted from recommendation for release after twenty years' imprisonment at Port Blair, and those whose release is likely to give rise to a renewal of blood-feuds, or other disturbances of the public peace ;

3rd, professional and habitual criminals and prisoners convicted more than twice.

4. Three classes of general offenders, European or Native, have been, as far as possible, selected for release under the ten per cent. order, namely,—

1st, those who have generally borne a good character, but have been led under sudden impulse to commit crimes, such as riot, affray, assault, or culpable homicide ; women who have committed infanticide to hide their shame, and the like ;

2nd, those whose crimes were committed at an early age and without the display of any special depravity ;

3rd, those whose crimes were of a grave character, but have been expiated to some extent by long imprisonment with good behaviour. Under this head may be included a few life-convicts who have undergone imprisonment for twenty years, and who have generally behaved well throughout the period of their confinement.

5. Under these general instructions, Local Governments were authorised to select the criminals to be released under the ten per cent. rule, a special officer in each Province being charged with the duty.

6. As regards partial remissions of sentences, all persons under sentence of one month's imprisonment or less, who have worked out half their sentence on or before 1st proximo, are to be released on that date without exception.

7. All persons under sentence of above one month's imprisonment and up to six months or less, have been granted a remission of fifteen days. All persons under sentence of above six months' imprisonment have been granted a remission of one month. All persons under sentence of above a year's imprisonment have been granted a remission of one month for each year of their sentence; all remissions granted under these orders being restricted to well-conducted convicts. Under no circumstances has the boon been extended to such criminals as have been more than twice convicted; or to those who have been committed to jail as security for keeping the peace ; or to any person whose premature release may be deemed by the local authorities to be inexpedient for reasons of local importance.

II.—Civil Prisoners.

8. As regards civil prisoners, the Governor General in Council has been pleased to order the release of all those whose debts do not exceed the sum of one hundred rupees, and the payment by Government of the debt or debts for which they are detained.

III.—Prisoners at Port Blair.

9. As regards the prisoners under this head, the Superintendent of Port Blair has submitted lists prepared in accordance with the instructions issued in the case of prisoners in India, and with special recommendations in the case of those who are not disqualified from the Amnesty. These lists have been circulated to Local Governments and Administrations, so that the fullest consideration has been given to each individual case. Acting upon the information so obtained, the Governor General in Council has directed that 278 male life-convicts and 90 female shall be absolutely released; term-convicts 65 male and female, and one Christian convict, or 434 in all.

10. Besides absolute releases, the Superintendent of Port Blair has been allowed to grant to well-behaved convicts in Port Blair, to the extent which he deems expedient, freedom within the limit of the Settlement, and, moreover, to give promotion in their respective classes to prisoners in the earlier stages of their probation.

11. As regards Indian convicts in the Straits Settlements, very full enquiries have been made. A special officer has been deputed to Singapore to confer with the Straits Government in view to re-consider the cases of all Indian convicts undergoing sentence in that Province. This officer, Mr. Brodhurst, of the Bengal Civil Service, has prepared lists of all the Indian convicts in the Settlements, and, as in the case of the Port Blair prisoners, these lists have been forwarded for the opinions of the Local Governments to which the prisoners belong. The result of this enquiry is that 221 have been absolutely released.

12. In Sarawak four Indian convicts have been absolutely released, and in Madras seven Straits convicts, and in Bombay five. Thus the grand total of absolute releases of prisoners in transportation is 671.

13. The number of political prisoners in India is very small, and indeed most of these are not really in confinement but reside under surveillance in places fixed for their residence.

It has been, however, found possible to grant entire freedom to Sirdars Kishan Kooer and Narain Singh, of the Punjab, and to give similar boons to others residing in various places.

14. Special instructions have been issued to all Local Governments that the arrangements for the release of prisoners shall be carried out circumspectly and quietly, the prisoners being conducted to their homes in small batches, and, when practicable, under police supervision.

15. The net result of these orders will approximately be as follows :—

(*a*). Prisoners, including civil and political prisoners, released by Local Governments and Administrations	15,317
(*b*). Released at Port Blair	434
(*c*). Prisoners released in the Straits and elsewhere ...	237
Total ...	15,988

Madras, Bombay, Bengal, North-Western Provinces, Punjab, Oudh, Central Provinces, British Burmah, Mysore and Coorg, Assam, Hyderabad Assigned Districts.

ORDER.—Ordered, that this Resolution be published for general information, and forwarded to the Local Governments and Administrations noted in the margin.

Extract from the Proceedings of the Government of India in the Home Department, No. 38 C, dated Camp Delhi, the 1st January 1877.

RESOLUTION.—The Viceroy in Council having considered the terms of the Amnesty granted in 1859, is pleased to announce that the exception from the Amnesty of persons who were leaders of revolt is withdrawn, and that such persons may now return to their respective homes on the sole condition of announcing their return to the District authorities, and of good behaviour for the future. Such persons will, however, be required, if they wish to leave the limits of the district in which they reside, to give previous notice to the District authorities.

The exception as to murderers and leaders of mutiny will still remain in force, and nothing in the above Notification will extend to Feroz Shah, the son of the late King of Delhi.

Extract from the Proceedings of the Government of India in the Home Department, No. 39 C, dated Camp Delhi, the 1st January 1877.

READ—

A letter from the Government of the Punjab, No. 430 C, dated 25th December 1876.

RESOLUTION.—The Government of the Punjab forward, for the favourable consideration of the Governor General in Council, a memorial submitted by the Senate of the Punjab University College, praying that, on the occasion of the assumption by Her Most Gracious Majesty of the title of Empress of India, the Punjab University College may be raised to the status of an University and empowered to confer degrees.

ORDER.—Ordered, that the Government of the Punjab be requested to inform the memorialists that the Governor General in Council approves of the proposed measure, and that legislation will be initiated in view to give effect to it.

(True Extracts.)

A. P. HOWELL,
Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATION.—MINT & CURRENCY.—*Coinage, British India.*

Camp Delhi, the 1st January 1877.

In exercise of the powers conferred by Section 11 and Section 28, Clause (2), of the Indian Coinage Act, 1870, the Governor General in Council is pleased to direct that the inscription "Victoria Empress" shall be substituted for the inscription "Victoria Queen" on all coins coined under the said Act on and after the 1st January 1877, and that the date of the calendar year, according to the Christian era, in which it is coined shall henceforth be put upon every such coin.

By Order of the Governor General in Council,

R. B. CHAPMAN,
Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

CORRIGENDUM.

In volume III of General Acts of the Governor General of India in Council, page 1901, section 5, line 1—*for* "or the," *read* "of the."

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Camp Delhi, the 5th January 1877.

No. 43 *C.*—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

Fort William, the 11th January 1877.

No. 10.—The following Notification of this date issued by the Military Secretary to HIS EXCELLENCY THE GOVERNOR GENERAL is published for general information.

By Order,

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

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL will arrive in Calcutta by a special train at 4 P. M., Railway time, on Saturday, the 13th January 1877.

His Excellency will be received at the Howrah Railway Station by the Chairman of the Justices and Commissioner of Police for the Town of Calcutta and the Magistrate of Howrah, and at Government House by the Lieutenant-Governor of Bengal, Members of His Excellency's Council, the principal Civil and Military Officers and other Gentlemen who are desirous of attending.

A Guard of Honor of the East Indian Railway Volunteers will be drawn up on the platform at the Howrah Railway Station, and a Guard of Honor of Native Troops with Band and Color outside the Station.

The route taken will be by the Hooghly Bridge, Strand Road and Esplanade Row.

The Body-Guard will form the Escort.

A Guard of Honor of British Troops with Band and Color will be drawn up in front of Government House.

A Viceregal Salute of 31 guns will be fired as His Excellency alights at Government House.

Full dress will be worn by Officers entitled to uniform. Gentlemen not entitled to wear uniform will appear in morning dress.

By Command,

G. POMEROY COLLEY, *Colonel,*
Military Secretary to the Viceroy.

Calcutta, January 11, 1877.

ESTABLISHMENTS.

Camp Delhi, the 5th January 1877.

No. 56 *C.*—A temporary vacancy having occurred in the office of Lieutenant-Governor of Bengal consequent on the deputation of the Hon'ble Sir Richard Temple, Bart., K.C.S.I., on a special mission, the Governor General in Council is pleased, under the authority vested in him by the 29th Section of the Act 21 and 22 Vic., Cap. 106, and subject to the approbation of Her Majesty, to appoint the Hon'ble Ashley Eden, C.S.I., Chief Commissioner of British Burma, to officiate as Lieutenant-Governor of Bengal during the absence of the Hon'ble Sir Richard Temple, Bart., K.C.S.I., or until further orders.

Fort William, the 9th January 1877.

No. 3.—APPOINTMENTS.—Lieutenant-Colonel C. B. Lucie Smith, Deputy Commissioner of the 2nd Class, in the Central Provinces, to be Deputy Commissioner of the 1st Class, *vice* Colonel J. N. H. Maclean, retired.

Colonel J. Ashburner, Deputy Commissioner of the 3rd Class, to be Deputy Commissioner of the 2nd Class, *vice* Lieutenant-Colonel Smith.

Mr. H. Read, Deputy Commissioner of the 4th Class, to be Deputy Commissioner of the 3rd Class, *vice* Colonel Ashburner.

Major C. H. Plowden, Assistant Commissioner of the 1st Class, to be Deputy Commissioner of the 4th Class, *vice* Mr. Read.

Major H. J. Lugard, Cantonment Magistrate of Jubbulpore, and Officiating Deputy Commissioner of the 4th Class, to be Assistant Commissioner of the 1st Class, *vice* Major Plowden, and to continue to officiate as Deputy Commissioner of the 4th Class.

Captain R. M. B. Thomas, Assistant Commissioner of the 2nd Class, and Officiating Deputy Commissioner of the 4th Class, to be Cantonment Magistrate of Jubbulpore, *vice* Major Lugard, and to continue to officiate as Deputy Commissioner of the 4th Class.

Mr. G. J. Nicholls, C.S., Assistant Commissioner of the 3rd Class, to be Assistant Commissioner of the 2nd Class, *vice* Captain Thomas.

Captain E. W. C. H. Miller, Assistant Commissioner of the 4th Class, and Officiating Assistant Commissioner of the 2nd Class, to be Assistant Commissioner of the 3rd Class, *vice* Mr. Nicholls, and to continue to officiate as Assistant Commissioner of the 2nd Class.

No. 5.—APPOINTMENTS.—Captain M. M. Bowie, Assistant Commissioner of the 1st Class, in the Central Provinces, and Officiating Deputy Commissioner of the 3rd Class, to be Deputy Commissioner of the 4th Class, *vice* Lieutenant-Colonel James, retired, and to continue to officiate as Deputy Commissioner of the 3rd Class.

Mr. H. J. MacGeorge, Assistant Commissioner of the 2nd Class, and Officiating Deputy Commissioner of the 4th Class, to be Assistant Commissioner of the 1st Class, *vice* Captain Bowie, and to continue to officiate as Deputy Commissioner of the 4th Class.

Captain T. A. Scott, Assistant Commissioner of the 3rd Class, and Officiating District Superintendent of Police of the 3rd Class, to be Assistant Commissioner of the 2nd Class, *vice* Mr. MacGeorge, and to continue to officiate as District Superintendent of the 3rd Class.

Captain W. L. Noverre, Assistant Commissioner of the 4th Class, and Officiating Cantonment Magistrate of the 2nd Class, to be Assistant Commissioner of the 3rd Class, *vice* Captain Scott, and to continue to officiate as Cantonment Magistrate of the 2nd Class.

No. 7.—APPOINTMENTS.—Major C. W. Street, Deputy Commissioner of the 1st Grade, and Officiating Secretary to the Chief Commissioner of British Burmah, to be confirmed in the latter appointment.

Lieutenant-Colonel A. R. McMahon, Deputy Commissioner of the 2nd Grade, to be Deputy Commissioner of the 1st Grade, *vice* Major Street.

Mr. W. deCourcy Ireland, Deputy Commissioner of the 3rd Grade, to be Deputy Commissioner of the 2nd Grade, *vice* Lieutenant-Colonel McMahon.

Lieutenant-Colonel W. Munro, Deputy Commissioner of the 4th Grade, to be Deputy Commissioner of the 3rd Grade, *vice* Mr. Ireland.

Captain H. R. Spearman, Assistant Commissioner of the 1st Grade, to be Deputy Commissioner of the 4th Grade, *vice* Lieutenant-Colonel Munro.

Major C. O'L. Prendergast, Assistant Commissioner of the 2nd Grade, to be Assistant Commissioner of the 1st Grade, *vice* Captain Spearman.

Mr. R. A. D. Perreau, Assistant Commissioner of the 3rd Grade, to be Assistant Commissioner of the 2nd Grade, *vice* Major Prendergast.

Mr. W. C. Midwinter, Assistant Commissioner of the 4th Grade, to be Assistant Commissioner of the 3rd Grade, *vice* Mr. Perreau.

Mr. R. Phayre, Supernumerary Assistant Commissioner, to be Assistant Commissioner of the 4th Grade, *vice* Mr. Midwinter.

The 10th January 1877.

No. 10.—A vacancy having occurred in the Office of an Ordinary Member of the Council of the Governor General of India by the resignation of the Hon'ble Sir W. Muir, K.C.S.I., Her Majesty has been graciously pleased to appoint Sir John Strachey, K.C.S.I., to be an Ordinary Member of the Council of the Governor General of India. Sir John Strachey assumed charge of his office at Delhi, under the usual salute, on the 23rd ultimo.

The 11th January 1877.

No. 12.—The services of Mr. C. E. Bernard, C.S.I., Commissioner of the Nagpur Division, in the Central Provinces, are placed at the disposal of the Department of Revenue, Agriculture, and Commerce.

MEDICAL.

The 12th January 1877.

No. 3.—The services of Surgeon R. Harvey, M.B., are temporarily placed at the disposal of the Department of Revenue, Agriculture, and Commerce.

JUDICIAL.

The 8th January 1877.

No. 1.—Surgeon B. Franklin, Civil Surgeon of Rae Bareli, in Oudh, is appointed Superintendent of the Central Jail at Lucknow, *vice* Dr. G. D. McReddie, transferred to Rae Bareli.

ECCLESIASTICAL.

The 11th January 1877.

No. 1.—The Governor General in Council is pleased, under the provisions of Act XV of 1872, to appoint the Deputy Commissioners of Ellichpur and Básim, in the Hyderabad Assigned Districts, to be *Ex-Officio* Marriage Registrars of their respective districts.

The appointment of the Assistant Commissioner, Ellichpur, to be a Marriage Registrar, made in Notification No. 1682, dated 31st October 1876, is cancelled.

PATENTS.

The 11th January 1877.

No. 3.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 44 of 1876.—Mr. T. Griffiths, of Liverpool, in the County of Lancaster, in the Kingdom of England, paint manufacturer, for "improved pigments and the method of manufacturing the same."

No. 73 of 1876.—Mr. Premjee Heerjee, and Mr. Juggivan Mooljee, Mechanics, Port Trust Workshops, Bombay, for "an improved mill for expressing oil from seeds."

No. 77 of 1876.—Mr. G. K. Winter, F.R.A.S., Telegraph Engineer, Madras Railway, Arconum, in the Presidency of Madras, for "improvements in intercommunication in trains."

No. 78 of 1876.—Mr. W. H. Martin, European, unemployed, residing in Bombay, and Mr. H. H. S. Parkinson, European Clerk, also resident of Bombay, for "felling trees by electricity."

No. 86 of 1876.—Mr. D. Coughlin, of Lambeth, in the County of Surrey, in the Kingdom of England, for "improvements in the manufacture of ice, and in the machinery or apparatus employed therein, parts of which are also applicable to other cooling and refrigerating purposes."

No. 88 of 1876.—Mr. J. Sample, of Blyth, in the County of Northumberland, Clock and Watch Maker, Mr. J. Grantham, of the same place, Plumber and Gas-fitter, Mr. W. M. Ward, also of the same place, Rope and Sail Manufacturer, and Mr. M. Waddle, of Newsham, near Blyth, aforesaid, Miner, for "an improved wooden key for fastening rails in railway chairs."

No. 89 of 1876.—Mr. A. Noble, of Paris, in the Republic of France, for "improvements in explosive compounds."

No. 91 of 1876.—Mr. J. E. Simpson, Manufacturer, and Mr. C. Cross, Manufacturer, both of Manchester, in the County of Lancaster, England, for "improvements in the manufacture of cloth known as Indian Kutar, and of other cloths of a similar nature and in apparatus used in such manufacture."

No. 95 of 1876.—Mr. G. Allan, Civil Engineer, and Mr. J. W. Brown, Electrician, both of 18, Leadenhall Street, in the City of London, England, for "improvements in Electric Telegraphs."

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.

Camp Delhi, the 5th January 1877.

No. 1*T.*—His Excellency the Governor General in Council having had the advantage of personal conference with the Governors of Madras and Bombay regarding the condition of parts of their respective Presidencies which are at present afflicted by scarcity, deems it expedient that a high Officer fully acquainted with the views of the Government of India should visit those Presidencies for the purpose of inspecting the distressed Districts and communicating personally with the two Governments regarding the measures which are being carried out, and which will have to be carried out, for the relief of distress, and of offering for their consideration any suggestions he may deem suitable. His Excellency in Council has accordingly resolved to depute the Honorable Sir Richard Temple, Bart., K.C.S.I., Lieutenant-Governor of Bengal, on a special mission for the above purpose. Sir Richard Temple will report his proceedings from time to time to the Government of India in this Department.

AGRI. AND HORTICULTURE.—FAMINE.

Fort William, the 11th January 1877.

No. 29.—The Governor General in Council is pleased to appoint Mr. C. E. Bernard, C.S.I., to be Secretary to Sir Richard Temple, Bart., K.C.S.I., deputed on a special mission to the Bombay and Madras Presidencies.

The 12th January 1877.

No. 34.—The services of Surgeon R. Harvey, M.B., are placed temporarily at the disposal of Sir Richard Temple, Bart., K.C.S.I., deputed on a special mission to the famine districts of the Bombay and Madras Presidencies, for employment as medical attendant to His Honour.

No. 35.—Mr. C. E. Buckland, C.S., is appointed Private Secretary to Sir Richard Temple, Bart., K.C.S.I., during his mission.

T. C. HOPE,
Addl. Secy. to the Govt. of India.

INDUSTRY, SCIENCE, AND ART.

The 12th January 1877.

No. 6.—Under the provisions of Section 3 of Act XXII of 1876, the Honourable the President in Council is pleased to nominate Major-General Alexander Cunningham, R.E., C.S.I., to be a Trustee of the Indiam Museum.

FORESTS.

The 6th January 1877.

No. 1396.—In modification of the order contained in the Notification of this Department, No. 1393, dated the 3rd January 1877, Mr. H. C. Hill is promoted from the 2nd to the 1st Grade of Assistant Conservators, with effect from the 13th October 1876, and is appointed to officiate as a Deputy Conservator of Forests of the 3rd Grade, from the 10th of November 1876.

The 11th January 1877.

No. 25.—The Honourable the President in Council is pleased to make the following promotions in the Forest Department under the Government of India, with effect from the 13th October 1876:—

From the 1st grade of Assistant Conservator to the 3rd grade of Deputy Conservator:—

Mr. W. Brereton	... ...	North-Western Provinces.
„ C. J. Ponsonby	... ...	Oudh.
„ E. Sparling	... ...	Punjab.
„ C. Bagshawe	... ...	North-Western Provinces.
„ J. C. MacDonell	... ...	Bengal.
„ I. Macpherson	... ...	Mysore.
„ W. G. Allan	... ...	North-Western Provinces.
Captain J. E. Campbell	...	North-Western Provinces.

Mr. A. Pengelly, M.A., Assistant Conservator of Forests of the 1st grade in the Punjab, to officiate in the 3rd grade of Deputy Conservators, *vice* Mr. H. Leeds, on leave.

From the 2nd to the 1st grade of Assistant Conservators :—

Mr. W. Rigby	... ...	Punjab.
„ R. S. Dodsworth	... ...	Oudh.
„ E. McA. Moir	... ...	Punjab.
„ N. Daly	... ...	Mysore.
„ A. R. Grant	... ...	North-Western Provinces.
„ H. H. Davis	... ...	Bengal.
„ C. F. Elliott	... ...	Punjab.
„ R. H. M. Ellis	... ...	Punjab.
„ G. G. Minniken	... ...	Punjab.
„ W. H. Reynolds	... ...	Surveys.
„ J. M. Braidwood	... ...	North-Western Provinces.
„ J. S. Gamble, M.A.	...	Bengal.
„ W. P. Thomas	... ...	Central Provinces.
„ W. Shakespear	... ...	Assam.
„ E. Forrest	... ...	Punjab.
„ J. T. Jellicoe	... ...	Mysore.

No. 26.—The following lists of Deputy and Assistant Conservators of Forests under the Government of India, arranged according to the re-organised scale recently sanctioned, are published for general information :—

I.—GENERAL LIST.

No.	Names.	Province.	Substantive pay.	REMARKS.
	I.—Deputy Conservators (23).		Rs.	
1	Mr. R. P. Colvin	N.-W. Provinces ...	900	
2	Captain F. Bailey, R.E. ...	Surveys ...	900	
3	*Mr. H. Leeds ... ...*	*Central Provinces ...*	*900*	*Absent on leave. Expected to return 15th June 1877.*
4	Lieut.-Col. C. Batchelor, 3rd B.E.L.C.	Punjab ...	900	
5	„ W. Stenhouse, late 32nd M.N.I.	Punjab ...	900	
6	Mr. W. Jacob	Bengal ...	700	
7	„ I. E. O'Callaghan ...	N.-W. Provinces ...	700	
8	„ Birnie Browne	Punjab ...	700	
9	Major H. C. T. Jarrett, V.C., S.C. ...	Mysore ...	700	
10	Mr. C. F. Amery	N.-W. Provinces ...	700	
11	„ R. H. E. Thompson ...	Central Provinces ...	700	
12	„ A. L. Home	India ...	700	Draws a personal allowance of Rs. 200 as Assistant to the Inspector-General of Forests. Total Rs. 900.
13	Captain C. W. Losack ...	Central Provinces ...	500	
14	Mr. A. T. Drysdale	Berar ...	500	Draws a personal allowance of Rs. 200. Total Rs. 700.
15	„ G. Mann	Assam ...	500	Draws a personal allowance of Rs. 200. Total Rs. 700.
16	„ W. Brereton	N.-W. Provinces ...	500	
17	„ C. J. Ponsonby	Oudh ...	500	
18	„ E. Sparling	Punjab ...	500	
19	„ C. Bagshawe	N.-W. Provinces ...	500	
20	„ J. C. MacDonell	Bengal ...	500	
21	„ I. Macpherson	Mysore ...	500	
22	„ W. G. Allan	N.-W. Provinces ...	500	
23	Captain J. E. Campbell ...	N.-W. Provinces ...	500	
	II.—Assistant Conservators (18 of 1st and 28 of 2nd and 3rd grades, total 46).			
1	Mr. E. Ludlow	Mysore ...	450	
2	„ *A. Pengelly*, M.A. ...	*Punjab ...*	*450*	*Officiating as Deputy Conservator, 3rd grade, on Rs. 500,* vice *Mr. Leeds.*
3	„ W. Rigby	Punjab ...	450	
4	„ R. S. Dodsworth	Oudh ...	450	
5	„ E. McA. Moir	Punjab ...	450	
6	„ N. Daly	Mysore ...	450	
7	„ A. R. Grant	N.-W. Provinces ...	450	
8	„ H. H. Davis	Bengal ...	450	
9	Mr. C. F. Elliott	Punjab ...	450	
10	„ R. H. M. Ellis	„ ...	450	
11	„ G. G. Minniken	„ ...	450	
12	„ W. H. Reynolds	Surveys ...	450	
13	„ J. M. Braidwood	N.-W. Provinces ...	450	
14	„ J. S. Gamble, M.A. ...	Bengal ...	450	
15	„ W. P. Thomas	Central Provinces ...	450	
16	„ W. Shakespear	Assam ...	450	
17	„ E. Forrest	Punjab ...	450	
18	„ J. T. Jellicoe	Mysore ...	450	Attached temporarily to the Survey Branch.
19	„ W. S. Hillier	Oudh ...	350	
20	„ G. H. Foster	Central Provinces ...	350	

I.—GENERAL LIST—*continued.*

No.	Names.	Province.	Substantive pay.	REMARKS.
	II.—Assistant Conservators—continued.		Rs.	
21	Mr. L. A. W. Rind	N.-W. Provinces ...	350	
22	„ J. McKee	Central Provinces ...	350	
23	„ E. P. Dansey	N.-W. Provinces ...	350	
24	„ F. B. Dickinson	Mysore ...	350	
25	„ D. E. Hutchins	„ ...	350	
26	„ W. R. Fisher, B.A. ...	Assam ...	350	
27	„ E. E. Fernandez	Central Provinces ...	350	
28	„ A. Smythies, B.A. ...	„ „ ..	350	
29	„ W. Johnstone, L.C.E. ...	Bengal ...	350	
30	„ F. O. LeMarchand ...	Punjab ...	250	
31	„ F. C. Hicks	Mysore ...	250	
32	„ S. E. Wilmot	Oudh ...	250	
33	„ G. F. Prevost	Berar ...	250	
34	„ F. d'A. Vincent	Punjab ...	250	
35	„ E. Fuchs	Bengal ...	250	
36	„ E. D. M. Hooper	Central Provinces ...	250	
37	„ H. Moore	„ „ ...	250	
38	„ W. E. D'Arcy	Assam	250	
39	„ A. J. Mein	„	250	
40	„ E. G. Chester	Bengal	250	
41	„ F. B. Manson	„	250	
42	„ F. H. Bonham-Carter ...	„	250	
43	„ J. Ballantyne	Berar	250	Draws a personal allowance of Rs. 50. Total Rs. 300.
44	„ G. A. Richardson... ...	Bengal	250	
45	„ W. King	Mysore	250	
46	„ O. Greig	N.-W. Provinces ...	250	

II.—BRITISH BURMA LIST.

No.	Names.	Substantive pay.	REMARKS.
	I.—Deputy Conservators (7).	Rs.	
1	Mr. B. Ribbentrop	700	Appointed temporarily as additional Conservator on Rs. 1,000.
2	„ M. J. Slym	700	
3	„ *G. W. Strettell*	*700*	*Absent on leave. Expected to return 9th August 1878.*
4	„ J. Adamson	500	
5	„ A. E. Wild	500	
6	„ *M. H. Ferrars*, B.A.	*500*	*Officiating as Inspector of Schools in British Burma.*
7	„ R. H. C. Whittall	500	
	II.—Assistant Conservators (8).		
1	„ *Mr. H. C. Hill*	*450*	*Officiating as Deputy Conservator, 3rd grade, on Rs. 500,* vice *Mr. Strettell.*
2	Mr. E. P. Popert	450	
3	„ C. F. Nepean	450	
4	Lieut. C. F. Bingham, B.S.C.	450	Officiating Assistant Conservator, 1st grade.
5	Mr. R. N. Anstruther	250	
6	„ J. W. Oliver	250	
7	„ P. J. Carter	250	
8	„ J. Nisbett	250	
	„ *C. W. Palmer*	*200*	*Draws a personal allowance of Rs. 50 until promotion. Total Rs. 250. Has been appointed to officiate as Assistant Conservator.*

The 12th January 1877.

No. 33.—With the consent of the Government of the North-Western Provinces, and with reference to paragraph 7 of the Resolution of the Government of India in this Department, No. $\frac{20}{857-873}$, dated the 3rd August 1875, Mr. E. A. Down, Sub-Assistant Conservator of Forests in the North-Western Provinces, is attached to the Forest Survey Branch for a period of twelve months.

SURVEYS.

The 11th January 1877.

No. 12.—Mr. A. G. Hudson is appointed a Probationary Assistant Superintendent in the Mysore Revenue Survey, with effect from the 23rd November 1876.

The 12th January 1877.

No. 15.—Navigating Lieutenant G. C. Hammond, R.N., Assistant Superintendent of the 1st Grade in the Marine Survey Department, was allowed leave on medical certificate, under Section 14 of the Civil Leave Code, for six months and five days, with effect from the 16th May 1876.

EMIGRATION.

The 12th January 1877.

No. 7.—The Honourable the President in Council is pleased to direct the substitution of the following paragraph for paragraph 3 of the Notification of this Department No. 319, dated the 28th of November last, directing the substitution of a rule for Rule 82 of the Rules relating to emigration from the Ports of Madras and Bombay to British and Foreign Colonies, and for Rule 75 of the Rules in force at the Port of Calcutta:—

"Watches shall be kept day and night by two of the coolies in turn, who shall be held responsible for reporting any breach of these rules. They must report to the officer of the watch once every hour that all is safe below. The officer of the watch shall appoint a trustworthy man of his watch to visit the between-decks every hour, or oftener if he has reason to believe that any one is smoking below. Each officer on being relieved of his watch shall also, before retiring to his cabin, visit the between-decks for the same purpose."

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Fort William, the 9th January 1877.

No. 2*M*.—PROMOTION.—The following promotion is made in the Cavalry Branch of the Deoli Irregular Force, with effect from 6th October 1876:—

Woordie-Major Nutteh Khan, to be Ressaldar, *vice* Milka Singh, deceased.

POLITICAL.

Camp Patiala, the 6th January 1877.

No. 27*P*.—The following ceremonies were observed on the occasion of the installation by His Excellency the Viceroy of His Highness Rajendar Singh as Maharaja of Patiala:—

His Excellency the Viceroy and Governor-General and suite reached the Rajpúra Railway Station at 8 A.M. on the 6th January 1877, accompanied by His Honor the Lieutenant-Governor of the Punjab and Staff.

At the Railway Station His Excellency was met by the three Members of the Council of Regency and another high official of the State.

At 10 A.M. the Viceroy and Governor-General and suite, accompanied by the Lieutenant-Governor of the Punjab and Staff, proceeded in carriages to Patiala.

At the Fort of Bahadurgarh, five miles from the town of Patiala, His Excellency was met by His Highness the Maharaja in a State carriage, and shortly afterwards by their Highnesses the Rajas of Jhind, Nabha and Faridkot, who are connected by descent with the House of Patiala.

The Viceroy was pleased to enter the carriage of the Maharaja; the Foreign Secretary entered the carriage of the Raja of Jhind; the Secretary to the Punjab Government the carriage of the Raja of Nabha, and His Excellency's Private Secretary that of the Raja of Faridkot. The cortège then proceeded to the encampment prepared for His Excellency near the Motí Bagh.

On the plain near the Motí Bagh the Patiala troops were drawn up and received His Excellency with a salute of 31 guns. Similar salutes were fired from the Fort of Bahadurgarh as His Excellency passed and on his entrance into the town of Patiala.

Shortly after arrival at the encampment, His Highness the Maharaja, accompanied by their Highnesses the Rajas of Jhind, Nabha and Faridkot, paid a formal visit to His Excellency with the usual ceremonies.

At 1-30 P. M. three Members of the Council of Regency with another high official of the State presented themselves at the Viceregal Camp, and escorted His Excellency the Viceroy and His Honor the Lieutenant-Governor of the Punjab and their respective suites to the Durbar room in the Palace. The Maharaja met the Viceroy half-way, and entering the carriage of His Excellency, proceeded to the place of installation.

His Excellency the Viceroy, His Honor the Lieutenant-Governor, His Highness the Maharaja, and the Rajas of Jhind, Nabha and Faridkot having taken their seats in Durbar, His Highness presented a Nuzzur to His Excellency the Viceroy, which was touched and remitted.

Their Highnesses the Rajas of Jhind, Nabha and Faridkot were then presented to His Excellency by the Foreign Secretary; the high officials of the Patiala State and others by the Secretary to the Punjab Government.

At the conclusion of the presentations, His Excellency the Viceroy arose and with his own hands invested the Maharaja with the insignia of Chiefship, namely, a necklace of pearls and precious stones, and a white crest rising from a star of diamonds, as *sarpech*.

Thereupon a salute of 17 guns was fired, and the Chiefs of Jhind, Nabha and Faridkot presented gifts to His Highness the Maharaja.

An address was then read by the President of the Patiala Council thanking His Excellency for taking part in the installation, and acknowledging the honor thus conferred on the Patiala State.

His Excellency the Viceroy then addressed the assembly as follows:

"MAHARAJA:—I am glad to have been able to visit the principality and city of Patiala on an occasion so important and so auspicious as the present. And I am especially glad to have had such an occasion to testify publicly, not only to yourself but also to all your people, the warm and affectionate interest taken by the Empress of India in the loyal House of Your Highness by thus personally installing you as Chief of a State which, from the commencement of this century, has been in close association with the British Government. In the year 1808, and in the time of Your Highness' ancestor, Maharaja Sahib Singh, the State of Patiala was taken under the special protection of the British Government.

"That the confidence then reposed by the Phulkian Chiefs in the honesty, the wisdom, and the strength of that Government was not misplaced, satisfactory evidence exists in the fact that at this moment the wealth, the dignity, and the power of Patiala are greater than they were at the time of the engagement which guaranteed to this State the protection of the Government in which its Chiefs have so loyally trusted. On their part, meanwhile, all the Maharajas of Puttiala, and especially Your Highness's father and grandfather, have faithfully, and with unswerving and unbroken active loyalty, fulfilled their obligations to the Suzerain Power. In the year 1857, His Highness Maharaja Narender Singh placed all his resources and his great personal influence absolutely at the disposal of the Government.

"His Highness then sent to Delhi a contingent, whose valuable services we still gratefully remember, and the assistance then rendered by the Maharaja has already been acknowledged and rewarded by Her Majesty's Government.

"Your Highness's father, Mohendar Singh, whose untimely death we all lament, followed faithfully and wisely in the footsteps of his eminent predecessor, and the rule of His Highness was distinguished, not only by its close and unswerving attachment to the British Government, but also by many important reforms, by great progress made in the popular education of his people, and by the enlightened development of trade within his territories.

"The unmistakeable signs and evidences of past good government I have witnessed every where around me since my arrival here, in the contented faces of the people, in the good appearance of the troops, and in the crowded and thriving streets of this interesting city.

"Your Highness, therefore, is not only born to be the head of an illustrious house, but you will also be early trained in the loyal and honorable traditions of that house; and I am confident that when Your Highness reaches—as with the blessings of Providence I trust you will reach—those years which are called the years of discretion—when you are placed in personal charge of your hereditary possessions—I am confident that you will prove yourself no less deserving of the warm and affectionate interest of Her Royal and Imperial Majesty the Empress of India than all those great Chiefs who have preceded you on the throne of Puttiala.

"Rajahs of Jhind and Nabha:—It gives me cordial pleasure to meet Your Highnesses again, and more especially to meet you here in Patiala. Connected as you are by common descent with the ancient house of its young Prince, I trust that in my presence here you will recognise a proof of the friendly interest of Her Royal and Imperial Majesty in the welfare of the head of your family, and also a confirmation of those gracious assurances which on the first day of this year it was my privilege to convey from Her Majesty to the assembled Chiefs of India as the guiding and animating principles of the British Government in this country.

"Members of the Council of Regency:—To you has been entrusted the onerous but honourable task of administering this State during the minority of its young Prince. I trust that you will do this wisely, impartially, and for the good of all its people.

"Large powers have been confided to you for that purpose, and, in return, I look to you for loyal, honest, and devoted labour in the service of His Highness.

"As long as your administration is approved by the contentment of the people, by the prosperity of the State, and by the judicious training and elevation of His Highness for those important duties he will hereafter have to perform, so long you can confidently reckon upon the cordial support of my Government, which, on the recommendation of His Honor the Lieutenant-Governor of the Punjab, and in concurrence with their Highnesses the Rajas of Jhind and Nabha, my Government has appointed you to the high office you now hold."

The address having been translated by the Foreign Secretary, an ornamental sword and a portrait were presented to the Maharaja as a personal gift from His Excellency.

Attar and pán were then distributed according to prescribed custom, and the Durbar was dissolved.

Shortly afterwards His Excellency and Suite left Patiala under a salute of 31 guns and the usual ceremonies.

Camp Delhi, the 6th January 1877.

No. 54*D. C. P.*—The Viceroy and Governor General in Council is pleased to recognize the appointment of Major Captain Bissonath Upadhya as the Representative of His Highness the Maharajah of Nipal at Calcutta.

Fort William, the 10th January 1877.

No. 13*P*.—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Paul Koop as Consul for Austria and Hungary at Akyab.

GENERAL.

Fort William, the 9th January 1877.

No. 13*G*.—PROMOTIONS.—Consequent on the departure on furlough of Major H. E. Mottet, Officiating Deputy Commissioner, 3rd Class, the following temporary promotions are made in the Mysore Commission, until further orders:—

Captain E. P. Maltby, Assistant Commissioner, 2nd Class, to officiate as Deputy Commissioner, 3rd Class.

Mr. J. Lacey, Officiating Assistant Commissioner, 3rd Class, to officiate as Assistant Commissioner, 2nd Class.

No. 14*G*.—Consequent on the return from furlough of Major C. T. O. Mayne, Assistant Commissioner, 2nd Class, Hyderabad Assigned Districts, the following changes are made in the Berar Commission, with effect from the 17th October 1876:—

Major C. T. O. Mayne, Assistant Commissioner, 2nd Class, to officiate in the 1st Class.

Captain F. W. Grant, Officiating Assistant Commissioner, 1st Class, to revert to his substantive appointment of Assistant Commissioner, 2nd Class.

No. 15*G*.—Mr. J. Lacey, Officiating Assistant Commissioner, 3rd Class, officiated as Assistant Commissioner, 2nd Class, in the Mysore Commission, with effect from 24th May to 23rd September 1876, *vice* T. R. Thambu Chetty.

No. 16*G*.—PROMOTION.—Consequent on the departure on furlough of Captain R. S. Thompson, Officiating Assistant Commissioner, 2nd Class, the following temporary promotion is made in the Berar Commission:—

Mr. A. J. Dunlop, Assistant Commissioner, 3rd Class, to officiate in the 2nd Class, with effect from 29th August 1876, until further orders.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 10th January 1877.

No. 74.—Mr. C. R. Kiernander received charge of the Office of Deputy Accountant General, British Burmah, from Mr. C. E. Chapman, B.C.S., before noon, on the 27th November 1876.

Mr. C. E. Chapman, B.C.S., received charge, from Mr. J. L. Lushington, M. C. S., of the Office of Commissioner of the Department of Issue of Government Paper Currency, Bombay, after noon, on the 21st December 1876, and of the Office of Accountant General, Bombay, after noon, on the 23rd December 1876.

No. 83.—The under-mentioned Officers are appointed to officiate in the offices noted opposite to their names:—

Mr. W. T. Piercy, Assistant to the Accountant General, Bengal,—from the 17th December 1876.

Moung Hla Oung, Assistant to the Accountant General, Madras,—from the 19th December 1876.

Mr. H. G. H. Keene, Assistant to the Deputy Accountant General, Central Provinces,—from the 24th December 1876.

The 11th January 1877.

No. 125.—Babu Rajánináth Ráy, M.A., is appointed to be Assistant to the Commissioner of Paper Currency, Bombay, with effect from the 24th December 1876. Babu Rájaniáth Ráy will, however, continue to officiate as Assistant to the Accountant General, Bombay.

Mr. H. S. Groves, B.A., is appointed to be Assistant to the Deputy Accountant General, Central Provinces, with effect from the 24th December 1876. Mr. Groves will, however, continue to officiate as Assistant to the Accountant General, Madras, until further orders.

The 12th January 1877.

No. 150.—Mr. W. H. Dobbie is appointed to officiate as Deputy Accountant General, Bengal, until further orders.

No. 156.—Furlough for eight months, without medical certificate, under Section 12 of the Civil Leave Code, with subsidiary leave for eighteen days, under Section 24 *(a)* of the same Code, is granted to Mr. H. G. Cowie, B.A., Officiating Deputy Accountant General, Central Provinces.

Mr. T. H. Biggs is appointed to officiate as Deputy Accountant General, Central Provinces, during the absence of Mr. Cowie, or until further orders.

LEAVE, LEAVE ALLOWANCES, &c.

The 12th January 1877.

No. 135.—The Governor General in Council directs that the following be inserted as Rule 6*(d)* in Chapter IX of the Civil Leave Code:—

6 *(d)*. If an Officer is authorised under clause *(a)* to make over charge of an office elsewhere than at its head quarters, any joining time to which he may be entitled shall be reckoned from the place at which he actually makes over charge.

MINT AND CURRENCY.

The 12th January 1877.

No. 160.—*Statement of the Amount of Government Currency Notes in circulation, of the Amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	CIRCLES OF ISSUE.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.
31st December 1876 ...	Calcutta	5,06,17,125	1,75,89,177	53,77,560	2,65,09,778	4,94,76,515
Ditto	Madras	1,19,46,000	36,84,910	...	60,00,000	96,84,910
Ditto	Bombay	3,75,15,280	1,42,24,697	1,00,63,053	1,56,00,000	3,98,87,750
Ditto	Allahabad	76,02,730	58,34,295	...	31,00,000	89,34,295
Ditto	Lahore	56,07,195	23,28,575	...	33,00,000	56,28,575
Ditto	Calicut	17,32,235	9,79,855	...	7,00,000	16,79,855
Ditto	Coconada	7,86,820	1,94,625	...	5,00,000	6,94,625
Ditto	Nagpore	13,41,325	5,08,035	...	8,00,000	13,08,035
Ditto	Kurrachee	20,21,425	5,38,615	...	12,00,000	17,38,615
Ditto	Akola	5,27,520	3,36,490	...	3,00,000	6,36,490
	TOTAL ...	11,97,19,655	4,62,09,264	1,54,40,613	5,80,09,778	11,97,19,655

PENSIONS, &c.

The 12th January 1877.

No. 146.—The Governor General in Council directs that the words "the Bengal Presidency" be substituted for the word "Bengal" in Section 13 of the Civil Pension Code, and Rule 5 under Section 1 of Supplement F to the Civil Leave Code.

SEPARATE REVENUE.—OPIUM.

The 12th January 1877.

No. 157.—*Opium Revenue to date, compared with the Estimate for the year 1876-77.*

	LATEST MONTH.			TEN SALES OF BENGAL OPIUM AND NINE MONTHS' DUTY ON MALWA OPIUM.		
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.
	£	£	£	£	£	£
Bengal	458,800	506,123	47,323	4,500,828	5,025,238	524,410
Bombay	254,114	309,360	55,246	1,938,641	2,242,981	304,340
TOTAL ...	712,914	815,483	102,569	6,439,469	7,268,219	828,750

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

MILITARY DEPARTMENT.

Fort William, the 8th January 1877.

No. 13.—APPOINTMENTS AND PROMOTIONS—

Quartermaster General's Department.

Captain E. F. Chapman, Deputy Assistant Quartermaster General, to be an Assistant Quartermaster General to complete the establishment, *vice* Captain L. A. Gregson, resigned, with effect from the 31st December 1876.

Captain R. McG. Stewart, Royal Artillery, Officiating Deputy Assistant Quartermaster General, to be a Deputy Assistant Quartermaster General to complete the establishment, *vice* Captain Chapman.

The 12th January 1877.

No. 14.—The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Charles Hogge, 2nd Battalion, 22nd Foot, Officiating Wing Officer, 32nd (Punjab) Regiment of Native Infantry (Pioneers), 30th December 1875.

No. 15.—The Right Hon'ble the Secretary of State for India has approved of the exchange between Lieutenant B. H. Pollard, Bengal Staff Corps, and Lieutenant A. F. Cotton, Madras Staff Corps, sanctioned in G. G. O. No. 998 of 1876.

No. 16.—The services of Lieutenant E. C. Dowse, 45th Foot, appointed to the Punjab Frontier Force as a probationer for the Bengal Staff Corps, by G. G. O. No. 832 of 1876, are, at his own request, replaced at the disposal of His Excellency the Commander-in-Chief.

No. 17.—With reference to the Notification by the Public Works Department, No. 2, dated the 5th January 1877, the services of Lieutenant-Colonel (Brevet Colonel) F. J. Davies, of Infantry, Executive Engineer, 1st Grade, Military Works Branch, Public Works Department, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 18.—The under-mentioned Officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel William Harington Hawes, Bengal Staff Corps, 7th January 1877.

No. 19.—The under-mentioned Officers of the Bengal Staff Corps, having completed 26 years' service, are promoted to the rank of Lieutenant Colonel, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Major Charles Tatham Hitchins, 7th January 1877.

Major Halford Fellowes, 11th January 1877.

No. 20.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Reymond Hervey de Montmorency, 4th January 1877.

Captain Arthur Battye, 6th January 1877.

Captain Thomas Dayrell, 6th January 1877.

No. 21.—*15th Bengal (Cureton's Mooltanee) Cavalry*—

Ressaldar Sirbillund Khan, to be Ressaldar Major, *vice* Nawab Kaleh Khan, "Khan Bahadoor," deceased; Ressaidar Surroop Singh, to be Ressaldar, *vice* Sirbillund Khan, promoted; Jemadar Huk Newaz Khan, to be Ressaidar, *vice* Surroop Singh, promoted; Kote Duffadar Shah Newaz Khan, to be Jemadar, *vice* Huk Newaz Khan, promoted,—Dated the 16th October 1876.

No. 22.—FURLOUGH AND LEAVE—

The under-mentioned Officers are granted furlough to Europe with the necessary subsidiary leave:—

Surgeon-Major Adam Taylor, Medical Department,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Major Robert Horace Hudleston, Bengal Staff Corps, Deputy Commissioner, 2nd Class, Officiating 1st Class, Hyderabad,—private affairs for one year and four months, under Rule IX of the Regulations of 1868.

Captain Horace Moule Evans, Bengal Staff Corps, Wing Commander, 43rd (Assam) Regiment of Native (Light) Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 23.—The following extract from lists Nos. 20 and 21, dated the 1st and 15th December 1876, received from the India Office, is published for general information:—

Permitted to return.

Surgeon-Major R. H. Perkins.
Major F. J. N. Mackenzie, S. C.
Colonel C. L. Brown, S. C.
Lieutenant-Colonel H. M. Wemyss, S. C.
Captain J. A. Temple, S. C.
Lieutenant T. L. Lewis, S. C.
Surgeon R. Moodie.
Assistant Apothecary E. L'Estrange.
Captain C. McNeile, S. C.
Colonel J. F. L. Fisher, S. C.
Captain C. W. Campbell, Cavalry.
Lieutenant-Colonel E. Perkins, R.E.
Sub-Conductor T. Radford, Commissariat Department.
Colonel G. S. Macbean, S. C.
Captain J. Hill, R. E.
Captain C. McD. Skene, S. C.
Major J. W. H. Johnstone, S. C.
Lieutenant F. M. Rundall, S. C.
Captain C. R. Pennington, S. C.

Granted extensions of leave.

Colonel C. Dumbleton, Cavalry, 6 months, M. C.
Surgeon F. M. Mackenzie, 6 months, M. C.
Captain E. P. Ommanney, S. C., 6 months, M. C.
Lieutenant-Colonel J. M. Graham,* S. C., 1 month, P. A.
Major W. W. Boddam, S. C., 1 month, P. A.
Surgeon H. D. S. Compigne, 12 months, P. A.

Retirement.

Major G. B. C. Simpson, S. C., 2nd December 1876.

*The permission to return already granted to this Officer to hold good.

No. 24.—With reference to G. G. O. No. 510 of 1876, it is notified that furlough granted to Military Officers in Civil employ under the notification by the Financial Department, No. 2294, dated the 20th April 1876, for a period not exceeding three months, is not to be considered as furlough requiring *an interval* of three years' service between two furloughs.

Rules VIII, XIV and XXIV of the Furlough Regulations of 1868.

Such furlough will, however, be excluded from the three years' *service* required between two furloughs.

No. 25.—With reference to G. G. O. No. 579 of 1876, applications for furlough from Medical Officers will be forwarded as heretofore for submission to the Government of India through the Office of the Adjutant General in India.

No. 26.—REPORT OF ARRIVALS—

Major-General R. Maclagan, Royal Engineers, Chief Engineer and Secretary to Government, Punjab, Public Works Department,—Bombay, 4th January 1877.

Lieutenant-Colonel (Brevet Colonel) L. B. Jones, Bengal Staff Corps, Commandant, 3rd Punjab Cavalry, Punjab Frontier Force,—Bombay, 14th December 1876.

Lieutenant-Colonel (Brevet Colonel) L. C. Brown, Bengal Staff Corps, Military Accountant, 2nd Class, 1st Grade,—Bombay, 4th January 1877.

Lieutenant Colonel (Brevet Colonel) A. K. Comber, Bengal Staff Corps, 1st Grade, Deputy Commissioner, Goálpára, Assam,—Fort William, 26th December 1876.

Lieutenant-Colonel W. Cabell, Bengal Staff Corps,—Bombay, 1st January 1877.

Lieutenant-Colonel W. Hichens, Royal Engineers,—Bombay, 21st December 1876.

Major P. W. Powlett, Bengal Staff Corps, Political Agent, 2nd Class, Rajpootana Agency, Kotah State, as an Additional Political Agent, 1st Class,—Bombay, 14th December 1876

Major P. C. Rynd, Bengal Staff Corps, Commandant, 3rd Punjab Infantry, Punjab Frontier Force,—Bombay, 4th January 1877.

Surgeon-Major W. Moir, M. B., Medical Department,—Bombay, 21st December 1876.

Surgeon-Major W. B. Beatson, M. D., Medical Department,—Bombay, 1st January 1877.

Surgeon-Major A. K. Reed, Medical Department,—Fort William, 16th November 1876.

Captain M. G. Gerard, Bengal Staff Corps, Squadron Officer, 2nd Regiment Central India Horse,—Bombay, 14th December 1876.

Captain H. J. Barton, Bengal Staff Corps, Sub-Assistant Commissary General, 2nd Class, —Bombay, 21st November 1876.

Captain A. W. Roberts, General List, Cavalry, Political Assistant, 1st Class, Assistant Agent to the Governor General, Rajpootana, Officiating Political Agent, 3rd Class, Officiating Cantonment Magistrate, Morar,—Bombay, 21st December 1876.

Surgeon R. Reid, Medical Department,—Bombay, 21st December 1876.

Surgeon H. A. C. Gray, Medical Department,—Bombay, 15th November 1876.

Mr. R. D. Nuthall, Superintendent, Kheddah Establishment at Dacca, 7th November 1876.

1st Class Assistant Apothecary J. Kelly, Subordinate Medical Department,—Bombay, 14th December 1876.

No. 27.—PENSIONS—

Henry Moore, late 5th Brigade, Royal Artillery, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to Imperial Revenue) in India, *viz.*, one shilling per diem, from the date he ceases to receive regimental pay.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 12th January 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the under-mentioned Commissioned Officer and Assistant Apothecary, on the dates specified, were received in the Military Department from 23rd December 1876 to 12th January 1877.

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
39th Foot ...	Surgeon-Major J. H. Ross, M. B.	19th November 1876 ...	Bombay ...	Will left ...	Captain J. G. Hamilton, Pay Master, 39th Foot, administering.
Sub. Medical Department ...	Assistant Apothecary M. Quigley	20th December 1876 ...	Rawal Pindi ...	Intestate.	

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 6th January 1877.

No. 6.—Mr. B. Parkes, Assistant Engineer, 2nd Grade, on the Establishment under the Director of State Railways, is transferred temporarily to the Simla Imperial Circle.

The 10th January 1877.

No. 7.—Major D. Ward, R.E., Executive Engineer, 1st Grade, will hold charge of the Office of the Superintending Engineer, 8th Circle, Military Works, in addition to his own duties, during the absence of Lieutenant-Colonel D. Limond, R.E., on privilege leave.

No. 8.—ERRATUM.—In Public Works Department Notification No. 17, dated 14th January 1876, for *Sabdha* Rama Sahni, read *Labdha* Rama Sahni.

No. 9.—Mr. E. Lewis, Accountant, 4th Grade, Indus Valley State Railway, is permitted to resign his appointment, with effect from the 17th October 1876.

Pundit Wazeer Chand Trikha is appointed an Accountant, 4th Grade, on probation, with effect from the 23rd October 1876, and is posted to the Indus Valley State Railway.

The 11th January 1877.

No. 10.—Mr. M. Kelley, Accountant, 4th Grade, Rajpootana State Railway, is transferred to the Tirhoot State Railway.

The 12th January 1877.

No. 11.—Messrs. E. Gibson and J. H. Toogood, Assistant Engineers, 2nd Grade, are temporarily transferred from Bengal, Irrigation Branch, to Bombay, for employment on famine relief work.

No. 12.—Mr. (late Sergeant) W. Batchellor, Overseer, 1st Grade, on the Establishment under the Director of State Railways, having obtained his discharge from the Army, is re-appointed to the Public Works Department as a civilian in the same grade, with effect from 15th September 1876.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 3. } CALCUTTA, SATURDAY, JANUARY 20, 1877. { Register No. 33.

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

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SUPPLEMENT No. 3.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATIONS.

Calcutta, the 16th January 1877.

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL will hold a Levée at Government House on Tuesday, the 23rd January 1877, at 9-30 P. M.

Gentlemen purposing to attend the Levée are requested to send their names and addresses to the Aide-de-Camp in waiting not later than Saturday, the 20th. Gentlemen who have not already been presented at the Court of St. James or at Government House, are requested to add the names of the gentlemen who will present them.

Gentlemen attending the Levée are requested to bring with them the two cards which will be forwarded to them, one to be delivered on entering Government House, the other to the Aide-de-Camp in waiting at the time of presentation.

The carriages of gentlemen (except such as have the private entrée) attending the Levée will enter by the North-East Gate, set down at the foot of the Grand Staircase, and pass out by the North or North-West Gate.

THEIR EXCELLENCIES THE VICEROY AND LADY LYTTON will hold a Drawing-Room at Government House at 9-30 on the evening of Friday, January 26th.

Ladies purposing to attend the Drawing-Room are requested to send their cards and addresses to the Aide-de-Camp in waiting not later than Tuesday, the 23rd, and to bring with them to the Drawing-Room the two cards which will be sent to them; one to be given on entering Government House, and the second to the Aide-de-Camp in waiting at the time of presentation.

Ladies who have not already been presented at the Court of St. James or at Government House, are requested to send their cards with their address and the name of the lady by whom they are to be presented to the Aide-de-Camp in waiting as soon as possible.

Ladies who present others should themselves attend the Drawing-Room.

Ladies are requested to appear in full dress with trains. Trains, however, will not be considered indispensable.

Gentlemen in attendance on ladies will leave the ladies at the entrance to the Throne Room, and meet them again as they leave, but not pass before the Throne.

The carriages of all who have the private entrée will enter by the South-East Gateway, and set down at the South Entrance of Government House.

All other carriages will enter by the North-East Gate, set down at the Grand Entrance, and pass out by the North-West Gateway.

No cards will be received after the 23rd instant.

By Command,

G. POMEROY COLLEY, *Colonel*,

Military Secretary to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 16th January 1877.

No. 1.—The Governor General in Council, under the authority vested in him by the Act 24 & 25 Vic., cap. 67, has been pleased to appoint Wednesday, the 24th instant, at noon, as the time, and the Council Chamber in the Government House, Calcutta, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

The 17th January 1877.

No. 2.—His Excellency the Viceroy and Governor General, under the authority vested in him by 24 & 25 Vic., cap. 67, section 10, is pleased to nominate Mr. B. W. Colvin, C.S., Commissioner of Mírat, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

No. 3.—Major H. S. Jarrett received charge of the office of Assistant Secretary to the Government of India in the Legislative Department, from Lieutenant A. C. Talbot, before noon on the 17th instant.

CORRIGENDA.

In the second section of Act No. XXI of 1876, published in the *Gazette of India* for 23rd December 1876, 30th December 1876, and 6th January 1877, *for* "section one," *read* "section three."

In volume II of General Acts of the Governor General of India in Council, page 1387, No. 169, column 1, *after* 'jurisdiction,' *insert* "or any order of Her Majesty in Council."

In volume III of General Acts of the Governor General of India in Council, page 1668, *omit* lines 5, 6 and 7.

WHITLEY STOKES,

Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 17th January 1877.

No. 45.—*Extract from the Proceedings of the Government of India in the Home Department (Public).*

Read the under-mentioned papers regarding a proposal to amalgamate the Province of Oudh with the North-Western Provinces:—

From the Financial Department, No. 3784, dated 23rd September 1870, and enclosures.

From the Chief Commissioner of Oudh, No. 2232, dated 5th May 1875, and enclosures.

OBSERVATIONS.—The Governor General in Council is of opinion that it is expedient on grounds of financial and general policy to combine the Administration of Oudh with that of the North-Western Provinces.

2. The simplest mode of carrying out this measure is to transfer the seat of chief executive authority in Oudh from Lucknow to Allahabad, leaving matters otherwise as they stand. This will cause the least disturbance of existing arrangements, and will provide, with the greatest amount of economy possible, for the maintenance of the peculiarities of the Oudh administrative system.

3. The Governor General in Council is therefore pleased to declare that the office of Lieutenant-Governor of the North-Western Provinces being vacant, the Chief Commissioner of Oudh shall be transferred to it. The Lieutenant-Governor and Chief Commissioner will exercise the present functions of both offices within each Province respectively, and will be required to reside at Lucknow for a portion of the year.

ORDER.—Ordered, that this Resolution be forwarded to the several Departments of the Government of India for information and guidance, to the Government of the North-Western Provinces, and to the Chief Commissioner of Oudh, for information and guidance; and to Sir George Couper for information.

Ordered also, that this Resolution be published in the *Gazette of India*.

No. 55.—Subject to the approbation of Her Majesty the Queen, Empress of India, the Governor General in Council is pleased to appoint Sir George Couper, BART., C.B., K.C.S.I., Chief Commissioner of Oudh, to be also Lieutenant-Governor of the North-Western Provinces. Mr. J. F. D. Inglis, C.S.I., will continue to officiate as Chief Commissioner of Oudh until the period for which the Right Honourable the Secretary of State has been pleased to extend his term of service has expired.

MEDICAL.

The 17th January 1877.

No. 12.—The services of Surgeon G. P. Mackenzie, M.B., are replaced at the disposal of the Military Department.

The 18th January 1877.

No. 23.—The under-mentioned Assistant Surgeons are promoted to the grades, and with effect from the dates, specified opposite their names:—

Names.	To what grade promoted.	Date of promotion.
Baboo Denobundoo Dutt	1st Grade	1st Nov. 1876.
„ Grish Chunder Mitter	2nd „	Ditto.
„ Hem Chunder Bhuttacharjee	2nd „	Ditto.
„ Mul Chund	2nd „	Ditto.
„ Behary Lall Ghose	2nd „	25th Sept. 1876.

No. 26.—Home Department Notification No. 678, dated 14th ultimo, is hereby cancelled.

No. 27.—The services of Assistant Surgeon Ram Chundro Sen, attached to the Sumbhoo Nath Pundit Dispensary at Bhowanipore, are placed at the disposal of the Chief Commissioner of Assam.

SANITARY.

The 19th January 1877.

No. 4.—The usual subsidiary leave is granted to Surgeon-Major James L. Bryden in order to enable him to rejoin his appointment as Statistical Officer to the Sanitary Commissioner with the Government of India.

Dr. Bryden rejoined his appointment on the 9th ultimo.

JUDICIAL.

The 17th January 1877.

No. 49.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Assistant Commissioner Mr. L. Hare, C.S., with the powers of a Munsif in the District of Cachar in Assam.

PORT BLAIR.

The 17th January 1877.

No. 4.—Captain M. Protheroe, Deputy Superintendent of Port Blair and the Nicobars, appointed to officiate as Chief Commissioner, received charge of the office of Chief Commissioner of the Andaman and Nicobar Islands and Superintendent of Port Blair and the Nicobars from Major General C. A. Barwell, C.B., on the forenoon of the 27th November last.

ARTHUR HOWELL,

Offg. Secy. to the Govt. of India.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—AGRICULTURE AND HORTICULTURE.—FAMINE.

Fort William, the 19th January 1877.

No. 72.—The Governor General in Council is pleased to appoint Captain W. S. S. Bisset, R.E., on special duty under the orders of Sir Richard Temple, Bart., K.C.S.I.

No. 75.—The Governor General in Council is pleased to appoint Captain E. S. Rivett-Carnac, of the 11th Hussars, to be Aide-de-Camp to the Honorable Sir Richard Temple, Bart., K.C.S.I., on a special mission in the Madras and Bombay Presidencies.

T. C. HOPE,

Addl. Secy. to the Govt. of India.

SEA CUSTOMS.

The 19th January 1877.

No. 19.—In exercise of the powers conferred by Section 6 of "the Indian Tariff Act, 1875," the Governor General in Council exempts from the export duty imposed by that Act all rice exported by sea, and entered outwards for either of the French ports of Pondicherry and Karikal or passing by land into any of the French Settlements situate on the line of coast within the Presidency of Fort St. George.

This exemption shall commence on the 22nd day of January 1877, and shall continue in force until the 21st day of July, inclusive.

SURVEYS.

The 19th January 1877.

No. 31.—Colonel J. T. Walker, R.E., returned from the furlough granted to him in Bombay Government Order, No. 262, dated the 6th April 1876, and resumed charge of the office of Superintendent of the Great Trigonometrical Survey of India from Mr. J. B. N. Hennessey, M.A., on the afternoon of the 13th instant.

No. 32.—Subsidiary leave from the 4th to the 13th instant, both days inclusive, is granted to Colonel J. T. Walker, R.E., Superintendent of the Great Trignometrical Survey of India.

G. H. M. BATTEN,

Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 18th January 1877.

No. 92G.—LEAVE.—Major E. R. C. Bradford, C.S.I., General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, is granted privilege leave for three months from 15th January 1877 or subsequent date.

APPOINTMENT.—Lieutenant J. H. Newill is appointed to officiate as General Superintendent of Operations for the Suppression of Thuggee and Dacoitee during the absence of Major Bradford, or until further orders.

No. 93 *G.*—The following extract from Regimental Orders dated 2nd November 1876, issued by the Commandant, Meywar Bheel Corps, is confirmed:—

Lieutenant-Colonel T. E. Gordon, C.S.I., Bengal Staff Corps, having rejoined, assumes Command of the Meywar Bheel Corps.

Major C. G. Gunning, Officiating Commandant, to revert to his appointment of 2nd-in-Command.

Captain A. R. T. McRae, Officiating 2nd-in-Command, to revert to his appointment of Adjutant.

Lieutenant C. Herbert, Officiating Adjutant, to revert to his appointment of Officiating Wing Subaltern.

No. 94 *G.*—Captain J. McK. Homfray, Adjutant, Bhopal Battalion, received temporary charge of the Bhopal Political Agency from Lieutenant-Colonel W. Kincaid on the afternoon of the 8th December 1876.

The 19th January 1877.

No. 98 *G.*—Captain J. McK. Homfray, of the Bhopal Battalion, held charge of the Sehore Treasury, in addition to his own duties, from the afternoon of 21st October to the forenoon of the 26th November 1876, during the absence on duty of the Political Agent, Bhopal.

No. 100 *G.*—TEMPORARY PROMOTIONS.—From the date on which Major Powlett assumes charge of Kotah—

Substantive—*Pro tempore.*

Colonel W. C. Lester, to be Political Agent, 2nd Class.
Captain A. W. Roberts, to be Political Agent, 3rd Class.
Captain F. H. Maitland, to be Political Assistant, 1st Class.
Captain D. W. K. Barr, to be Political Assistant, 2nd Class.
Captain E. A. Fraser, to be Political Assistant, 3rd Class.

No. 101 *G.*—Consequent on the return from furlough of Captain A. W. Roberts, Political Assistant, 1st Class, Major H. M. B. Burlton reverts to his substantive grade of Political Assistant, 3rd Class.

The services of Lieutenant C. W. Ravenshaw, Officiating Political Assistant, 3rd Class, and Assistant, Cantonment Magistrate, Morar, are replaced at the disposal of the Military Department, with effect from the date on which he is relieved by Major Burlton.

No. 103 *G.*—With reference to the Notifications of this Department, Nos. 100 G—101 G, dated 19th January 1877, Captain A. W. Roberts, Political Agent, 3rd Class, substantive *pro tem*, is posted to Morar as Cantonment Magistrate.

Major H. M. B. Burlton is also posted to Morar as Assistant Cantonment Magistrate.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—FINANCE AND ACCOUNTS.

Fort William, the 17th January 1877.

No. 282.—Mr. E. W. Kellner is appointed to officiate temporarily as Deputy Comptroller General.

The 18th January 1877.

No. 339.—Mr. J. W. McNair is appointed to officiate as Assistant to the Accountant General, Punjab.

LEAVE AND ALLOWANCES.

The 19th January 1877.

No. 241.—With the sanction of Her Majesty's Secretary of State for India, the Governor General in Council directs that the following be inserted as Rule 1A under Section 1 of the Civil Leave Code:—

1A.—An Officer of the Royal Navy, attached to the Marine Survey Department, is subject to the Rules in this Code which apply to Uncovenanted Officers.

PENSIONS AND GRATUITIES.

The 19th January 1877.

No. 222.—The Governor General in Council directs that the following be inserted under Section 56 after Rule 3, Civil Pension Code:—

"NOTE.—Each Department of the Government of India exercises the powers of a Local Government under the Rules subsidiary to this section in respect to any Officers immediately subordinate to it;"

and that the following be inserted under Section 75 (before the Rules) of the said Code:—

"NOTE.—In Sections 75, 76, and 77, 'Local Government' includes a Department of the Government of India in respect of all Officers immediately subordinate thereto."

The 18th January 1877.

No. 270.—With the sanction of Her Majesty's Secretary of State for India, the Governor General in Council directs that the following be inserted as Section 48A in Chapter X of the Civil Pension Code:—

Section 48A.—The Government of India may, upon such conditions as it may think fit in each case to impose, condone a break or breaks in the continuity of service not exceeding twelve months in the aggregate, which are not the result of any of the circumstances mentioned in Section 48.

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

MILITARY DEPARTMENT.

Fort William, the 18th January 1877.

APPOINTMENTS AND PROMOTIONS.

No. 28.—MILITARY ACCOUNTS DEPARTMENT—

Captain C. T. P. Luxmore, Madras Staff Corps, Wing Officer, 10th Regiment Madras Native Infantry, to be an Assistant Military Accountant, on probation, with effect from the 10th January 1877.

No. 29.—Colonel C. L. Brown, Military Accountant, 2nd Class, 1st Grade, having returned from furlough, will officiate as Military Accountant, 1st Class, 2nd Grade, with effect from the 8th January 1877, junior Officers acting in higher grades reverting to their proper places in the Department.

No. 30.—ARMY COMMISSARIAT DEPARTMENT—

Temporary.

Captain H. J. Barton, Sub-Assistant Commissary General, 2nd Class, on return from furlough, to officiate as Sub-Assistant Commissary General, 1st Class, with effect from 30th December 1876, the junior Officer reverting to his proper place.

No. 31.—PUNJAB FRONTIER FORCE—

1st Punjab Infantry.

Lieutenant T. C. Pears, 2nd Wing Subaltern, 3rd Punjab Infantry, on probation, to officiate as 2nd Wing Subaltern, with effect from the 1st December 1876, until further orders, *vice* Lieutenant D. A. A. Macpherson, appointed to the Military Accounts Department.

No. 4 (Hazara) Mountain Battery.

Lieutenant C. C. Lindsay, 2nd Subaltern, to be 1st Subaltern, *vice* Captain H. R. L. Morgan, who vacates the appointment on promotion to the rank of Captain.

Lieutenant E. C. Wace, Commandant, No. 5 Garrison Battery, to be 2nd Subaltern, *vice* Lieutenant Lindsay.

No. 5 Garrison Battery.

Captain H. R. L. Morgan, R.A., to be Commandant, *vice* Lieutenant Wace, transferred to No. 4 (Hazara) Mountain Battery.

No. 32.—HYDERABAD CONTINGENT—

3rd Infantry.

Lieutenant-Colonel D. Shaw, Wing Commander, 11th Madras Native Infantry, and Officiating Commandant, 1st Infantry, to be Wing Commander, *vice* Lieutenant-Colonel Pedler, appointed to the 4th Infantry.

Colonel Shaw will continue to officiate in the 1st Infantry until further orders.

4th Infantry.

Lieutenant-Colonel J. P. Pedler, Wing Commander, 3rd Infantry, and Officiating Commandant, 4th Infantry, to be Commandant, *vice* Colonel W. Weldon, retired.

No. 33.—PUNJAB FRONTIER FORCE—

The following Brigade Order, issued by the Brigadier-General Commanding the Punjab Frontier Force, is confirmed:—

No. 283, dated the 23rd November 1876.—Directing Captain H. F. Showers, 1st Wing Subaltern, 1st Punjab Infantry, to officiate as Wing Officer, *in addition to his other duties*, during such time as Captain A. Vallings may officiate as Commandant, or until further orders.

Captain C. F. Powell, Officiating 2nd Wing Subaltern, 5th Goorkha Regiment, to officiate as Wing Officer, *vice* Captain H. F. Showers, and during the absence on furlough to Europe of Captain C. McK. Hall, or until further orders.

No. 34.—STAFF CORPS—

The under-mentioned Officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Honorable the Secretary of State for India:—

Lieutenant Solomon Charles Frederick Peile, 109th Foot, Officiating Wing Officer, 2nd (Queen's Own) Regiment of Native (Light) Infantry,—12th October 1875.

Lieutenant Edward Dermot Hamilton Daly, 15th Hussars, Squadron Officer, 2nd Regiment, Central India Horse,—12th October 1875.

No. 35.—MEDICAL DEPARTMENT—

Her Majesty has been pleased to appoint the under-mentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service:—

Surgeon R. Cobb,—arrived at Bombay, 6th December 1876.

No. 36.—The services of Surgeon A. Tomes, Medical Department, are placed temporarily at the disposal of the Government of Bengal, with effect from the 13th January 1877.

No. 37.—The services of Surgeon R. Power, Medical Department, in medical charge, 3rd Sikh Infantry, Punjab Frontier Force, are, at his own request, replaced at the disposal of His Excellency the Commander-in-Chief.

No. 38.—The services of Surgeon R. Harvey, M.B., Medical Department, are, with reference to the Notification in the Home Department, No. 574 of the 16th October 1876, replaced at the disposal of that Department.

No. 39.—The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Browne William Ryall, Bengal Staff Corps,—14th January 1877.

Lieutenant-Colonel Edward Dandridge, Bengal Staff Corps,—14th January 1877.

Lieutenant-Colonel Edmund Lewin Taverner, Bombay Staff Corps,—17th January 1877.

No. 40.—The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant Sydney Drummond Turnbull,—3rd January 1877.

No. 41.—The following extract from the *London Gazette* is published for general information:—

London Gazette, dated the 28th November 1876, page 6532.

WAR OFFICE, PALL MALL,
28th November 1876.

Unattached.

Lieutenant and Brevet Captain George Nolan, of the Bengal Unattached List, since de-

ceased, to be Captain on the Bengal Unattached List. Dated 14th September 1872.

* * * * *

Brevet.

* * * *

The second Christian name of Captain Channer, V.C., Bengal Staff Corps, who was promoted to the rank of Major in the Gazette of 11th April 1876, is *Nicolas* and not *Nicholas*, as therein stated.

The under-mentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel William Alexander Deey, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel and Brevet Colonel Ezekiel Gage, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel and Brevet Colonel Henry Duncan Taylor, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel and Brevet Colonel Henry Clerk, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel and Brevet Colonel William James Jones, Madras Staff Corps. Dated 29th November 1876.

To be Colonels.

Lieutenant-Colonel Arthur Cory, Bengal Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel Charles James, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel Patrick Salter, Madras Staff Corps. Dated 29th November 1876.

Lieutenant-Colonel Josiah Hudlestone, Madras Staff Corps. Dated 29th November 1876.

To be Surgeon-General.

Deputy Surgeon-General William Johnston, M.D., Madras Army. Dated 29th November 1876.

* * * *

London Gazette, 28th November 1876, page 6533.

INDIA OFFICE, *25th November 1876.*

Her Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Captain.

Captain (Brevet Major) the Hon'ble Robert William Napier, Bengal Infantry. Dated 18th July 1871.

To be Lieutenants.

Lieutenant Gervas Selwyn Eyre, 36th Regiment. Dated 27th October 1871.

Lieutenant Duncan Alexander Allan Macpherson, 85th Regiment. Dated 28th October 1871.

Lieutenant Edmund Palmer, 3rd Regiment. Dated 28th October 1871.

Lieutenant William Henry Fothergill Macmullen, 11th Hussars. Dated 28th October 1871.

Lieutenant William John Butterworth Bird, Royal Artillery. Dated 15th December 1871.

Lieutenant Maurice Crosbie Cooke-Collis, 92nd Regiment. Dated 30th December 1871.

Lieutenant Philip Arnold Buckland, 83rd Regiment. Dated 24th April 1872.

Lieutenant Edwin Capel Currie Sandys, Royal Artillery. Dated 2nd May 1872.

Lieutenant Peter Robert Bairnsfather, 16th Lancers. Dated 2nd November 1872.

Lieutenant Henry Brabazon Urmston, 14th Regiment. Dated 13th November 1872.

Lieutenant Francis Robert Bonham Knox, 45th Regiment. Dated 13th November 1872.

No. 42.—The under-mentioned Native Medical Pupils of the Lahore Medical School, who have passed their final examination, are promoted to the grade of Passed Medical Pupil, with effect from the 23rd October 1876, and placed at the disposal of the Surgeon-General, Indian Medical Service:—

Baz Khan.
Toorab Allee.
Fazl Ilahee.
Amir Khan.

No. 43.—The following Military letter from the Right Honorable the Secretary of State for India, is published for information and guidance:—

Military. INDIA OFFICE,

No. 341. *London, 30th November 1876.*

To His Excellency the Right Honorable the Governor General of India in Council.

MY LORD,—Two cases have recently come before me, in which I have been called upon to consider in Council the conditions under which Officers of the Indian Staff Corps and local Officers may be permitted, when demand is made from proper quarters, to give their services beyond Indian limits.

2. And I have thought it well to endeavour to lay down a rule of general application in such cases.

3. The circumstances under which such demands will come before Government are various. In some cases the services of Officers are desired beyond Indian limits by Her Majesty's Government, whether within or beyond the territories of Great Britain and her Dependencies, on account of special reasons affecting the interests of the British Empire.

4. In other cases the services of Indian Officers may be sought (as they have been several times of late years) on account of special qualifications for local assistance by Governments of British Colonies (or by friendly Foreign States).

5. And your Officers may be applied for to serve on the personal staff of General Officers or in analogous positions out of India, when the grounds of the application are, from the nature of the case, of a private and personal, though perfectly legitimate nature.

6. No one will question that every practical facility should be given to compliance with the demand for officers under the first of the preceding categories. But I think also that, as a general principle, and within reasonable limits, no needless obstacle should be allowed to stand in the way of such demands under whichever class they come. The more free the scope we can give to the employment of our officers consistently with what is due to the Indian administration, the more are we likely to elevate the credit and the tone of the service and to add to its prestige.

7. It will of course rest with you to consider and decide on every demand of this kind as it arises.

8. And I propose to lay down as a rule that every officer whom you shall so permit to serve beyond the limits of India shall, while so serving, receive at the charge of Indian revenues the English furlough pay of his rank in addition to the allowances that may be assigned to him from other sources in each case, and that his service under such circumstances shall count for pension, subject to the following limitations:—

A. That where an officer is called for to serve on personal staff out of India, the privilege first named shall not be enjoyed beyond three years.

B. That when an officer's services are lent for other than imperial purposes either in England or in a British Colony or to a Foreign State, the officer shall contribute to the Indian Exchequer a proportion, to be fixed by you, not exceeding one-fifth of the emoluments which he may receive during such transfer of his services, in compensation for the retention of his claim to pension during his absence from Indian duty.

I have, &c.,
CARNARVAN.

RETIREMENTS.

No. 44.—The under-mentioned Officer, in Civil employ, is permitted to retire from the service on a pension of £365 per annum, with an additional annuity of £289-19-0, from the 7th February 1877, under the terms of the Secretary of State's despatch, in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) James Creighton Wood, Bengal Staff Corps, Deputy Commissioner, Central Provinces.

No. 45.—Lieutenant George Rae, East Indian Railway Volunteer Corps, is, at his own request, permitted to resign from the 10th January 1877.

No. 46.—Native Medical Pupil Gholam Moheoden, No. 1061, admitted by G. G. O. No. 841 of 1876, is permitted to resign the service.

No. 47.—First Class Assistant Apothecary Alfred D'Silva, Subordinate Medical Department is removed from the service.

PENSIONS.

No. 48.—The under-mentioned men are transferred to the Pension Establishment:—

Serial No.	Rank.	NAME.	In what rank pensioned.	Amount of pension.	Circle of payment.
		12th (The Kelat-i-Ghilzie) Regiment of Native Infantry.		Rs.	
	Havildar	Bucktour Misser	Havildar	7	N. W. P.
	,, ...	Ramlochun Sing	,, ...	7	Presidency.
	Naick ...	Bussaka Sing ...	Naick ...	7	Punjab.
	Sepoy ...	Mattabudul Misser.	Sepoy ...	4	N. W. P.
	,, ...	Sewnauth Panday	,, ...	4	,,
	,, ...	Dhunna Ram ...	,, ...	4	,,
		1st Regiment Central India Horse.			
	Rassaldar	Surmukh Singh	Ressaidar	25	Punjab.
	Duffadar .	Hira Singh ...	Duffadar	7	,,
	,,	Mir Irshad Ali,..	,, ...	7	,,
	Sowar ...	Narain Singh ...	Sowar ...	4	N. W. P.
	,, ...	Shekh Nujjuf Ali	,, ...	4	Punjab.
	,, ...	Shekh Khuda Buksh.	,, ...	4	N. W. P.
	,, ...	Jamal Khan ...	,, ...	4	,,
	,, ...	Sahib Dad Khan	,, ...	4	,,
	,, ...	Amar Singh ...	,, ...	4	Punjab.
	,, ...	Kan Singh ...	,, ...	4	,,
	,, ...	Narain ...	,, ...	4	N. W. P.
	,, ...	Sham Singh ...	,, ...	4	Punjab.

Serial No.	Rank.	NAME.	In what rank pensioned.	Amount of pension.	Circle of payment.
		2nd Regiment Central India Horse.		Rs.	
	Duffadar	Sahib Singh ...	Duffadar	7	N. W. P.
	,, ...	Bhugwan Singh	,, ...	7	,,
	,, ...	Prem Singh ...	,, ...	7	,,
	,, ...	Mahomed Hashim	,, ...	7	,,
	Sowar ...	Mir Wajid Ali ...	Sowar ...	4	,,
	,, ...	Mahomed Amir Khan.	,, ...	4	,,
	,, ...	Ram Singh ...	,, ...	4	Punjab.
	,, ...	Tara Singh ...	,, ...	4	N. W. P.
	,, ...	Devi Singh ...	,, ...	4	,,
	,, ...	Jumal Khan ...	,, ...	4	,,
	,, ...	Surmukh Singh	,, ...	4	Punjab.
		2nd Regiment Sikh Infantry.			
	Naick ...	Jungi ...	Naick ...	7	Punjab.
	Sepoy ...	Niamut ...	Sepoy ...	4	,,
	,, ...	Budhi Sing ...	,, ...	4	,,
	,, ...	Padmu ...	,, ...	4	,,
	,, ...	Oodum ...	,, ...	4	,,

No. 49.—Gobinda, widow of Kasseram Tewary, Jemadar, 33rd Native Infantry, is admitted to the 3rd Class Order of Merit pension, *viz.*, Rs. 5-10-8 per mensem, for three years from the 16th March 1875, payable in the N. W. P. Circle.

No. 50.—Havildar Khazan Sing, 15th Regiment Native Infantry, is granted a pension of Rs. 7 per mensem from the date of his discharge, payable in the Punjab Circle.

FURLOUGH AND LEAVE.

No. 51.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Julius Bentall Dennys, Bengal Staff Corps, Deputy Commissioner, 1st Class, Nagpur Division, Central Provinces,—private affairs, for two years, under the Regulations of 1854.

Lieutenant-Colonel (Brevet Colonel) Frederick John Davies, of Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) James Snow Davies, Bengal Staff Corps, Judicial Commissioner, Chota Nagpore, Bengal,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major James Howard Thornton, M.B., Medical Department,—private affairs, for twenty months, under Rule IX of the Regulations of 1868.

Major Henry McDonell De Wendt Douglas, Bengal Staff Corps,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Captain Edward George Newnham, General List Infantry, Squadron Commander, 17th Bengal Cavalry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Captain Reginald Justus Wimberley, Bengal Staff Corps, 1st Assistant Superintendent and District Superintendent of Police, Port Blair and the Nicobars,—private affairs, for one year and ten days, under Rule IX of the Regulations of 1868.

Captain Lorne Macdonald, Bengal Staff Corps, private affairs, for one year and one day, under Rule IX of the Regulations of 1868.

Captain Thomas Shepherd, Bengal Staff Corps, Squadron Commander, 4th Punjab Cavalry, Punjab Frontier Force,—private affairs, for one year, under Rule IX of the Regulations of 1868.

No. 52.—Lieutenant Francis William Snell, Bombay Staff Corps, Assistant Superintendent of Police, Kyoukphyoo, Officiating District Superintendent of Police, 5th Grade, British Burmah, is allowed to proceed to Europe on medical certificate, under the Regulations of 1868, with the necessary subsidiary leave, in anticipation of the furlough which will be granted to him by the Government of his own Presidency.

No. 53.—The furlough to Europe granted to Captain E. E. Gibson, Bengal Staff Corps, in G. G. O. No. 826 of 1873, will be held to have effect from the 12th September 1873, instead of from the 22nd August 1873, as previously notified.

No. 54.—The grant of furlough to Europe on private affairs to Captain (Brevet Major) T. C. Graham, late 4th European Light Cavalry, squadron Commander, 7th Bengal Cavalry, in G. G. O. No. 1178 of 1876, is cancelled.

No. 55.—Lieutenant William Ward, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence to proceed to England on medical certificate from the 1st March 1877 to the 1st April 1878.

REPORT OF DEPARTURES.

No. 56.—Lieutenant-Colonel (Brevet Colonel) E. Davidson, Royal Engineers, G. G. O. No. 1057 of 1876,—*Deccan*, 6th November 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) A. B. Johnson, Bengal Staff Corps, G. G. O. No. 1296 of 1876,—*Venetia*, 25th December 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) G. A. St. P. Fooks, Bengal Staff Corps, G. G. O. No. 1040 of 1876,—*Macedonia*, 18th November 1876, from Bombay.

Captain A. Oldham, General List, Infantry, G. G. O. No. 1131 of 1876,—*Europa*, 3rd January 1877, from Bombay.

Lieutenant G. G. Dawes, Bengal Staff Corps, G. G. O. No. 1178 of 1876,—*Crocodile*, 7th November 1876, from Bombay.

Lieutenant J. F. Carthew, Bengal Staff Corps, G. G. O. No. 1212 of 1876,—*Malabar*, 21st November 1876, from Bombay.

Lieutenant L. M. Boileau, Bengal Staff Corps, G. G. O. No. 1204 of 1876,—*Malabar*, 21st November 1876, from Bombay.

Lieutenant J. E. Broadbent, Royal Engineers, G. G. O. No. 1154 of 1876,—*Mira*, 23rd December 1876, from Calcutta.

Conductor E. Gleeson, G. G. O. No. 1178 of 1876,—*Malabar*, 21st November 1876, from Bombay.

Sub-Conductor J. Moorhead, Quartermaster General's Office, Bengal, G. G. O. No. 1178 of 1876,—*Crocodile*, 7th November 1876, from Bombay.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 15th January 1877.

No. 13.—With reference to Public Works Department Notification No. 447 of 1st November 1876, Mr. W. Brassington, Executive Engineer, 4th Grade (temporary rank), assumed charge of his duties in the Simla Imperial Circle on the 1st November 1876.

The 17th January 1877.

No. 14.—Baboo Sushtee Churn Mitter, Accountant, 3rd Grade, Bengal, is transferred to Central India.

No. 15.—The under-mentioned passed students of the Royal Indian Engineering College appointed by Her Majesty's Secretary of State as Assistant Engineers, 2nd Grade, are posted as follows:—

To Bombay, for general service.

Mr. G. O. W. Dunn.
„ R. H. F. Stuart.
„ E. Pinhey.
„ A. T. Mullaly.
„ C. N. Clifton.
„ W. H. Le Quesne.

To Bengal, Provincial.

Mr. J. C. White.

To North-Western Provinces, Provincial.

Mr. R. P. Atkinson.
„ A. R. Sutherland.
„ C. H. Holme.

To Central Provinces.

The Hon'ble L. M. St. Clair.
Mr. W. G. Newton.
„ H. E. Haddon, B.A.
„ E. Leycester.
„ E. Baker.
„ F. Lang.
„ J. E. Dallas.
„ R. Sivewright.

(Railway Branch.)

To Mysore.

Mr. E. H. Johns.
„ W. C. Lewis.
„ E. H. Clementson.

To Oudh.

Mr. L. B. Simeon.
„ E. F. Gordon.

To Hyderabad.

Mr. M. P. Coode.
„ M. J. Scobie.

To British Burmah.

Mr. A. G. Harrison.

To State Railways, under Director.

Mr. A. Sulivan.
„ F. Wolley-Dod.
„ R. W. Roberts.
„ J. D. M. Burton.
„ W. H. Cole.
„ W. Michell.
„ E. W. Vowell.
„ H. J. Oddie.
„ J. M. Montague, B.A.
„ R. S. J. Routh.
„ E. F. Jacob.
„ C. J. S. Baker.
„ A. Bewley.
„ W. S. Haig.

No. 16.—The services of Surgeon P. de H. Haig, temporarily employed as Assistant Medical Superintendent, Persian Telegraph (*vide* Public Works Department Notification No. 321 of 18th July 1876), are replaced at the disposal of the Military Department, with effect from 26th November 1876.

The 18th January 1877.

No. 18.—The services of Captain W. S. S. Bisset, R.E., Manager, open line, Holkar and Neemuch State Railways, are placed temporarily at the disposal of the Department of Revenue, Agriculture and Commerce.

No. 19.—Lieutenant T. P. Cather, R.E., Assistant Engineer, 2nd Grade, is transferred from the North-Western Provinces Irrigation Branch, to the Punjab Irrigation Branch.

C. H. DICKENS, *Colonel, R.A.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 4. } CALCUTTA, SATURDAY, JANUARY 27, 1877. { Register No. 33.

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

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SUPPLEMENT No. 4.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 25th January 1877.

His Excellency the Viceroy has been pleased to grant to the following gentlemen the privilege of the Private Entrée at Government House, Calcutta:—

Nawab Syad Asghar Ali Diler Jung, C.S.I.
Raja Degumber Mitter, C.S.I.
Maharajah of Durbungah.

By Command,

G. POMEROY COLLEY, *Colonel,*
Mily. Secy. to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 20th January 1877.

No. 4.—His Excellency the Viceroy and Governor General, under the authority vested in him by 24 & 25 Vic., Cap. 67, Section 10, is pleased to nominate the Honorable R. A. Dalyell to be an Additional Member of the Council of the Governor General for making Laws and Regulations.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 20th January 1877.

No. 31.—Mr. L. P. D. Broughton, Administrator General of Bengal, resumed charge of his office on the forenoon of the 5th instant.

The 22nd January 1877.

No. 36.—The services of Captain H. Boileau, Assistant Commissioner in British Burma, are placed at the disposal of the Government of Bengal.

No. 45.—The Honorable Ashley Eden, C.S.I., having been appointed by His Excellency the Viceroy and Governor General of India, subject to the approbation of Her Majesty the Queen, Empress of India, to officiate as Lieutenant-Governor of the Bengal Division of the Presidency of Fort William, assumed charge of the office on the 8th instant.

The 23rd January 1877.

No. 48.—The services of Baron J. Bentinck, Assistant Commissioner, 3rd Grade, in British Burma, are placed at the disposal of the Government of the Punjab.

No. 49.—The services of Mr. P. C. H. Snow, Assistant Commissioner, 3rd Class, in the Punjab, are placed at the disposal of the Chief Commissioner of British Burma.

The 24th January 1877.

No. 57.—Mr. F. A. Robertson, of Her Majesty's Bengal Civil Service, reported to the Government

of the Punjab his arrival at Lahore on the 13th ultimo.

The 26th January 1877.

No. 66.—Major H. S. Jarrett resumed charge of the office of Secretary to the Board of Examiners at Calcutta, from Lieutenant A. C. Talbot, on the forenoon of the 16th instant.

No. 68.—The Honorable Romesh Chunder Mitter, B.L., Acting Judge of the High Court of Judicature at Fort William in Bengal, resumed his seat on the bench of the High Court on the forenoon of the 15th instant.

MEDICAL.

The 23rd January 1877.

No. 40.—APPOINTMENT.—Surgeon Oswald Baker, Officiating Superintendent of the Jail at Moulmein in British Burma, to be Civil Surgeon of Theyetmyo.

The 26th January 1877.

No. 46.—APPOINTMENT.—Surgeon C. Little, M.D., is confirmed in his appointment of Civil Surgeon of Akola, in the Hyderabad Assigned Districts.

JUDICIAL.

The 26th January 1877.

No. 163.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Babu Juggut Chundra Dass, B.A., B.L., Extra Assistant Commissioner in Assam, with the powers of a Munsif in the District of Sibságar.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—LAND REVENUE AND SETTLEMENTS.

Fort William, the 22nd January 1877.

No. 46.—In exercise of the power conferred by Section 26 of the Oudh Civil Courts' Act XXXII of 1871, the Governor General in Council is pleased to direct that Pargana Aldeman, in the Sultanpur District, shall cease to be under settlement from the date of the re-publication of this Notification in the *Oudh Gazette*.

FORESTS.

The 26th January 1877.

No. 110.—Mr. E. A. Down, Sub-Assistant Conservator of Forests in the North-Western Provinces, who, under Notification No. 33, dated the 12th instant, was attached to the Forest Survey Branch for a period of twelve months, joined that Department on the 25th November last.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 22nd January 1877.

No. 126*G*.—LEAVE.—Mr. H. M. Durand, Officiating Political Assistant, 1st Class, and 1st Assistant to the Agent to the Governor General for Rajputana, is granted two months' privilege leave, with effect from the date on which he may avail himself of the same.

No. 127*G*.—PROMOTION.—From the date on which Mr. H. M. Durand, Officiating Political Assistant, 1st Class, takes the leave granted by Notification No. 126G, dated 22nd January 1877—

Captain E. A. Fraser, Officiating Political Assistant, 3rd Class, to officiate as Political Assistant, 1st Class.

No. 128*G*.—POSTING.—With reference to Notification of this date, No. 127G, Captain E. A. Fraser, Officiating Political Assistant, 1st Class, is posted as 1st Assistant to the Agent to the Governor General for Rajputana.

Lieutenant A. P. Thornton, Officiating Political Assistant, 3rd Class, and Assistant Agent to the Governor General for Rajputana, to be in temporary charge of the current duties of the office of Political Agent, Marwar and Jeysulmere, in addition to his own duties, with effect from the date of assuming charge.

The 25th January 1877.

No. 174*G*.—APPOINTMENT.—Mr. T. J. C. Plowden, C.S., Inspector General of Police, Assam, to officiate as Under Secretary to the Government of India, in the Foreign Department, with effect from the forenoon of 23rd January 1877.

No. 177*G*.—The services of Lieutenant-Colonel J. Johnstone, Political Assistant, 1st Class, and Attaché in the Foreign Department, are placed at the disposal of the Military Department, with effect from the 27th instant.

The 26th January 1877.

No. 183*G*.—LEAVE.—Mr. R. B. Shaw, Officiating Political Agent, 2nd Class, and British Joint Commissioner, Ladakh, is granted three months' privilege leave, with effect from the date on which he may avail himself of the same.

No. 184*G*.—LEAVE.—Surgeon H. Johnstone, M.B., Residency Surgeon, Mandalay, is granted subsidiary leave for nine days in addition to that granted to him by Notification of this Department, No. 1845G, dated 25th August 1876.

No. 188*G*.—APPOINTMENT.—Lieutenant C. W. Ravenshaw to officiate as Boundary Settlement Officer and Ex-Officio Assistant to the Political Agent, Bhopal, with effect from the date of assuming charge, *vice* Captain Dalrymple.

No. 189*G*.—POSTING.—Lieutenant E. L. Durand is appointed to Manipur.

No. 190*G*.—With reference to Notification No. 189G of this date, Lieutenant E. L. Durand, Political Assistant, 2nd Class, to be Political Assistant, 1st Class, and to officiate as Political Agent, 3rd Class.

No. 191*G*.—From the date on which Lieutenant E. L. Durand assumes charge at Manipur—

Captain J. W. Ridgeway to officiate as Political Agent, 2nd Class.

Major V. E. Law to be Political Assistant, 2nd Class, but to continue to officiate as Political Assistant, 1st Class.

Lieutenant T. Hope to be Political Assistant, 3rd Class, but to continue to officiate as Political Assistant, 2nd Class.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 24th January 1877.

No. 414.—Extraordinary leave for eight months is granted to Mr. R. W. Lodwick, Bombay C.S., Accountant General and Commissioner of the Department of Issue of Government Paper Currency, Madras.

The under-mentioned Officers are appointed to officiate temporarily in the offices mentioned opposite to each name :—

Mr. W. Donald, as Accountant General and Commissioner of the Department of Issue of Government Paper Currency, Madras.

Mr. F. de H. Larpent, as Deputy Accountant General, Madras.

Mr. D. Kishn Singh, as Assistant Accountant General, Madras.

The 25th January 1877.

No. 462.—Moung Hla Oung is appointed to officiate as Assistant to the Comptroller General.

EXPENDITURE—*Administration.*

The 26th January 1877.

No. 458.—Mr. Hugh S. Barnes, B.C.S., is appointed to be Private Secretary to the Hon'ble Sir John Strachey, K.C.S.I., Financial Member of the Governor General's Council, with effect from the 14th December 1876.

LEAVE, LEAVE ALLOWANCES, &c.

The 26th January 1877.

No. 420.—The Governor General in Council directs that the following be added to the Note under Section 1 (*b*) of the Civil Leave Code :—

A Nominal Roll of Officers thus admitted to date is printed at pages 147 to 159. The death, resignation, removal or retirement of any Officer whose name appears in this Roll should be promptly reported by the Government, Department, or Head of Office under whom he is serving, directly to the Government of India in the Financial Department.

MINT AND CURRENCY.

The 26th January 1877.

No. 485.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year 1876.*

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
	Rs.	Rs.	Rs.
In the month of December 1876—			
Calcutta	40,00,845	1,54,474	40,32,982
Bombay	*35,44,717	70,48,739	35,09,766
Total ...	75,45,562	72,03,213	75,42,748
During the Calendar year 1876—			
Calcutta	91,76,816	1,91,32,691	1,50,42,190
Bombay	35,56,431	3,66,06,376	3,13,71,601
Total ...	1,27,33,247	5,57,39,067	4,64,13,791

* Includes Rs. 35,44,634, being value of Silver tendered under Currency Act.

Imports and Exports of Gold and Silver during the calendar year 1876.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of December ...	6,86,466	2,04,350	Imports. 4,82,116	99,51,182	18,24,948	81,26,234	1,06,37,648	20,29,298	86,08,350
In the whole year	1,10,19,834	1,47,41,712	Exports. 37,21,878	7,88,88,611	2,72,96,316	5,15,92,295	8,99,08,445	4,20,38,028	4,78,70,417

PENSIONS AND GRATUITIES.

The 26th January 1877.

No. 433.—Under the authority of Her Majesty's Secretary of State for India, the Governor General in Council directs that the following be inserted as Rule 2 under Section 59 (*a*) of the Civil Pension Code:—

2. "An invalid pension on the following scale, but not being less than Rs. 1,000 or more than Rs. 2,000 a year, may be granted to an Officer appointed to the service under the Regulations of the Royal Indian Engineering College at Cooper's Hill, or specially educated in England for the Forest Department under Regulations made by the Secretary of State:—

If the service of the Officer be not less than—

10 Years $\frac{10}{45}$ of the Officer's average emoluments.
11 " $\frac{11}{45}$ "
12 " $\frac{12}{45}$ "
13 " $\frac{13}{45}$ "
14 " $\frac{14}{45}$ "

No. 464.—The Governor General in Council directs that the following words be omitted from Section 14 of the Civil Pension Code:—

"or specially educated in Europe for the Forest Department under Regulations made by the Secretary of State;"

and that the following addition be made to this section:—

"The service of an Officer specially educated in Europe for the Forest Department under Regulations made by the Secretary of State counts from the date on which he joins the office to which he is first posted in India."

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

MILITARY DEPARTMENT.

Fort William, the 26th January 1877.

APPOINTMENTS AND PROMOTIONS.

No. 57.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General of India has been pleased to appoint Captain the Hon'ble G. P. H. Villiers, Grenadier Guards, to be an Aide-de-Camp on His Excellency's personal staff, with effect from the 1st January 1877.

No. 58.—The services of Captain E. S. Rivett-Carnac, 11th Hussars, are placed temporarily at the disposal of the Department of Revenue, Agriculture, and Commerce, with effect from the date on which he joined the personal staff of the Hon'ble Sir R. Temple, BART., K.C.S.I., on special duty.

No. 59.—GOVERNOR GENERAL'S BODY-GUARD—

Lieutenant C. W. Muir, Bengal Staff Corps, Squadron Officer, 6th Bengal Cavalry, to be Adjutant, *vice* Captain T. Deane, appointed 3rd Assistant Secretary to the Government of India, Military Department.

No. 60.—PUNJAB FRONTIER FORCE—

No. 1 Mountain Battery.

Lieutenant P. A. MacMahon, Royal Artillery, to be 2nd Subaltern.

No. 2 Mountain Battery.

Lieutenant E. A. Smith, Royal Artillery, to be 2nd Subaltern.

No. 61.—HYDERABAD CONTINGENT—

3rd Cavalry.

Surgeon C. E. McVittie, in medical charge 1st Infantry, to the medical charge, *vice* Surgeon-Major J. G. Reed, M.D., deceased.

1st Infantry.

Surgeon T. Hume, officiating in medical charge 4th Infantry, to the medical charge, *vice* Surgeon C. E. McVittie.

No. 62.—MEDICAL DEPARTMENT—

The services of Surgeon G. P. Mackenzie, M.B., Medical Department, late Officiating Civil and Jail, Bahraich, Oudh, are, with reference to the Notification by the Home Department, No. 12, dated the 17th January 1877, replaced at the disposal of His Excellency the Commander-in-Chief.

No. 63.—STAFF CORPS—

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

Major Charles Peter Hunter.
Major John Gillespie.
Major (Brevet Lieutenant-Colonel) John Pringle Sherriff.
Major Alexander Howe Bramley.
Major William Phaire.
Major Lionel Henry Planta De Hochepied Larpent.
Major Frederick Macnaghten Armstrong.
Major Archibald Edwards Campbell.
} 20th January 1877.

No. 64.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain George Ludlow Kennedy Hewett.
Captain (Brevet Major) William Tweedie.
Captain George Constable Gregory.
} 20th January 1877.
Captain Francis Frazer John Toke,—22nd January 1877.

No. 65.—*Brevet*—

The under-mentioned Officers of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel John Norman Maclean, Madras Staff Corps.
Lieutenant-Colonel Pritzler James Pakenham Wetherall, Madras Staff Corps.
} 26th January 1877.

No. 66.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the deaths of Major General F. Maitland, Bengal Infantry, on the 3rd August 1876, and Major-General L. S. Hough, Bombay Staff Corps, on the 23rd November 1876, the names of—

Colonel C. F. M. Mundy, Bengal Staff Corps, and
Colonel G. Caulfeild, Bengal Infantry, are placed on the list of Major-Generals, and those of—
Major C. H. S. Scott, Bengal Staff Corps, and
Major W. H. Mackesy, Bengal Staff Corps, are placed on the list of Lieutenant-Colonels on the Indian Gradation List.

No. 67.—The following promotions are made, subject to Her Majesty's approval:—

Brevet.

Rank, Names, and Corps.	To what rank promoted.	From what date.	In succession to
Captain Henry Alexander Shakespear, Bengal Cavalry.	Major	4th August 1876.	Major-General F. Maitland, Bengal Infantry, deceased.
Captain Henry Montagu Buller, Bengal Cavalry.	Ditto	24th November 1876.	Major-General L. S. Hough, Bombay Staff Corps, deceased.

No. 68.—LONDON GAZETTE—

The following extracts are published for general information:—

London Gazette, dated the 15th December 1876, page 6948.

WAR OFFICE, PALL MALL,
15th December 1876.

Brevet.

* * *

The under-mentioned promotion to take place in Her Majesty's Indian Military Forces, consequent on the death of Major-General Frederick Maitland, Bengal Infantry, on 3rd August 1876:—

Colonel William George Owen, Madras Infantry, to be Major-General in the East Indies. Dated 4th August 1876.

London Gazette, dated the 22nd December 1876, pages 7057, 7058, and 7059.

INDIA OFFICE,
21st December 1876.

Her Majesty has been pleased to approve of the following Admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Charles Pulley, 36th Regiment. Dated 28th October 1871.
Lieutenant Robert Ramsay Napier Sturt, 39th Regiment. Dated 9th March 1873.

Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps of Her Majesty's Indian Military Forces, made by the Governments in India:—

BREVET.

To be Colonels.

Lieutenant-Colonel Mowbray Thomson, Bengal Infantry. Dated 2nd November 1875.
Lieutenant-Colonel William Ramsay, Madras Infantry. Dated 8th July 1876
Lieutenant-Colonel Rowley Sale Hill, Bengal Infantry. Dated 29th August 1876.

To be Major.

Captain Henry Phipson Peacock, Bengal Cavalry. Dated 20th September 1876.

To be Captain.

Captain William Henry Browne, Bengal Staff Corps. Dated 3rd May 1876.

This cancels the promotion of Captain Browne to a Captaincy in the Bengal Staff Corps, as announced in the *London Gazette*, 15th September 1876.

Captain Richard Graham Birch, Bengal Cavalry, to be Major, in succession to Lieutenant-General C. Troup, C.B., Bengal Infantry, deceased. Dated 20th March 1876.

SUBSTANTIVE PROMOTIONS.
BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major William Cabell. Dated 26th June 1876.
Major Henry Scott Vincent Fisher, deceased. Dated 28th July 1876.

Page 7058.

To be Majors.

Captain Joseph Barnard Smith. Dated 26th June 1876.
Captain Thomas Reid Davidson. Dated 15th July 1876.
Captain Hamilton Chapman. Dated 15th July 1876.
Captain Archibald Lewis Playfair. Dated 5th August 1876.
Captain Charles Richard Cook. Dated 4th September 1876.
Captain Frederick Hammond. Dated 8th September 1876.
Captain George Stewart. Dated 20th September 1876.

To be Captains.

Lieutenant Albert de Claney Rennick. Dated 6th July 1876.
Lieutenant Thomas James Bailey. Dated 5th August 1876.
Lieutenant Stannus Verner Gordon. Dated 9th August 1876.
Lieutenant George John Hare. Dated 9th September 1876.
Lieutenant William George Craigie Halkett. Dated 9th September 1876.
Lieutenant Henry Boileau. Dated 9th September 1876.

BENGAL ARMY.
CAVALRY.

To be Colonels.

Lieutenant-Colonel (Brevet Colonel) Francis Walker Drummond. Dated 16th July 1876.

Lieutenant-Colonel (Brevet Colonel) William Fraser Stephens. Dated 16th July 1876.

To be Lieutenant-Colonels.

Major (Brevet Lieutenant-Colonel) John Boyd Saunders. Dated 16th July 1876.

Major (Brevet Colonel) Charles John Stanley Gough, C.B., V.C. Dated 16th July 1876.

Late 2nd European Light Cavalry.

Captain (Brevet Lieutenant-Colonel) Henry Melvill to be Major. Dated 16th July 1876.

Late 4th European Light Cavalry.

Captain (Brevet Major) Robert Cunliffe Low to be Major. Dated 16th July 1876.

Late 5th European Light Cavalry.

Captain (Brevet Major) Alexander Kincan Johnston Canning Mackenzie to be Major. Dated 16th July 1876.

INFANTRY.

To be Colonels.

Lieutenant-Colonel (Brevet Colonel) Henry Borlase Stevens. Dated 16th July 1876.

Lieutenant-Colonel (Brevet Colonel) William Martin Cafe, V.C. Dated 16th July 1876.

Lieutenant-Colonel (Brevet Colonel) Frederick Charles Maisey. Dated 16th July 1876.

To be Lieutenant-Colonels.

Major Harvey Woodhouse. Dated 16th July 1876.

Major James Johnstone. Dated 16th July 1876.

Major Henry Vansittart Riddell. Dated 16th July 1876.

Major Henry Rowband. Dated 30th August 1876.

Late 29th Native Infantry.

Captain Henry Archibald McNair to be Major. Dated 16th July 1876.

Late 44th Native Infantry.

Captain John Henry Willoughby Osborne to be Major. Dated 16th July 1876.

Late 51st Native Infantry.

Captain Arthur Edward Downing to be Major. Dated 16th July 1876.

Late 60th Native Infantry.

Captain Charles Henry Bergman to be Major. Dated 16th July 1876.

Late 64th Native Infantry.

Captain William Duncan Macturk to be Major. Dated 16th July 1876.

Page 7059.

The names of the under-mentioned Officers should be as follows, and not as stated in the *London Gazettes* named :—

"London Gazette," 15th August 1876—Colonel C. *John* S. Gough, C.B., V.C.

"London Gazette," 15th August 1876—Major R. H. *Hudleston*, not *Huddleston*.

"London Gazette," 15th August 1876—Captain J. R. *Burlton-Bennet*, not *Burlton Bennet*.

"London Gazette," 15th August 1876—Major W. *Vesy Fitz Gerald* Jacob.

"London Gazette," 15th August 1876—Captain J. M. W. *Von-Beverhoudt*, not *Von Beverhoudt*.

"London Gazette," 7th March 1876—Lieutenant H. N. *M'Rae*, not *McRae*.

"London Gazette," 15th August 1876—Lieutenant A. *Cautley* Bunny.

The dates of the Commissions of the under-mentioned Officers should be as follows, and not as stated in the *London Gazettes* named :—

"London Gazette," 30th May 1876—Lieutenant-Colonel M. Millett, 31st October 1875.

"London Gazette," 30th May 1876—Major R. H. Inglis, 31st October 1875.

"London Gazette," 7th March 1876—Lieutenant R. G. Handcock, 5th July 1871.

No. 69.—*Colonel's Allowance*—

The under-mentioned Officer of the Bengal Staff Corps, having completed twelve years' service in the rank of Lieutenant-Colonel, is admitted to the Colonel's allowance, with effect from the date specified, under the operation of G. G. O. No. 808 of 1866, paragraph 61, clause 5 :—

Lieutenant-Colonel (Brevet Colonel) Augustus Henry Ternan,—24th January 1877.

No. 70.—NATIVE ARMY—

The following direct appointment of a native gentleman is made :—

Deesa Sing to be Jemadar on probation, in the 27th (Punjab) Regiment of Native Infantry, *vice* Behzad, invalided, with effect from date of joining the appointment.

No. 71.—*15th (The Loodiana) Regiment of Native Infantry.*—Jemadar Nehall Sing to be Subadar, *vice* Sunt Sing, invalided; Havildar Jeeta Sing to be Jemadar, *vice* Nehall Sing, promoted. Dated the 25th November 1876.

PENSIONS.

No. 72.—Edward Jackson, late 16th Lancers, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to imperial revenue) in India, *viz.*, one shilling and three pence per diem, from the date he ceases to receive regimental pay.

No. 73.—Dunnow, widow of Subadar-Major Ummeer Sing, 16th Native Infantry, is admitted to the 1st class Order of Merit pension, *viz.*, Rs. 52-0-0 per mensem, for three years from the 14th April 1876, payable in the N. W. P. Circle.

No. 74.—Lance Duffadar Dhan Sing and Trooper Ghoolam Hyder Khan, 1st Cavalry, Hyderabad Contingent, are each granted a special pension of Rs. 3 per mensem from the dates of their discharge, payable at Mominabad and Hyderabad, respectively.

FURLOUGH AND LEAVE.

No. 75.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave :—

Lieutenant-Colonel (Brevet Colonel) Alexander Gregor Forsyth, Bengal Staff Corps, Assistant Adjutant General, Sirhind Division,—private affairs, for twenty months, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Lawrence Henry Williams, Bengal Staff Corps, Commandant, 14th (the Ferozepore) Regiment of Native Infantry,—private affairs, for twenty months, under Rules IX and XV of the Regulations of 1868.

Surgeon-Major Thomas Travers Sherlock, Medical Department, for two years,—one year four months and four days on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause II, of the Regulations of 1868.

Major Oliver Richardson Newmarch, Bengal Staff Corps, Deputy Accountant General, Military Department,—private affairs, for thirteen months, under Rule IX of the Regulations of 1868.

Captain Charles Allan Baylay, Bengal Staff Corps, Political Agent, 3rd Class, Assistant to the Agent Governor General, Rajpootana, Officiating Political Agent, 3rd Class, Jeypore,—private affairs, for one year and nine days, under Rule IX of the Regulations of 1868.

No. 76.—With reference to G. G. O. No. 499 of 1876, Lieutenant-Colonel (Brevet Colonel) T. G. Kennedy, Bengal Staff Corps, has been permitted by the Right Hon'ble the Secretary of State to return to India with a view to spending the residue of his furlough in this country.

No. 77.—REPORT OF ARRIVALS—

Lieutenant-Colonel (Brevet Colonel) C. F. G. Lamb, Bengal Staff Corps, Commandant, 11th Regiment of Native Infantry,—Bombay, 12th January 1877.

Lieutenant-Colonel H. M. Wemyss, Bengal Staff Corps, Wing Commander, 39th (the Allygurh) Regiment of Native Infantry,—Bombay, 11th January 1877. (Date of departure on furlough, 14th January 1875.)

Major J. W. H. Johnstone, Bengal Staff Corps, Deputy Commissioner, 2nd Class, Bannu, Punjab,—Bombay, 18th January 1877.

Lieutenant (Brevet Captain) W. H. Browne, Bengal Staff Corps, Wing Officer, 18th (the Alipore) Regiment of Native Infantry,—Fort William, 15th January 1877.

Lieutenant T. L. Lewis, Bengal Staff Corps, Wing Officer, 26th (Punjab) Regiment of Native Infantry,—Fort William, 9th January 1877. (Date of departure on furlough, 7th July 1876.)

PAY AND ALLOWANCES.

No. 78.—In continuation of paragraph 4 of G. G. O. No. 1007 of 1876, the following establishment of lance ranks to be paid in India has been fixed, with effect from the 1st April 1876 :—

	Lance Sergeants.	Lance Corporals.	Acting Bombardiers.
Cavalry, each Regiment including depôt ...	4	12	...
Infantry, each Regiment including depôt ...	5	15	...
Horse and Field Artillery, per Battery	...	...	4
Garrison Mountain and Heavy Field Batteries ...	...	...	3

2. Lance ranks will cease to draw pay as such on leaving their corps or batteries to proceed to England as invalids or for discharge.

MILITARY PRISONS.

No. 79.—His Excellency the Governor General in Council is pleased to declare that the whole of the new prison at Poona, Bombay Presidency, shall be deemed and taken to be a military prison under the provisions of G. G. O. No. 1004, dated the 18th October 1870.

COMMISSARIAT.

No. 80.—SUPPLIES—

A full proportion of cooking utensils will be issued to each Convalescent Depôt in the Bengal Presidency.

2. The utensils will be supplied on the indents of Officers Commanding the Depôts, in which the maximum number of messes kept up should be noted. The maximum number of messes will represent the established proportion.

3. The utensils will be marked by the Commissariat Department with the date of issue, they will be tinned as in the case of barrack cooking utensils and repaired at the public expense, except in cases of wilful damage, neglect or carelessness, when the cost of repairs will be charged to the Depôt. *Vide* paragraphs 2, 3 and 4 of G. O. No. 170 of 1867. The articles will be permanently retained at the Depôts and will be renewed at the expense of the State, only when condemned or lost by unavoidable accident, with reference to paragraph 2 of G. O. No. 170 of 1867 and G. O. No. 113 of 1876.

Bengal Army Regulations, paras. 637 and 639.

Bengal Army Regulations, para. 637.

4. The cost of replacing utensils lost by theft, &c., if chargeable to the Depôt, will be recovered in the manner directed in paragraph 7 of G. O. No. 170 of 1867.

Bengal Army Regulations, para. 641.

5. The utensils supplied from Commissariat Store under the ruling in paragraph 8 of G. O. No. 170 of 1867, to detachments proceeding to Convalescent Depôts, will be returned to the Department on the arrival of the detachment at the Depôt for re-issue to the men when they return to the head-quarters of their corps.

Bengal Army Regulations, para. 642.

6. The utensils now in use at the Convalescent Depôts will be returned to the Commissariat Department, when they will be submitted for inspection of Committees of Survey; articles found to be unserviceable and unfit for further use will be sold by public auction, all others being retained in Commissariat Store for issue to detachments of invalids, &c.

H. K. BURNE, *Colonel*,

Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 26th January 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 13th to 26th January 1877.

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
4th Battalion Rifle Brigade.	Major C. D. Broadbent ...	8th January 1877 ...	Umballa.		

Statement of deposits on account of Estates from 5th to 26th January 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
The Hon'ble Edward Courtenay Vaughan (a) ...	Captain ...	4th Battalion Rifle Brigade.	3rd Oct. 1876...	No Will found	3,644 5 8		
Andrew Hugh George John Hervey (b) ...	Sub-Lieut.	1st Battalion 8th Foot.	25th ditto ...	Intestate ...	359 15 2		
Thomas Francis Cunninghame Armstrong (c) ...	Lieutenant	1st Battalion 3rd Foot.	23rd Jan. 1876	Not known ...	23 13 10		
INDIAN MILITARY SERVICE.							
Henry Scott Vincent Fisher (d) ...	Lieut.-Col.	Bengal Staff Corps.	22nd Aug. 1876	Intestate ...	81 6 6		
George Francis Blowers (e)	Captain ...	Bombay Staff Corps.	31st May 1876	Ditto ...	3,336 0 0		
John Charles Mainwaring Russell (f) ...	Captain ...	Madras Staff Corps.	15th June 1876	Ditto ...	864 8 6	...	26th March 1877.

(a) Next-of-kin—Brother, Earl of Lisburne, Crosswood Aberystwith, South-Wales,—Administrator General, Bengal, administering.
(b) Next-of-kin—Mother, Mrs. Rose E. Hervey,—Administrator General, Bengal, administering.
(c) Next-of-kin—Father, E. J. Armstrong, Esq., 44, Lower Leeson Street, Dublin.
(d) Widow—Mrs. Fisher,—Administrator General, Bengal, administering.
(e) Children—Violet Harrie Caroline, Rose Harriet Georgina, Newby Lodge, Falsgrave, Scarborough, England.
Father, William Blowers, Esq., Coniston House, Mostimer Road, Kilburn, England.
Brothers, Lieutenant-Colonel W. H. Blowers, 20th Bombay N. I., Bombay; Captain C. E. Blowers, 10th Bombay N. I., Mehidpore, Central India,—Administrator General, Bengal, administering.
(f) Next-of-kin—Brother, Captain Russell, E. N.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 22nd January 1877.

No. 20.—Mr. A. G. Reid, Assistant Engineer, 1st Grade (temporary rank), Military Works Branch, is transferred to the Punjab Irrigation Branch. His services are placed temporarily at the disposal of the Government of Bombay for employment on Famine Relief Works.

The 25th January 1877.

No. 22.—Mr. W. Hart, temporary Accountant, 4th Grade, Bengal, is transferred to the Military Works Branch.

No. 23.—The following Officers are temporarily transfefred from the Establishment under the Director of State Railways to Bombay, for employment on Famine Relief Works:—

Mr. T. L. Tanner, Assistant Engineer, 1st Grade.

Mr. C. H. G. Jenkinson, Assistant Engineer, 1st Grade.

No. 24.—ERRATA.—*Notification No. 520, dated 15th December 1876.*—In the clause regarding Mr. D. C. Gordon *for* "is appointed Examiner of Guaranteed Railway Accounts, Lahore," *read* is appointed to officiate as Examiner of Guaranteed Railway Accounts, Lahore.

And in the clause relating to Mr. R. G. Macdonald *for* "is transferred to the Examinership of the Punjab Northern State Railway," *read* is appointed to officiate as Examiner, Punjab Northern State Railway.

No. 25.—Mr. G. W. K. Martin, Overseer, 1st Grade, Port Blair, is promoted to the rank of Supervisor, 2nd Grade.

The 26th January 1877.

No. 26.—In consequence of the return from furlough of Lieutenant-Colonel J. O. Mayne, R.E., Superintending Engineer, 1st Grade, the following Officers will revert to their substantive appointments, with effect from 27th December 1876:—

Major S. T. Trevor, R.E., from temporary Superintending Engineer, 1st Grade, to Superintending Engineer, 2nd Grade.

Major W. Chrystie, R.E., from temporary Superintending Engineer, 2nd Grade, to Superintending Engineer, 3rd Grade.

Lieutenant-Colonel H. E. Whish, S.C., from temporary Superintending Engineer, 3rd Grade, to Executive Engineer, 1st Grade.

TELEGRAPH.

The 18th January 1877.

No. 17.—The Governor General in Council is pleased to sanction the following alteration of the first sentence in Rule 43 of the Rules for Inland Messages:—

For "The sender of a message can prepay a reply not exceeding 200 words,"

Read "The sender of a message can prepay a reply, depositing for this purpose a sum not exceeding ten times the cost of his original telegram."

The *first* footnote to Rule 43 is also cancelled.

CIVIL WORKS.—*Telegraph.*

The 22nd January 1877.

No. 21 *T.*—In supersession of the Rule 4 of the Rules for Inland Messages sanctioned in Notification No. 192, dated 19th April 1876 (which is hereby cancelled), the Governor General in Council is pleased to sanction the following:—

IV.—"In cases of life and death or of extraordinary emergency, a message countersigned by the Chief Civil or Military Authority at a station, or by any of the Authorities employed to 'clear the line' (see Rule XLVI) can be sent from any office at any time."

C. H. DICKENS, *Colonel, R.A.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 5. } CALCUTTA, SATURDAY, FEBRUARY 3, 1877. { Register No. 33.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General.—(*Nothing for publication.*)

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—
The Indian Forest Bill, 1877.
The Broach and Kaira Incumbered Estates Bill, 1877.
The Transport of Salt Bill, 1877.
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SUPPLEMENT No. 5.

PART I.

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

LEGISLATIVE DEPARTMENT.

ERRATUM.

In the Notification of this Department, No. 3, dated 17th January 1877, *for* "17th instant," *read* "16th instant."

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

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Fort William, the 31st January 1877.

No. 5.—The under-mentioned Officers serving in the Central Provinces have passed the prescribed departmental examination:—

IN CIVIL, CRIMINAL, REVENUE, LAW AND PROCEDURE.

Higher Standard.

Mr. J. A. Jeffreys, C.S., Assistant Commissioner.
Moulvi Safdar Ali, Extra Assistant Commissioner.
Mr. J. Hornby, Extra Assistant Commissioner.
Yeshwant Rao Udas, B.A., Deputy Registrar, Judicial Commissioner's Court, with credit.
Ganesh Kashinath Gokhle, Marathi Translator, Secretariat.

Lower Standard.

Abdul Rahim, Tahsildar.
Moteshwar Atmaram, Naib Tahsildar.
Venkatesh Madho, Tahsildar.

IN CIVIL AND CRIMINAL LAW AND PROCEDURE.

Higher Standard.

Yado Madho Rao, Deputy Clerk of Court.
Moro Ganesh Khare, Educational Department.

IN REVENUE LAW AND PROCEDURE.

Lower Standard.

Moro Ganesh Khare, Educational Department.

Police Standard.

Mr. F. E. Coles, Officiating Assistant District Superintendent, with credit.
Mr. F. G. Stewart, Officiating District Superintendent.

No. 6.—The under-mentioned Officers serving in the Central Provinces have passed the prescribed examination in vernacular languages:—

In Marathi.

Mr. S. Ismay, C.S., Assistant Commissioner, with credit.
Moulvi Safdar Ali, Extra Assistant Commissioner, with credit.
Syed Husain Ali, Extra Assistant Commissioner.

In Hindi.

Ganesh Kashinath Gokhle, Marathi Translator, Secretariat, with credit.

Yeshwant Rao Udas, B.A., Deputy Registrar, Judicial Commissioner's Court, with credit.

Moro Ganesh Khare, Educational Department, with credit.

MEDICAL.

The 26th January 1877.

No. 51.—APPOINTMENT.—Surgeon-Major A. Garden, M.D., to officiate as Civil Surgeon of Tezpore in Assam.

PORT BLAIR.

The 27th January 1877.

No. 17.—Mr. F. A. deRoepstorff, Officiating 3rd Assistant Superintendent of Port Blair and the Nicobars, has obtained leave on medical certificate for two years, and the usual subsidiary leave, with effect from the 19th instant, or from such subsequent date as he may avail himself of it.

ECCLESIASTICAL.

The 30th January 1877.

No. 19.—The following Despatch from Her Majesty's Secretary of State for India is published for general information :—

No. 12 (Ecclesiastical), dated London, the 14th December 1876.

MY LORD,—I have to inform your Excellency in Council that Her Majesty has been graciously pleased to appoint the Venerable Edward Ralph Johnson, D.D., Archdeacon of Chester, to be Bishop of the Diocese of Calcutta, in succession to the late lamented Bishop Milman.

I have, &c.,
CARNARVON.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Fort William, the 2nd February 1877.

No. 137.—The privilege leave of absence for three months granted by the Chief Commissioner of Mysore, in his Notification No. 227, dated the 21st September 1876, to Mr. D. E. Hutchins, Assistant Conservator of Forests, is commuted to leave on medical certificate for eight months, with effect from the 25th September 1876.

CUSTOMS—INLAND.

The 31st January 1877.

No. 14.—In exercise of the powers conferred by the Inland Customs Act, 1875, the Governor General in Council is pleased to direct the addition to Rule 29 of the Inland Customs Rule, issued under Notification of this Department, No. 156, dated the 30th June 1876, of the following words, that is to say :—

"This discretion is also permitted in respect of Salt deposited within the town of Saugor."

SURVEYS.

The 30th January 1877.

No. 56.—Mr. E. W. Laseron is appointed a Probationary Assistant Superintendent in the Mysore Revenue Survey, with effect from the date on which he may enter upon his duties.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 31st January 1877.

No. 192*P*.—With reference to Notification No. 2038P, dated 6th September 1876, the recognition by the Government of India of the appointment of Mr. G. Ruckert as Acting Consular Agent for Italy at Akyab, during the absence of Mr. F. W. Abel, has been confirmed by Her Majesty's Government.

No. 194*P*.—With reference to Notification No. 2381P, dated 13th October 1876, the recognition by the Government of India of the appointment of Mr. J. Brandenburg as Acting Consul for Sweden and Norway at Bombay, during the absence of Mr. A. C. Gumperz, has been confirmed by Her Majesty's Government.

GENERAL.

The 30th January 1877.

No. 227*G*.—PROMOTION.—The following promotions are made in the Mhairwara Battalion, with effect from 1st December 1876 :—

Jemadar Chunda, to be Subadar, *vice* Subadar Dhurma, invalided.

Havildar Kessra, to be Jemadar, *vice* Jemadar Chunda, promoted.

The 1st February 1877.

No. 251*G*.—Kazi Syud Ahmed, Attaché, Foreign Department, assumed charge of his duties on the forenoon of the 20th January 1877.

The 2nd February 1877.

No. 263*G*.—The following orders issued by the Commandant, Central India Horse, dated 1st January 1877, consequent on the return from furlough of Captain M. G. Gerard, 1st Squadron Subaltern, 2nd Regiment, Central India Horse, are confirmed, with effect from the 22nd December 1876 :—

1st Regiment.

Lieutenant A. G. A. Durand, Officiating 2nd Squadron Subaltern, to officiate as 1st Squadron Subaltern, *vice* Lieutenant Vincent, officiating as Adjutant.

Lieutenant H. E. Ravenshaw, Officiating 1st Squadron Subaltern, 2nd Regiment, to officiate as 2nd Squadron Subaltern, *vice* Lieutenant Durand.

2nd Regiment.

Captain M. G. Gerard, 1st Squadron Subaltern, to officiate as 3rd Squadron Officer.

Lieutenant E. D. H. Daly, 2nd Squadron Subaltern, to officiate as 1st Squadron Subaltern.

No. 264*G*.—The following Brigade Orders by the Commandant, Central India Horse, dated 5th, 6th, and 11th November 1876, making the following appointments, are confirmed :—

Lieutenant H. A. Vincent will take charge of the duties of Staff Officer to the Force, as a temporary arrangement, from 6th November.

Surgeon R Caldecott received the medical charge of the 1st Regiment, Central India Horse, from Surgeon A. Barclay, who received medical charge of the 2nd Regiment from Surgeon Caldecott, from the 6th November 1876.

Captain A. H. S. Neill, Adjutant, 1st Regiment, officiated as 2nd Squadron Officer, from the 5th May to the 30th September 1876, in addition to his duties as Officiating 3rd Squadron Officer.

Lieutenant H. A. Vincent, 1st Squadron Subaltern, 1st Regiment, and Officiating Adjutant, to officiate as Adjutant, in addition to his duties as 1st Squadron Subaltern, from the 1st October 1876.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 31st January 1877.

No. 551.—*Cash Balances in the Government Treasuries in India on the last day of the month of December 1876, compared with those on the same date in 1875 and 1874* :—

	Dec. 1874.	Dec. 1875.	Dec. 1876.
	Rs.	Rs.	Rs.
Govt. of India ...	2,04,39,118	2,02,74,745	1,15,39,291
Bengal ...	2,13,45,015	1,61,64,267	1,00,90,179
Assam ...	23,38,152	35,27,375	28,89,498
British Burmah ...	35,03,576	29,33,726	28,07,486
N. W. Provinces ...	2,16,15,375	2,22,17,380	1,93,56,477
Oudh ...	55,28,914	66,25,541	51,67,484
Punjab ...	1,43,64,523	1,20,15,369	98,54,303
Bombay ...	1,41,49,056	1,76,27,028	2,18,38,400
Central Provinces...	35,14,334	31,42,005	31,19,097
Madras ...	1,97,51,037	2,18,47,166	1,58,44,668
TOTAL ...	12,65,49,100	12,63,74,602	10,25,06,883

The 1st February 1877.

No. 628.—*Bills drawn upon India by the Secretary of State, 1876-77.*

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
			s. d.	
Estimated for the whole year ...	13,660,000	15,99,20,000	1 8·5	2,33,20,000
In the month of January ...	1,352,644	1,46,50,000	1 10·16	11,23,560
First 10 months	11,607,761	13,63,65,501	1 8·43	2,02,87,891
Remains to make estimate good...	2,052,239	2,35,54,499	1 8·91	30,32,109

Estimated expenditure in excess of the cost at 2s. the rupee in raising ... £11,607,761 at 1s. 8·5d. Rs. 1,98,16,470

Actual ditto ditto ... " " 1·8·43 " 2,02,87,891

Expenditure in excess of estimate ... ... Rs. 4,71,421

The 2nd February 1877.

No. 643.—Mr. L. C. Probyn, B.C.S., is appointed to be Accountant General and Commissioner of the Department of Issue of Government Paper Currency, Madras.

Mr. T. W. Biss is appointed to officiate temporarily as Deputy Accountant General, Punjab, in independent charge, and Deputy Commissioner of Paper Currency, Lahore Circle.

LEAVE, LEAVE ALLOWANCES, &c.

The 2nd February 1877.

No. 627.—The Governor General in Council directs that the following Section be inserted in Chapter XI, Civil Leave Code :—

Section 56A.—The leave allowances of an officer in the service of the Administrations of Mysore and Berar, or who, in the course of the three years immediately preceding the beginning of his leave, has served in Mysore or Berar, shall be charged to Indian Revenues and to the revenues of Mysore or Berar, in the proportion in which his salary for the three years preceding his leave was charged to those revenues respectively. This rule does not, however, apply to a Military Officer who vacates his appointment in the Civil Department when going on leave and reverts to the Military Department.

No. 641.—The Governor General in Council directs that the foot-note under Section 4 (*e*) of the Civil Leave Code be cancelled, and that the following be added to Section 4 (*e*) :—

A "Local Allowance" may be drawn by an Officer absent from his office on duty for a period not exceeding one month, provided that it is not drawn by a *locum tenens*.

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

MILITARY DEPARTMENT.

Fort William, the 1st February 1877.

APPOINTMENTS AND PROMOTIONS.

No. 81.—ORDNANCE MANUFACTURING ESTABLISHMENT—

Captain H. M. Mackenzie, Commissary of Ordnance, 3rd Class, to be Superintendent of the Gun Carriage Factory at Fatehgarh, with effect from the date on which he may take up the duties of the office, *vice* Colonel R. G. F. Henegan, deceased.

No. 82.—NATIVE ARMY—

6th Bengal Cavalry.

Lance Duffadar Maitab Sing, 9th Bengal Cavalry, to be Jemadar, *vice* Meer Kurrum Alli, dismissed. Dated the 1st February 1877.

29th (Punjab) Regiment of Native Infantry.

Jemadar Ajmere Khan, to be Subadar, *vice* Nehal Sing, deceased; Havildar Jowahir Sing, to be Jemadar, *vice* Ajmere Khan, promoted. Dated the 24th December 1876.

45th (Rattray's Sikhs) Regiment of Native Infantry.

Jemadar Ooltum Singh, to be Subadar, *vice* Mehir Alli, invalided; Color Havildar

Khoshial Singh, to be Jemadar, *vice* Ooltum Singh, promoted. Dated the 1st December 1876.

No. 83.—PUNJAB FRONTIER FORCE—

(Queen's Own) Corps of Guides.

Lieutenant W. R. P. Hamilton, Officiating Wing Officer, on probation, to be Squadron Officer, *vice* Lieutenant C. G. Mansel, whose appointment to this Corps in G. G. O. No. 884 of 1876 is cancelled at his own request.

No. 84.—*3rd Punjab Infantry*—

Jemadar Churtoo, to be Subadar, *vice* Mungul, deceased; Havildar Roor Sing, to be Jemadar, *vice* Churtoo, promoted. Dated the 7th October 1876.

5th Goorkha Regiment (The Hazara Goorkha Battalion).

Jemadar Chunderbeer Kutaith, to be Subadar, *vice* Bulbuddur Rai, invalided; Jemadar Bhukutbeer Thappa, to be Subadar, *vice* Hurkabeer Alleea, invalided; Havildar Daiboo Goorung, to be Jemadar, *vice* Chunderbeer Kutaith, promoted; Havildar Doorgadutt Jaici, to be Jemadar, *vice* Bhukutbeer Thappa, promoted. Dated the 1st November 1876.

No. 85.—MEDICAL DEPARTMENT—

Her Majesty has been pleased to appoint the under-mentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service :—

Surgeon P. deH. Haig,—arrived at Calcutta, 22nd January 1877.

TRANSFER OF OFFICERS.

No. 86.—The services of Surgeon B. Gupta, M.B., Medical Department, are placed temporarily at the disposal of the Government of Bengal.

No. 87.—The services of Surgeon R. T. Wright, M.D., Medical Department, are placed temporarily at the disposal of the Government of Bengal.

No. 88.—The services of Lieutenant-Colonel J. Johnstone, of Infantry, Political Assistant, 1st Class, and Attaché in the Foreign Department, are, with reference to the Notification by the Foreign Department, No. 177G, dated the 25th January 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 27th January 1877.

No. 89.—The services of Lieutenant C. W. Ravenshaw, Bengal Staff Corps, are placed at the disposal of the Foreign Department.

RETIREMENTS.

No. 90.—The under-mentioned Officer in Civil employ is permitted to retire from the service on a pension of £292 per annum, with an additional annuity of £257-8-0, with effect from the 15th January 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel Edward Hanson Paske, Bengal Staff Corps, Deputy Commissioner, 1st class, Punjab.

No. 91.—Deputy Surgeon-General John Nicholas Tresidder, Medical Department, is permitted to retire from the service on a pension of £550 per annum, with the additional pension of £250 under the provisions of paragraph 37 of G. G. O. No. 1060 of 1864, from the 31st March 1877.

No. 92.—Surgeon-Major Edward McKellar, M.D., Medical Department, is permitted to retire from the service on a pension of £365 per annum, from the 31st March 1877.

PENSIONS.

No. 93.—Duffadar Jumal Khan, late 15th Bengal (Cureton's Mooltanee) Cavalry, is granted an injury pension in the 4th degree of Rs. 7-7-6 per mensem, instead of the invalid pension notified in G. G. O. No. 769 of 1876.

No. 94.—Subadar Munbode Tewary and Neehoree Tewary, 44th (Sylhet) Regiment of Native (Light) Infantry, having each completed a service of 40 years with unblemished character, are granted pensions at Rs. 40 per mensem, from the dates of their discharge, payable in the Presidency Circle.

FURLOUGH AND LEAVE.

No. 95.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave :—

Lieutenant-Colonel (Brevet Colonel) Harry Cortlandt Anderson, Bengal Staff Corps, Commandant, 4th Regiment of Native Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Henry Auriol Prinsep, Bengal Staff Corps, Cantonment Magistrate, 1st Grade, Agra, North-Western Provinces,—medical certificate, for two years, under Rule XIV, Clause II, of the Regulations of 1868.

Major George Charles Udny, Bengal Staff Corps,—medical certificate, for twenty months, under the Regulations of 1854.

Major Francis William Boileau, Bengal Staff Corps, Deputy Assistant Quarter Master General, Rohilcund District,—private affairs, for one year and two days, under Rule IX of the Regulations of 1868.

Surgeon-Major James Macnabb Cuningham, M.D., Medical Department, Sanitary Commissioner with the Government of India,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Surgeon-Major P. Stephenson Turnbull, M.D., Bombay Medical Department, Examiner of Medical Accounts, Bombay,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Captain William Atkins, General List, Infantry, Wing Officer, 6th Regiment of Native (Light) Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant (Local Captain) Henry Hardy Cole, Royal Engineers, Executive Engineer, 3rd Grade, Public Works Department,—urgent private affairs, for five months, under Rule XI of the Regulations of 1868.

No. 96.—Major Spencer Alfred Taylor Judge, Bengal Staff Corps, Sub-Assistant Commissary General, 2nd Class, is allowed leave of absence in India for six months on medical certificate, under Rule XXV of the Regulations of 1868, with effect from the 23rd December 1876.

No. 97.—The grant of leave on medical certificate to Honorary Surgeon W. A. Kidd, in G. G. O. No. 10 of 1877, is cancelled.

No. 98.—The grant of furlough on private affairs to Captain F. Barrow, Bengal Staff Corps, Assistant Commissioner, Oudh, in G. G. O. No. 1161 of 1876, is cancelled.

No. 99.—The following extract from list No. 1, dated the 5th January 1877, received from the India Office, is published for general information :—

Permitted to return.

Surgeon C. W. S. Deakin.
Lieutenant-Colonel W. Playfair, S. C.
Captain N. F. Parker, Infantry.
Lieutenant-Colonel H. F. Newmarch, S. C.
Captain C. Cowie, R. A.
Captain F. Knowles, S. C.
Major R. C. B. Pemberton, R. E.
Conductor M. Moloney, P. W. D.
Major J. Bartleman, S. C.
Captain A. G. Ross, S. C.
Major W. W. Boddam, S. C.
Lieutenant-Colonel T. W. R. Boisragon, S. C.
Colonel H. F. M. Boisragon, S. C.

Granted extensions of leave.

Captain A. W. Capel, Cavalry, 6 months, M. C.
Lieutenant-Colonel W. B. Girdlestone, S. C., 6 months, M. C.
Colonel H. A. Browne, Infantry, 1 month, P. A.
Surgeon-Major J. R. Jackson, 8 months, P. A.

Retirements.

Surgeon-Major A. A. Mantell, 5th January 1877.
Surgeon-Major J. F. N. Wise, 1st January 1877.

No. 100.—REPORTS OF ARRIVAL—

Surgeon R. G. Mathew, Medical Department,—Fort William, 26th January 1877.

Captain C. McD. Skene, General List, Infantry, Wing Officer, 43rd (Assam) Regiment of Native (Light) Infantry,—Fort William, 26th January 1877.

HONORS AND SALUTES.

No. 101.—It is hereby announced that Her Majesty the Queen, Empress of India, has been graciously pleased to sanction the hoisting of the Royal Standard at Aden and the Presidency towns of Calcutta, Madras, and Bombay on Royal Anniversaries.

EQUIPMENT TABLES.

No. 102.—With reference to G. G. O. No. 747 of 1875, the following note will be made opposite "Chests, tool, empty," at page 6 of Equipment Tables for 9-pounder Muzzle Loading Rifled Batteries, Royal Horse and Field Artillery :—

Padlocks will be supplied for chests not fitted with trunk locks.

STAFF CORPS.

No. 103.—With reference to G. G. O. No. 839, dated the 18th August 1875, it is hereby notified, under the authority of Her Majesty's Government, that, for all purposes under the Staff Corps Warrant except for the calculation of service qualifying for admission to the Staff Corps and for furlough and pension, an Officer's service will be considered as commencing from the date of his first permanent commission, that is, from the date of his commission as Lieutenant.

G. G. O. No. 560, dated the 17th May 1876, is accordingly cancelled.

STAFF COLLEGE.

No. 104.—With the sanction of the Right Hon'ble the Secretary of State for India, it is hereby notified that Officers of the Staff Corps and Indian Army, selected for admission to the Staff College, Sandhurst, under the terms of G. G. O. No. 1004 of 1876, who may hold appointments with Native Regiments, will be seconded for the whole period of their absence from regimental duty.

CLOTHING.

No. 105.—In G. G. Os. Nos. 780 and 837 of 1874, omit the word "Jack" in the supply of spurs for the British Artillery and Cavalry in India.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 2nd February 1877.

Statement of deposits on account of Estates from 27th January to 2nd February 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
Frederick William Holland (a) ...	Lieutenant	72nd Foot ...	10th Sept. 1876	Intestate ...	2,691 13 5	...	2nd April 1877.
INDIAN MILITARY SERVICE.							
Richard Topham (b) ...	Major ...	Bengal Staff Corps.	16th Oct. 1876	Ditto ...	4,287 11 9	...	Ditto.

(a) Next-of-kin—Father, H. L. Holland, Esq., Templeton, Rochumpton.
(b) Widow, Mrs. Annie Elizabeth Topham.
Child, Mary Judith.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 29th January 1877.

No. 28.—Consequent on the return from furlough of Mr. J. W. Wright, Executive Engineer, Military Works Branch, the following Officers will revert to the grades noted against them, from the 27th November 1876 :—

Lieutenant S. C. Turner, R.E., to Temporary Executive Engineer, 3rd Grade.
Lieutenant W. G. Nicholson, R.E., to Executive Engineer, 4th Grade.
Mr. J. H. Reid, to Assistant Engineer, 1st Grade.

The 31st January 1877.

No. 30.—Lieutenant (local Captain) H. H. Cole, R.E., Executive Engineer, 3rd Grade, on special duty under the Government of India, is transferred to the Simla Imperial Circle.

No. 31.—The following Engineer Apprentices on the Establishment under the Director of State Railways, are promoted to Assistant Engineers, 3rd Grade, with effect from the 1st October 1876 :—

Mr. J. A. Greenwood.
Mr. W. Monies.
Baboo Siva Dutta Pande, B.A.

No. 32.—The services of Lieutenant F. R. deWolski, R.E., Executive Engineer, 4th Grade (temporary rank), Port Blair, are, at his own request, replaced at the disposal of the Military Department, with effect from the date on which he may be relieved of his duties.

The 1st February 1877.

No. 33.—Colonel C. H. Dickens, C.S.I., R.A., is permitted at his own request to resign the appointment of Secretary to the Government of India in the Public Works Department, with effect from the 6th February 1877.

The services of Colonel Dickens are accordingly placed at the disposal of the Military Department from that date.

His Excellency the Governor General in Council is pleased to make the following appointments :—

Major-General W. A. Crommelin, C.B., R.E., to be Secretary to the Government of India in the Public Works Department.
Colonel C. W. Hutchinson, R.E., to be Inspector-General of Military Works, *vice* Major-General Crommelin.

The 2nd February 1877.

No. 35.—Mr. A. B. Sampson, B.A., Under-Secretary to the Government of India, Public Works Department, is granted two months' privilege leave from the 16th instant, or from such later date as he may avail himself of it.

No. 36.—The following arrangements are sanctioned as a temporary measure :—

Colonel C. Pollard, R.E., Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, to officiate as Deputy Secretary to the Government of India, in the Public Works Department, Military Works Branch, *vice* Major-General Crommelin.
Lieutenant-Colonel J. G. Medley, R.E., Superintending Engineer, 1st Grade, in the Punjab, to officiate as Consulting Engineer to the Government of India, for Guaranteed Railways, Lahore, *vice* Colonel Pollard.
Lieutenant-Colonel C. M. Browne, R.E., Executive Engineer, 1st Grade, with temporary rank of Superintending Engineer, 2nd Grade, Military Works Branch, is transferred in that rank to the Punjab, *vice* Lieutenant-Colonel Medley.

TELEGRAPH.

The 29th January 1877.

No. 29.—Mr. J. Burke, Superintendent, 3rd Grade, to officiate as Superintendent, 2nd Grade, with effect from 1st January 1877, from which date Mr. Superintendent R. F. Dallas reverts to his substantive grade.

C. H. DICKENS, *Colonel, R.A.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 6. CALCUTTA, SATURDAY, FEBRUARY 10, 1877. Register No. 33.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

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The Indian Forest Bill, 1877.
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Act No. XIII of 1875 Amendment Bill.

SUPPLEMENT No. 6.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 6th February 1877.

No. 5.—His Excellency the Viceroy and Governor General, under the authority vested in him by 24 & 25 Vic., Cap. 67, Section 10, is pleased to nominate Mr. R. E. Egerton, C.S.I., Financial Commissioner, Panjáb, to be an Additional Member of the Council of the Governor General for making Laws and Regulations.

No. 6.—His Excellency the Viceroy and Governor General, under the authority vested in him by 24 & 25 Vic., Cap. 67, Section 10, is pleased to nominate Mahárájá Jotíndrá Mohan Tagore of Calcutta to be an Additional Member of the Council of the Governor General for making Laws and Regulations.

The 7th February 1877.

No. 7.—The following Statutes and Rules thereunder are published for general information :—

38 & 39 VIC., CHAP. 91.

An Act to establish a Register of Trade Marks.

[13TH AUGUST 1875.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Registration of trade marks.

1. A register of trade marks as defined by this Act, and of the proprietors thereof shall be established under the superintendence of the Commissioners of Patents, and from and after the first day of July one thousand eight hundred and seventy-six a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by this Act until and unless such trade mark is registered in pursuance of this Act.

Characteristics of registered trade mark.

2. A trade mark must be registered as belonging to particular goods, or classes of goods; and when registered shall be assigned and transmitted only in connexion with the goodwill of the business concerned in such particular goods or classes of goods, and shall be determinable with such goodwill, but subject as aforesaid registration of a trade mark shall be deemed to be equivalent to public use of such mark.

Title of first proprietor of a trade mark.

3. The registration of a person as first proprietor of a trade mark shall be primâ facie evidence of his right to the exclusive use of such trade mark, and shall, after the expiration of five years from the date of such registration, be conclusive evidence of his right to

the exclusive use of such trade mark, subject to the provisions of this Act as to its connexion with the goodwill of a business.

Title of proprietor claiming by transmitted proprietorship.

4. Every proprietor registered in respect to a trade mark subsequently to the first registered proprietor shall, as respects his title to that trade mark, stand in the same position as if his title were a continuation of the title of the first registered proprietor.

Rectification of register.

5. If the name of any person who is not for the time being entitled to the exclusive use of a trade mark in accordance with this Act, or otherwise in accordance with law, is entered on the register of trade marks as a proprietor of such trade mark, or if the registrar refuses to enter on the register as proprietor of a trade mark the name of any person who is for the time being entitled to the exclusive use of such trade mark in accordance with this Act, or otherwise in accordance with law, or if any mark is registered as a trade mark which is not authorised to be so registered under this Act, any person aggrieved may apply in the prescribed manner for an order of the court that the register may be rectified; and the court may either refuse such application, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may award damages to the party aggrieved.

Where each of several persons claims to be registered as proprietor of the same trade mark, the registrar may refuse to comply with the claims of any of such persons until their rights have been determined by the court, and the registrar may himself submit or require the claimants to submit in the prescribed manner their rights to the court.

The court may, in any proceeding under this section, decide any question as to whether a mark is or is not such a trade mark as is authorised to be registered under this Act, also any question relating to the right of any person who is party to such proceeding to have his name entered on the register of trade marks, or to have the name of some other person removed from such register, also any other question that it may be necessary or expedient to decide for the rectification of the register.

The court may direct an issue to be tried for the decision of any question of fact which may require to be decided for the purposes of this section.

Whenever any order has been made rectifying the register the court shall by its order direct that due notice of such rectification be given to the registrar.

Restrictions on registry of trade marks.

6. The registrar shall not, without the special leave of the court, to be given in the prescribed manner, register in respect of the same goods or classes of goods a trade mark indentical with one which is already registered with respect to such goods or classes of goods, and the registrar shall not register with respect to the same goods or classes of goods a trade mark so nearly resembling a trade mark already on the register with respect to such goods or classes of goods as to be calculated to deceive.

It shall not be lawful to register as part of or in combination with a trade mark any words the exclusive use of which would not, by reason of their being calculated to deceive or otherwise, be deemed entitled to protection in a court of equity; or any scandalous designs.

Establishment of registry and general rules.

7. Subject as aforesaid, a register office shall be established from and after such time (not being later than the first day of January one thousand eight hundred and seventy-six), in such manner and with such officers, and at such salaries, to be paid out of moneys provided by Parliament, as the Lord Chancellor may, with the consent of the Treasury, direct; and the Lord Chancellor may from time to time, with the assent of the Treasury as to fees, make, and, when made, alter, annul, or vary, such general rules as to the registry of trade marks, and as to notices to be given by advertisement before the registration of trade marks, and as to the classification of goods for the purposes of this Act, and as to the registration of first and subsequent proprietors of trade marks, and as to the fees to be charged for registration, and also for the continuance of a trade mark on the register or otherwise, and as to the removal from the register of any trade mark, as to notices, and as to the persons entitled to inspect the register, and as to any proceedings to be taken to obtain the judgment or leave of the court in any matter in which the judgment or leave of the court is required to be obtained under this Act, and generally for the purpose of carrying into effect this Act, as he may deem expedient.

Any rules made in pursuance of this section shall be laid before both Houses of Parliament if Parliament be then sitting, or if not then sitting, then within ten days from the then next assembling of Parliament, and shall be of the same validity as if they had been enacted by Parliament: provided that if either House of Parliament resolve, within one month after such rules have been laid before such House, that any of such rules ought not to continue in force, any rule in respect of which such resolution has been passed shall, after the date of such resolution, cease to be of any force, without prejudice, nevertheless, to the making of any other rule in its place, or to anything done in pursuance of any such rules before the date of such resolution.

Certificate of registrar to be evidence.

8. The certificate of the registrar as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be evidence of such entry having been made, and of the contents thereof, and of such matters and things having been done or left undone.

Provision as to Cutlers Company and Sheffield corporate marks.

9. With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called "the Cutlers Company"), and the marks or devices (in this Act called "Sheffield corporate marks") assigned or to be assigned by the master, wardens, searchers, and assistants of that company, be it enacted as follows:

(1.) Within the prescribed time and in the prescribed manner the Cutlers Company shall at their own expense deliver to the registrar under this Act copies of all Sheffield corporate marks in force at the time of such delivery:

(2.) When any person, after the passing of this Act, applies to the said master, wardens, searchers, and assistants to assign to him any mark or device, notice of such application, with a copy of such mark or device, shall, within the prescribed time and in the prescribed manner, be delivered to the registrar under this Act; and such mark or device shall not be assigned until after the expiration of the prescribed period from the giving of such notice. In like manner, when any person applies for the registration under this Act of a trade mark as belonging to any goods or class of goods specified in section two of the Cutlers Company's Act of 1860, notice of such application, with a copy of such trade mark, shall, within the prescribed time and in the prescribed manner, be delivered to the Cutlers Company; and such trade mark shall not be registered until after the expiration of the prescribed period from the giving of the last-mentioned notice:

(3.) Upon the assigning of any such mark or device, or the registration of any such trade mark as aforesaid, notice of the assignment or registration shall, within the prescribed time and in the prescribed manner, be given to the registrar under this Act, or to the Cutlers Company, as the case may be:

(4.) The registrar under this Act, without the special leave of the court, to be given only in cases where the applicant proves his right, shall not in respect of any goods or classes of goods with respect to which a Sheffield corporate mark shall have been assigned and actually used, and of which mark a copy or description or notice of the assigning whereof shall have been delivered or given to the registrar as aforesaid, register a trade mark identical with such Sheffield corporate mark, or so nearly resembling the same as to be calculated to deceive:

(5.) The master, wardens, searchers, and assistants of the Cutlers Company shall not assign to any person a mark or device identical with any trade mark registered under this Act, and notice of the registration whereof shall have been given to the Cutlers Company as aforesaid, or so nearly resembling the same as to be calculated to deceive:

(6.) Any person to whom a Sheffield corporate mark legally belongs shall be entitled to have the same mark registered also as a trade mark under this Act, in respect of any particular goods or classes of goods, in the same manner and upon the same terms and conditions in and upon which he might have registered the same if it were not a Sheffield corporate mark:

(7.) Nothing in this Act shall prejudice or affect the rights and privileges of the Cutlers Company, nor, save as is otherwise in this Act expressly provided, shall any of the provisions of this Act apply to or in the case of any Sheffield corporate mark.

Definitions.

10. For the purposes of this Act:

A trade mark consists of one or more of the following essential particulars; that is to say,

A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or

A written signature or copy of a written signature of an individual or firm; or

A distinctive device, mark, heading, label, or ticket;

and there may be added to any one or more of the said particulars any letters, words or figures, or combination of letters, words, or figures; also

Any special and distinctive word or words or combination of figures or letters used as a trade mark before the passing of this Act may be registered as such under this Act.

"Prescribed" means prescribed by general rules made in pursuance of this Act; and

"Court" means any of Her Majesty's superior courts of law or equity at Westminster, or any court to which the jurisdiction of such courts may be transferred, or any one or more of such courts which may be declared to be the court for the purposes of this Act by such general rules as aforesaid; but the provisions of this Act conferring a special jurisdiction on the court as above defined shall not, excepting so far as such jurisdiction extends, affect the jurisdiction of any court in Scotland or Ireland in causes, actions, suits, or proceedings relating to trades marks; and if the register requires to be rectified in consequence of any proceedings in any such court in Scotland or Ireland, due notice of such requirements shall be given to the registrar, and he shall rectify the register accordingly.

Short title of Act.

11. This Act may be cited for all purposes as the Trade Marks Registration Act, 1875.

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39 & 40 VIC., CHAP. 33.

An Act for the Amendment of the Trade Marks Registration Act, 1875.

[24TH JULY 1876.]

38 & 39 Vic. c. 91.

WHEREAS by the Trade Marks Registration Act, 1875, in this Act referred to as the principal Act, it is provided that from and after the first day of July one thousand eight hundred and seventy-six, a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by the principal Act until and unless such trade mark is registered in pursuance of that Act:

And whereas by reason of the number of trade marks, and especially by reason of the difficulties attending the registration of trade marks in relation to textile fabrics, it has been found impossible to complete the registration of existing trade marks within the time specified by the said section; and it is therefore expedient to prolong the time for the completion of such registration as aforesaid, and otherwise to amend the principal Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and

Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of section 1 of the principal Act.

1. There shall be repealed so much of section one of the principal Act as provides that from and after the first day of July one thousand eight hundred and seventy-six a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by that Act until and unless such trade mark is registered in pursuance of that Act, and in place thereof be it enacted that—

From and after the first day of July one thousand eight hundred and seventy-seven, a person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of any trade mark as defined by the principal Act until and unless such trade mark is registered in pursuance of that Act, or until and unless, with respect to any device, mark, name, combination of words, or other matter or thing in use as a trade mark before the passing of the principal Act, registration thereof as a trade mark under the principal Act shall have been refused as herein-after is mentioned.

Saving of marks and devices not capable of being registered under Act.

2. When an application by any person to register as a trade mark a device, mark, name, word, combination of words, or other matter or thing proposed for registration as a trade mark, which has been in use as a trade mark before the passing of the recited Act, has been refused, it shall be the duty of the registrar, on request, and on payment of the prescribed fee, to give to the applicant a certificate of such refusal, and a certificate so granted shall be conclusive evidence of such refusal.

Short title.

3. This Act may be cited for all purposes as the Trade Marks Registration Amendment Act, 1876.

Rules under the Trade Marks Registration Act, 1875, and the Trade Marks Registration Amendment Act, 1876.

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APPENDIX I.

RULES.

Whereas by the Trade Marks Registration Act, 1875, the Lord Chancellor is authorised from time to time, with the assent of the Treasury as to fees, to make general rules as to the registry of trade marks, and other matters connected therewith, and also when made to alter, annul, or vary such rules, as is in the said Act mentioned:

Now, therefore, I, the Right Honourable Hugh MacCalmont Baron Cairns, of Garmoyle in the county of Antrim, Lord High Chancellor of Great Britain, in pursuance of the said Act, and of all other powers enabling me in this behalf, do hereby, without prejudice to any proceedings that may have been taken under any former rules as to the registry of trade marks before made by me, annul all such rules, and do hereby make the following Rules:—

Preliminary.

Classification of goods in schedule.

1. For the purposes of these Rules goods are classified in the manner appearing in the first schedule hereto.

Fees.

2. The fees to be charged in pursuance of these Rules are the fees specified in the second schedule hereto.

Determination of doubt as to classes.

3. If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the registrar.

Registration of different trade marks, or trade marks in different classes.

4. A trade mark or trade marks may be registered in pursuance of the same application by the same person in respect of all or any goods, subject to the payment of the additional fees specified in the second schedule in respect of the registration of different trade marks or the extension of the same trade marks to goods in different classes.

Application for Registry.

Proceedings on application.

5. A person, whether a British subject or an alien, desiring to register a trade mark shall apply to the registrar by sending to him a statement accompanied by such declaration as is herein after mentioned and the prescribed fee.

Contents of statement on application.

6. The statement shall contain the following particulars:—

A. The name and address and calling of the applicant: and

B. The description of the trade mark to be registered: and

C. The class or classes of goods (being some one or more of the classes mentioned in the first schedule): and

D. In the case of a trade mark used before the passing of this Act, a description of the goods in respect of which it has been used and the length of time during which it has been so used.

Requisites of statement.

7. The above statement must bear a date and be signed by the applicant. Subject to any other directions that may be given by the registrar, the statement sent to the registrar shall be upon foolscap paper of a size of thirteen inches by eight inches, and shall have on the left-hand part thereof a margin of not less than one inch and a half.

Nature and size of representation of trade mark.

8. Subject to any other directions that may be given by the registrar, a description of a trade mark shall be given in writing, and shall be accompanied, when practicable, by a drawing or other representation, of a durable nature, in duplicate, not less than three inches square, on foolscap paper of the size aforesaid, or by pasting or otherwise fastening on such paper a specimen of the trade mark.

Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as may be thought most convenient.

The registrar may, if dissatisfied with the representation of a trade mark, require a fresh representation either before he proceeds with the application or before he registers the trade mark.

The registrar may also, in exceptional cases, deposit in the Patent Museum a specimen or copy of a trade mark which cannot conveniently be placed on his register, and may refer thereto in his register in such manner as he thinks advisable.

Declaration to accompany application.

9. The declaration must be on foolscap paper of the abovementioned size, and must verify the statement, and declare that, to the best of the applicant's knowledge and be-

lief, he is lawfully entitled to use the trade mark, and must be made and subscribed as hereinafter mentioned.

Application by company.

10. Where an application for the registry of a trade mark is made by or on behalf of a corporate body of persons, the statement and declaration shall be made by the secretary or other principal officer of the body of persons; and the registrar may require such proof as he thinks fit that the application made is duly authorised by such body of persons.

Application by firm.

11. Where an application for the registry of a trade mark is made by or on behalf of any firm or partnership, the statement and declaration may be made by any one member of such firm or partnership, or by any person duly authorised by such firm or partnership; and the registrar may require such proof as he thinks fit that the application made is duly authorised by such firm or partnership.

Acknowledgment of application by registrar.

12. On receipt of the application the registrar shall send to the applicant an acknowledgment thereof.

Advertisement of Application and Notice of Opposition.

Advertisement of application.

13. As soon as may be after the receipt of an application made as provided by these Rules, the registrar shall require the applicant to insert an advertisement of the application in the official paper, during such time, and in such form, and generally in such manner as the registrar may think desirable, and distinguishing whether the mark has or has not been used before the thirteenth day of August one thousand eight hundred and seventy-five.

Definition of official paper.

14. The official paper for the purposes of these Rules shall be some paper published under the direction of the Commissioners of Patents, or such other paper as such Commissioners, or any one of them, may from time to time direct.

Means of advertising trade mark to be supplied to official paper.

15. For the purposes of such advertisement the applicant may be required to furnish the printer of the official paper with a wood-block or electrotype of the trade mark, of such dimensions as may from time to time be directed by the registrar, or with such other information or means of advertising the trade mark as may be allowed by the registrar.

Notice and proceedings for opposition.

16. A notice of opposition may be given by sending to the registrar, together with the prescribed fee, a written notice in duplicate, on foolscap paper of such size as aforesaid, stating the grounds of the opposition. The registrar shall acknowledge the receipt of such notice of opposition, and shall send one copy of such notice to the applicant.

Within three weeks after the receipt of such notice, or such further time as the registrar may allow, the applicant may send to the registrar, on foolscap paper of such size as aforesaid, a counter-statement in duplicate of the grounds on which he relies for his application, and if he does not do so shall be deemed to have withdrawn his application.

If the applicant sends such counter-statement the registrar shall require the person who gave notice of opposition to give security, in such manner and to such amount as the registrar may require, for such costs as may be awarded in respect of such opposition; and if such security is not given within fourteen days after such requirement was made, or such further time as the registrar may allow, the opposition shall be deemed to be withdrawn.

If the person who gave notice of opposition duly gives such security as aforesaid, the registrar shall send him one copy of the counter-statement sent by the applicant, and thereupon the case shall be deemed to stand for the determination of the court.

Registration of Trade Marks.

Time of registration of trade mark.

17. On the expiration of three months from the date of the first appearance of the advertisement in the official paper, the registrar may, if he is satisfied that the applicant is entitled to registration, register the trade mark in respect of the description of goods for which he may be entitled to be registered, and the applicant as the proprietor thereof, on payment of the prescribed fee.

Duty of registrar in case of disputed claim.

18. Where each of several persons claims to be registered as proprietor of the same or a nearly identical trade mark in respect of the same goods or goods belonging to the same class, the registrar shall use his discretion as to registering all or any of such trade marks, either unconditionally or on the condition of the introduction of such variations (if any) or otherwise as he thinks fit, or the registrar may, if in any case he thinks it expedient, submit or require the claimants to submit their rights to the court.

Prohibition of registration of identical trade marks.

19. Where a trade mark has been already registered in respect of any goods or description of goods belonging to one particular class, a trade mark identical with such trade mark, or so nearly resembling the same as to be calculated to deceive, shall not, without leave of the court, be registered in the name of another person as proprietor thereof with respect to any goods in that class.

Entries to be made in register.

20. Upon registering any trade mark the registrar shall enter in the register the date on which the statement relating to the application for registry was received by the registrar (which day shall be deemed to be the date of the registry) and such other particulars as he may think necessary, including the name and address of the proprietor.

Notice of registration.

21. The registrar shall send notice to the applicant of the registration of his trade mark, together with a reference, where practicable, to the advertisement of such trade mark in the official paper.

Trust not to be entered in register.

22. There shall not be entered in the register, or be receivable by the registrar, any notice of any trust, expressed, implied or constructive.

Registration of subsequent Proprietors.

Registration of assignee or transmittee.

23. The person to whom any registered trade mark has been assigned or transmitted may apply to be registered as proprietor thereof.

Production of assignment, &c., by assignee.

24. Where the trade mark has been assigned the person claiming as assignee to be registered shall send to the registrar, with his application, an assignment by deed executed both by the assignor and assignee, or a certified copy of such assignment, and a declaration verifying the fact of such assignment having been made.

Right of transmittee or his assignee.

25. Where a trade mark has been transmitted by the death of the registered proprietor, the legal personal representative of such proprietor shall be recognised as having the title to the mark.

Where the trade mark has been transmitted by marriage, bankruptcy, or otherwise by operation of law, the person applying as the transmittee to be registered shall send to the registrar, together with his application, a statement of the manner in which such trade mark has been transmitted, and a declaration verifying such statement.

Any transmittee may assign his interest in the mark, notwithstanding that he has not been registered as proprietor thereof.

Evidence to be produced on transmission.

26. Where the person applying to be registered claims as the transmittee of any registered proprietor, or as the assignee of a transmittee, there shall be produced to the registrar the following evidence:—

(1.) If the business concerned in the goods with respect to which the trade mark is registered is carried on in England or Ireland, then

A. If such transmission has taken place by the death of any person, there shall be produced the probate of the will of such deceased person, or the letters of administration to his estate, or an official extract therefrom; and

B. If such transmission has taken place by the marriage of the female proprietor, there shall be produced a certified copy of the register of such marriage, or other legal evidence of the celebration thereof, and a declaration of the identity of such female proprietor; and

C. If such transmission has taken place by the bankruptcy of the registered proprietor, or otherwise by operation of law, there shall be produced to the registrar such evidence as may, for the time being, be receivable as proof of the title of the applicant; and

(2.) Where the said business is not carried on in England or Ireland,—

There shall be produced similar evidence to that hereinbefore prescribed, or such evidence as would be received as sufficient evidence in the courts of justice of the country or place at which the proprietor carries on business.

Declaration by assignee and transmittee.

27. Every declaration made by an assignee or transmittee shall state his name and address, and that he is entitled to the goodwill of the business concerned in the goods with respect to which the trade mark is registered, or to some part of such goodwill.

Assignee, &c., of joint owners.

28. Where two or more persons are registered as joint proprietors of the same registered trade mark, those proprietors, or the survivors or survivor of them, or their or his assignee or transmittee, shall alone be recognised by the registrar as having any title to the mark.

Registration of joint owners as separate owners of separate trade marks.

29. Where divers persons claim to be severally entitled to the goodwill of a business concerned in the goods with respect to which a trade mark has been registered, such persons, or any of them, may, if they all consent thereto, and on the production of the proper evidence, and on payment of the prescribed fee, be registered separately as separate proprietors of such trade mark.

If all of such persons so entitled do not so consent, the registrar shall not, without leave of the court, register any of them as separate proprietors of such trade mark.

Continuance of a Trade Mark on the Register.

Removal of trade mark after fourteen years unless fee paid.

30. At a time not being less than two months nor more than three months before the expiration of fourteen years from the date of the registration of a trade mark, the registrar shall send a notice to the registered proprietor that the trade mark will be removed from the register unless the proprietor pays to the registrar, before the expiration of such fourteen years (naming the date at which the same will expire), the prescribed fee, and if such fee be not previously paid, he shall at the expiration of one month from the date of the giving of the first notice send a second notice to the same effect, and if such fee be not paid before the expiration of such fourteen years, the registrar may, after the end of three months from the expiration of such fourteen years, remove the mark from the register, and so from time to time at the expiration of every period of fourteen years.

Payment of additional fee after expiration of fourteen years.

31. If before the expiration of the said three months the registered proprietor pays the said fee, together with the additional prescribed fee, the registrar may, without removing such trade mark from the register, accept the said fee as if it had been paid before the expiration of the said fourteen years.

Power of Commissioners to restore trade mark.

32. Where after the said three months a trade mark has been removed from the register for non-payment of the prescribed fee,

the Commissioners of Patents, or one of them, may, if they are satisfied that it is just so to do, restore such trade mark to the register on payment of the prescribed additional fee and compliance with such conditions as they may think just.

Trade mark like one removed not to be registered for five years.

33. Where a trade mark has been removed from the register for non-payment of the fee or otherwise, such trade mark shall nevertheless for five years after the date of such removal be deemed for the purpose of section six of the Act, and not for any other purpose, to be a trade mark which is already registered.

Removal of trade mark where no business in goods.

34. The court may, on the application of any person aggrieved, remove any trade mark from the register on the ground, after the expiration of five years from the date of the registry thereof, that the registered proprietor is not engaged in any business concerned in the goods within the same class as the goods with respect to which a trade mark is registered.

Alteration and Rectification of Register.

Alteration of non-essential parts of trade mark.

35. The registered proprietor of any registered trade mark may, by leave of the court, alter such trade mark, so that he do not alter any one or more of the particulars in such mark which are declared by section ten of the Act to be the essential particulars of a trade mark, and the registrar shall, on payment of the prescribed fee and compliance with the requisitions of the registrar as to the deposit of representations of the trade mark as altered, alter the register accordingly.

Entry of rectification in register.

36. Where due notice of an order of any court rectifying the register has been given to the registrar, the registrar shall forthwith, upon an official copy of so much of the order as relates to such rectification being left with the registrar, and payment of the prescribed fee, rectify the register in accordance with the order.

Publication of rectification or alteration of register.

37. Whenever the register is rectified or altered in any particular in respect to any trade mark, the registrar shall, if he thinks that such rectification or alteration should be made public, at the expense of any person interested, publish, by advertisement or otherwise, and in such manner as he thinks just, the circumstances attending the rectification or alteration of the register.

Notice to registrar of opposition in any matter.

38. Any person may send, with the prescribed fee, notice to the registrar of his desire to oppose the registration of any assignee or transmittee, or any alteration of the register. The registrar shall give to the applicant for such registration or alteration the like notice, and may require security for costs in like manner as in the case of a notice of opposition to the original registration of a trade mark.

The registrar in such case may, if he think fit, require the parties interested to submit their claims to the court.

Alteration of address, &c., in register.

39. If the registered proprietor of a trade mark send to the registrar, together with the prescribed fee, notice of an alteration in his address, the registrar shall alter the register accordingly.

Inspection of Register.

Inspection and copies of register.

40. On such days and during such hours as the registrar may from time to time determine, not being less than three hours on three separate days in a week, any person may, on paying the prescribed fee, inspect the register of trade marks; and any person may, on paying the prescribed fee, obtain an office copy of any entry in the register.

Certificate by registrar.

41. The registrar when required for the purpose of any legal proceeding or other special purpose to give a certificate as to any entry, matter, or thing which he is authorised by the Act, or any of these rules to make or do, may, on payment of the prescribed fee, give such certificate, and shall specify on the face of it the legal proceeding or other purpose for which such certificate is granted.

Application to the Court.

Definition of court.

42. The court for the purposes of this Act is hereby declared to be the Chancery Division of Her Majesty's High Court of Justice.

Application to court.

43. An application to the court under the Act and these Rules may, subject to rules of court under the Supreme Court of Judicature Act, 1875, be made by motion or by application in chambers, or in such other manner as the court may direct.

Submission to court of conflicting claims.

44. Where the registrar refuses to comply with the claims of any persons until their rights have been determined by the court, the manner in which the rights of such claimants may be submitted by the registrar, or, if the registrar so require, by the claimants, to the court shall, unless the court otherwise order, be by a special case; and such special case shall be filed and proceeded with in like manner as any other special case submitted to the court, or in such other manner as the court may direct.

Settlement of special case.

45. The special case may be agreed to by the parties, or if they differ may be settled by the registrar.

Cutlers' Company.

Time for delivery of old Sheffield marks.

46. The time within which the Cutlers' Company are in pursuance of the Act to deliver to the registrar copies of all Sheffield corporate marks in force at the time of such delivery shall be the first day of March one thousand eight hundred and seventy-six, or such later day as the Lord Chancellor may fix.

Manner of delivery of old Sheffield marks.

47. Subject to any other directions that may be given by the registrar, the manner in which such copies are to be delivered shall be the sending to the registrar of copies

as hereinafter defined of such marks, accompanied by a statement of the names, addresses, and callings of the persons to whom such trade marks have been assigned.

Time for delivery of new Sheffield marks.

48. The time within which the Cutlers' Company are to deliver to the registrar notice of an application to them for assigning any mark or device, with a copy of such mark or device, shall be as soon as practicable after the date at which such Company have determined on the mark or device to be assigned.

Manner of delivery of new Sheffield marks.

49. The manner in which such notice and copy shall be delivered to the registrar shall be the sending to the registrar a notice of the application, accompanied by a statement comprising the like particulars as a statement required to be made by an applicant for the registration of a trade mark by the registrar under the Act, so far as such particulars are known to the Cutlers' Company.

Period between notice to registrar and assignment of new Sheffield marks.

50. The period before the expiration of which such mark or device shall not be assigned by the Cutlers' Company, shall be six weeks from the date of sending the said notice to the registrar.

Time for notice of application to register new trade marks to Cutlers' Company.

51. The time within which notice of an application for the registration under the Act of a trade mark as belonging to any particular goods or class of good specified in section two of the Cutlers' Company's Act, 1860, together with a copy of the trade mark, is to be delivered to the Cutlers' Company, shall be as soon as practicable after the receipt of the application by the registrar.

Manner of giving notice to Cutlers' Company of application.

52. The manner in which such notice is to be given shall be the sending to the Cutlers' Company a copy of the official journal containing the mark of which notice is required to be given, with a note distinguishing such mark.

Time between notice to Cutlers' Company and registration of trade mark.

53. The period from the giving of such notice, before the expiration of which the trade mark is not to be registered, shall be six weeks from the date of sending such notice to the Cutlers' Company.

Time for notice of assignment of mark or registration of mark.

54. The time within which notice of the assignment of any trade mark or device, or the registration of any trade mark, is to be given to the registrar or to the Cutlers' Company (as the case may be) shall be fourteen days after such assignment or registration.

Manner of giving notice of assignment or registration of mark.

55. The manner in which such notice shall be given shall be the sending a notice of such assignment or registration, with sufficient particulars to identify the mark, or device, or trade mark, to the registrar or Cutlers' Company, as the case may be.

Description of copies for purpose of Cutlers' Company.

56. A copy of a trade mark for the purpose of these Rules when sent by the Cutlers' Company shall be a drawing or representation of the trade mark, in duplicate, and, subject to any other directions that may be given by the registrar, shall be of a size of not less than three inches square, and shall be upon foolscap paper of such size as aforesaid.

Cotton Goods.

Establishment of office for exhibition of cotton trade marks at Manchester.

57. For the purpose of facilitating the granting of trade marks in respect of cotton goods in Classes 23, 24, and 25 there shall be established by the Commissioners of Patents, and subject to their control, an office at Manchester for the exhibition of all devices, marks, headings, labels, tickets, letters, words, or figures, or combinations of letters, words, or figures used in the cotton trade, and in these rules included under the expression "cotton marks."

Representations of cotton marks to be sent to Manchester office on or before December 1st, 1876.

58. Every person who at the date of the passing of the Act used any cotton mark shall, on or before the first day of December one thousand eight hundred and seventy-six, send to the Manchester office three representations of such cotton mark, in such form and with such a description as may be from time to time required by the Commissioners of Patents.

Committee of experts to be appointed, and to divide cotton marks into two classes.

59. A committee of persons versed in the usages of the cotton trade shall be appointed by the Commissioners of Patents, consisting of such number of persons as may from time to time be determined by them; and it shall be the duty of such committee, on or before a time to be named by the Commissioners of Patents, to divide the cotton marks, representations of which have been so sent in to the Manchester office, into two classes, the first class consisting of such of the said cotton marks as are, in the opinion of the committee, trade marks within the meaning of the Act, and the second class consisting of such of the said cotton marks as are not, in the opinion of the committee, trade marks within the meaning of the Act.

Committee to form list of marks sent in to Manchester office.

60. The said committee shall form a list of the cotton marks sent to the Manchester office in each of the aforesaid classes, and shall transmit such lists to the Commissioners of Patents, accompanied by two representations of each of the marks specified in the second class in such list.

The third representation of each of the marks in the second class in such list shall be retained for reference in the Manchester office.

Marks may be added to list.

61. The Commissioners of Patents may from time to time add to the aforesaid list any cotton marks as they may think just, and such addition shall be deemed to be part of the original list.

62. Any proprietor of a cotton mark not specified in the second class in such list may apply to be registered as proprietor of such cotton mark in manner and subject to the conditions in which he may apply to be registered as proprietor of any other trade mark, but it shall not be lawful for the registrar to register any person as proprietor of any cotton mark in the second class of the aforesaid list except in pursuance of an order of the court.

Any person claiming to be the proprietor of a cotton mark in Class 1 may apply to be registered.

63. A cotton mark shall not be registered except in manner and subject to the conditions prescribed by these rules with respect to the registry of cotton marks.

Cotton mark not to be registered except in manner herein prescribed.

Declaration and Evidence.

64. In any case in which any person is required under this Act to make a declaration on behalf of himself, or of any body corporate, or any evidence is required to be produced to the registrar, the registrar, if satisfied that from any reasonable cause such person is unable to make the declaration, or that such evidence may be dispensed with, may, upon the production of such other declaration or evidence, and subject to such terms as he may think fit, dispense with any such declaration or evidence.

Dispensing with declaration, evidence, &c.

65. The declarations required by these rules shall be made and subscribed in the United Kingdom under the authority of the Act of the fifth and sixth years of the reign of King William the Fourth, chapter sixty-two, "to repeal an Act of the present session of Parliament, intituled 'An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits,' and to make other provisions for the abolition of unnecessary oaths," and may be made and subscribed before any justice of the peace, or any commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding.

Manner in which and persons before whom declaration is to be taken.

The declaration, when taken out of the United Kingdom, shall

(*a.*) If made in any part of Her Majesty's dominions be made and subscribed before some court, justice, or officer authorised by law in such part of Her Majesty's dominions to administer an oath for the purpose of a legal proceeding; and

(*b.*) If made out of Her Majesty's dominions, be made and subscribed before a British consul, vice-consul, or other consular officer.

66. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorised to take such declaration, in testimony of such declaration having been made and subscribed before him, may be admitted by the registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declaration.

Notice of seal of officer taking declaration to prove itself.

67. If any person is, by reason of infancy, lunacy, or other inability, incapable of making any declaration or doing anything required or permitted by the Act or these rules to be made or done by such incapable person, then the guardian or committee, if any, of such incapable person, or if there be none, any person appointed by any court or judge possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making such declaration or doing such thing, may make such declaration, or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall for the purpose of the Act and these Rules be as effectual as if done by the person for whom he is substituted.

Declaration by infant, lunatic, &c.

Commissioners of Patents.

68. The registrar, in the exercise of his powers, duties, and discretion under the Act and these Rules, shall be subject to the superintendence of the Commissioners of Patents, and shall conform in every case to any instructions, directions, orders, or rules (general or special) that may be issued, given, or made by such Commissioners, or any one of them; and he shall in all cases of doubt be entitled to refer to the said Commissioners, or any of them, for instructions.

Registrar subject to Commissioners of Patents.

Notices.

69. Applications, statements, notices, and documents, required by the Act or by these Rules to be served or sent shall be in writing or print, or partly in writing and partly in print, and may be delivered personally, or served and sent by post, and if sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notice was prepaid and put into the post properly addressed.

Notices to be in writing and served by post.

70. Any application, statement, notice, and document to be served or sent on or to the registrar shall be deemed to be properly addressed if addressed to the registrar of trade marks at his office; and if required to be served on or sent to the proprietor of any trade mark shall be deemed to be properly addressed if addressed to the registered proprietor at his registered address.

Mode of addressing notices.

71. These Rules shall be construed as if they were part of the Trade Marks Registration Act, 1875, as amended by the Trade Marks Registration Amendment Act, 1876, and the said Trade Marks Registration Act, 1875, amended as aforesaid, is in these Rules referred to as "the Act."

Construction of Rules.

72. The forms in the third schedule to these Rules or such other forms as the registrar may direct may be used in all cases to which they are applicable.

Forms.

CAIRNS, C.

August, 1876.

We the Commissioners of Her Majesty's Treasury do hereby assent to the above Rules so far as they relate to fees.

CRICHTON.
R. WINN.

September, 1876.

SCHEDULES.

FIRST SCHEDULE.

CLASSIFICATION OF GOODS.

	Illustrations. Note.—Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class.
Class 1.	
Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.	Such as— Acids, including vegetable acids. Alkalies. Artists' colours. Pigments. Mineral dyes. Varnish.
Class 2.	
Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes.	Such as— Artificial manure. Sheep washes. Deodorisers.
Class 3.	
Chemical substances not included in Class 1, used in medicine and pharmacy.	Such as— Tinctures. Extracts. Barks. Patent medicines. Cod-liver oil. Plaisters. Lozenges.
Class 4.	
Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes.	Such as— Resins. Oils, not included in other Classes. Dyes, other than mineral. Tanning substances. Fibrous substances (*e. g.* cotton, hemp, flax, jute). Wool. Silk. Bristles. Hair. Feathers. Cork. Seeds. Bone. Sponge.
Class 5.	
Unwrought and partly wrought metals used in manufacture.	Such as— Iron and steel, pig or cast. „ rough. „ bar and rail, including rails for railways. „ bolt and rod. „ sheets, and boiler and armour plates. „ hoops. „ wire. Lead, pig. „ rolled. „ sheet. Copper. Zinc. Gold, in ingots.
Class 6.	
Machinery of all kinds, and parts of machinery, except agricultural machines included in Class 7.	Such as— Steam engines. Boilers. Pneumatic machines. Hydraulic machines. Locomotives. Sewing machines. Weighing machines. Machine tools. Mining machinery. Fire engines.
Class 7.	
Agricultural and horticultural machinery, and parts of such machinery.	Such as— Ploughs. Drilling machines. Reaping machines. Thrashing machines. Churns. Cyder presses. Chaff cutters.
Class 8.	
Philosophical instruments, instruments and apparatus for useful purposes, or for teaching.	Such as— Gauges. School desks. Logs.
Class 9.	
Musical instruments.	
Class 10.	
Horological instruments.	
Class 11.	
Instruments, apparatus, and contrivances for surgical or curative purposes, or in relation to health.	Such as— Bandages. Friction gloves. Lancets.
Class 12.	
Cutlery and edge tools.	Such as— Knives. Forks. Scissors. Shears. Files. Saws.
Class 13.	
Metal goods not included in other classes.	
Class 14.	
Goods of precious metals (including aluminium, nickel, Britannia metal, &c.), and jewellery, and imitations of such goods and jewellery.	Such as— Plate. Clock cases and pencil cases of such metals. Sheffield and other plated goods. Gilt and ormolu work.
Class 15.	
Glass.	Such as— Window and plate glass. Painted glass. Glass mosaic. Glass for optical purposes.
Class 16.	
Porcelain and earthenware.	Such as— China. Stoneware. Terra-cotta. Statuary porcelain. Tiles. Bricks.
Class 17.	
Manufactures from mineral and other substances for building or decoration.	Such as— Cement. Plaster. Imitation marble.
Class 18.	
Engineering, architectural, and building contrivances.	Such as— Diving apparatus. Warming apparatus. Ventilating apparatus. Filtering apparatus. Lighting contrivances. Drainage contrivances. Electric and pneumatic bells.

Class 19.	
Arms, ammunition, and stores not included in Class 20.	Such as— Cannon. Small-arms. Fowling-pieces. Swords. Shot and other projectiles. Camp equipage. Equipments.
Class 20.	
Explosive substances.	Such as— Gunpowder. Gun cotton. Dynamite. Fog-signals. Percussion caps. Fireworks. Cartridges.
Class 21.	
Naval architectural contrivances and naval equipments not included in classes 19 and 20.	Such as— Boats. Anchors. Chain cables. Rigging.
Class 22.	
Carriages.	Such as— Railway carriages. Waggons. Railway trucks. Velocipedes. Bath chairs.
Class 23.	
Cotton yarn and thread.	
Class 24.	
Cotton piece goods of all kinds.	
Class 25.	
Cotton goods not included in Classes 23, 24, or 38.	
Class 26.	
Linen and hemp yarn and thread.	
Class 27.	
Linen and hemp piece goods.	
Class 28.	
Linen and hemp goods not included in classes 26, 27 and 50.	
Class 29.	
Jute yarns and tissues, and other articles made of Jute not included in Class 50.	
Class 30.	
Silk, spun, thrown, or sewing.	
Class 31.	
Silk piece goods.	
Class 32.	
Other silk goods not included in classes 30 and 31.	
Class 33.	
Yarns of wool, worsted, or hair.	
Class 34.	
Cloths and stuffs of wool, worsted, or hair.	
Class 35.	
Woollen and worsted and hair goods not included in classes 33 and 34.	
Class 36.	
Carpets, floor-cloth, and oil-cloth.	Such as— Drugget. Mats and matting. Rugs.
Class 37.	
Leather, and skins unwrought and wrought.	Such as— Saddlery. Harness. Whips. Portmanteaus. Furs.
Class 38.	
Articles of clothing.	Such as— Hats of all kinds. Caps and bonnets. Hosiery. Gloves. Boots and shoes. Other ready-made clothing.
Class 39.	
Paper (except paper hangings), stationery, printing, and book-binding.	Such as— Envelopes. Sealing wax. Pens (except gold pens). Ink. Playing cards. Blotting cases. Copying presses.
Class 40.	
Goods manufactured from india-rubber and gutta-percha not included in other classes.	
Class 41.	
Furniture and upholstery.	Such as— Paper hangings. Papier-mâché. Mirrors. Mattresses.
Class 42.	
Substances used as food, or as ingredients in food.	Such as— Cereals. Pulses. Olive oil. Hops. Malt. Dried fruits. Tea. Sago. Salt. Sugar. Preserved meats. Confectionery. Oil cakes. Pickles. Vinegar. Beer clarifiers.
Class 43.	
Fermented liquors and spirits.	Such as— Beer. Cyder. Wine. Whisky. Liqueurs.
Class 44.	
Mineral and aërated waters, natural and artificial, including ginger beer.	
Class 45.	
Tobacco, whether manufactured or unmanufactured.	
Class 46.	
Seeds for agricultural and horticultural purposes.	
Class 47.	
Candles, common soap, detergents, illuminating, heating, or lubricating oils, matches, and starch, blue, and other preparations for laundry purposes.	Such as— Washing powders. Benzine collas.
Class 48.	
Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap).	

Class 49.	
Games of all kinds. Archery. Fishing tackle. Toys.	Such as— Billiard tables. Roller skates. Fishing nets and lines.
Class 50.	
Miscellaneous, including— (1.) Goods manufactured from ivory, bone, wood, not included in other classes. (2.) Goods manufactured from straw or grass, not included in other classes. (3.) Goods manufactured from animal and vegetable substances, not included in other classes. (4.) Tobacco pipes. (5.) Umbrellas, walking sticks, brushes, and combs. (6.) Furniture cream, plate powder. (7.) Tarpaulins, tents, rick-cloths, rope, twine. (8.) Buttons of all kinds other than of precious metal or imitations thereof. (9.) Packing and hose of all kinds. (10.) Goods not included in the foregoing classes.	Such as— Coopers' wares.

GENERAL NOTE.

Any wares made of mixed materials (for example, of both cotton and silk) shall be included in such one of the classes appropriated to those materials as the registrar may decide.

SECOND SCHEDULE.

FEES.

The following fees shall be payable to the registrar on or for the following occasions or purposes :—

	£	s.	d.
1. On application to register one trade mark for one or more articles included in one class	1	0	0
2. On application to register more than one trade mark for one or more articles included in one class, for each additional trade mark after the first	0	10	0
3. On application to register a trade mark in respect of goods in different classes, for every class after the first to which such trade mark is extended, an additional fee of ...	0	2	0
4. For registration of one trade mark ...	1	0	0
5. Where the same person is registered at the same time for more than one trade mark, for registration of each additional mark after the first ...	0	10	0
6. Where the same person is registered at the same time for the same trade mark in respect of goods in different classes, for the registration of one mark in each class after the first an additional fee of ...	0	2	0
7. For entering notice of opposition ...	2	0	0
8. For registering subsequent proprietor	1	0	0
9. For altering address on the register	0	5	0
10. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged ...	0	10	0
11. For continuance of mark at expiration of fourteen years	2	0	0
12. Additional fee where fee is paid within three months after expiration of fourteen years	1	0	0
13. Additional fee for restoration of trade mark when removed for non-payment of fee	2	0	0
14. For certificate	1	0	0
15. For inspecting register, for every quarter of an hour	0	1	0
16. For office copy of documents, 2*d.* per folio, but never less than ...	0	1	0
17. Settling a special case by registrar ...	2	0	0

Note.

If a copy of a trade mark is required for any purpose, such copy shall be supplied by or at the expense of the applicant.

THIRD SCHEDULE.

FORM A.

FORM OF STATEMENT ON APPLICATION FOR REGISTRATION OF ONE TRADE MARK.

I,* [*John Jones, of Moon Street, in the town of Birmingham, pharmaceutical chymist,*] apply to be registered as proprietor of a Trade mark† [*being a goat's head and neck with a gold collar attached thereto*], and which is represented in the paper annexed hereto.

I desire that the said trade mark may be registered in respect of the description of goods following contained in [*Class I., that is to say,‡ acids, including pigments, mineral dyes*].

I have used the said trade mark in respect of the said goods for [*ten*] years before the 13th of August 1875.§

|| The ____ day of _____ 187 .

(Signed) *John Jones.*¶

* *Here insert name, address, and calling of the applicant.*

† *Here insert in writing description of trade mark.*

‡ *Here insert description of the goods, and the class or classes under which the applicant desires to have them registered.*

§ *This paragraph may be omitted if the trade mark was not used before the 13th of August 1875.*

|| *Here insert date.*

¶ *Here insert signature.*

FORM B.

FORM OF STATEMENT ON APPLICATION FOR REGISTRATION OF MORE THAN ONE TRADE MARK.

I,* [*John Jones, of Moon Street, in the town of Birmingham, pharmaceutical chymist,*] apply to be registered as proprietor of the following trade marks, numbered from "*1*" to .

The trade marks are described as follows; that is to say,

No. 1 is†

and is represented on paper 1 annexed hereto.

No. 2 is†

and is represented on paper 2 annexed hereto [*and so forth*].

I desire that the said trade marks may be registered in respect of the descriptions of goods following; that is to say,

As to No. 1, in respect of the following goods contained in class ‡

As to No. 2, in respect of the following goods contained in class ‡ [*and so forth*].

§ I have used the trade marks numbered [*respectively*] and in respect of the goods for which I desire them to be registered for years before the 13th of August 1875.

|| The ____ day of _____ 187 .

(Signed) *John Jones.*¶

* *Here insert name, address, and calling of the applicant.*

† *Here insert in writing description of trade mark.*

‡ *Here insert description of the goods and the class or classes under which the applicant desires to have them registered.*

§ *This paragraph may be omitted if the trade marks were not used before the 13th of August 1875.*

|| *Here insert date.*

¶ *Here insert signature.*

FORM C.

FORM OF DECLARATION TO ACCOMPANY STATEMENT ON APPLICATION FOR REGISTRATION OF ONE TRADE MARK.

I *A. B.* of

do hereby solemnly and sincerely declare, to the best of my knowledge and belief, as follows :—

(1.) The statement signed by me and dated the day of , and marked with the letter "A," and shown to me at the time of making this declaration is true :

(2.) The description of the trade mark in such statement is a true description of the trade mark for the registration of which I apply :

(3.) I am lawfully entitled to the use of the trade mark, of which the said description is a true description.

And I make this declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the session of Parliament held in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to repeal an Act of the present session of Parliament, intituled 'An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.'"

Signed *A. B.*

Declared before me

NOTE.—*The above Form will require to be altered so as to suit an application for the registration of more than one trade mark.*

FORM D.

FORM OF DECLARATION* TO ACCOMPANY STATEMENT ON APPLICATION FOR REGISTRATION OF ONE TRADE MARK.

* This Form is to be used when the Declaration is made out of the United Kingdom.

I *A. B.* of
do hereby solemnly and sincerely declare, to the best of my knowledge and belief, as follows:

(1.) The statement signed by me, and dated the day of , and marked with the letter "A," and shown to me at the time of making this declaration is true:

(2.) The description of the trade mark in such statement is a true description of the trade mark for the registration of which I apply:

(3.) I am lawfully entitled to the use of the trade mark of which the said description is a true description.

(Signed) *A.B.*

Declared before me

NOTE.—*The above Form will require to be altered so as to suit an application for the registration of more than one trade mark.*

FORM E.

FORM OF ASSIGNMENT OF TRADE MARK.

* *Here enter number or other means of identifying trade mark in register.*

Trade mark, class *
Name
Place of business

I† *A.B.* of
in the county of
being registered proprietor of the trade mark above particularly described, in consideration of pounds paid to me by *E.F.*, carrying on business at in the county of under the firm of *F. & Co.*, hereby assign the said trade mark to the said *E.F.*, together with the goodwill of the business concerned in the goods with respect to which the trade mark is registered.

† *Alter as necessary if there be more than one proprietor.*

In witness whereof I have hereunto subscribed my name and affixed my seal, this day of 18 .

(Signed)

Executed by the above-named *A.B.*, in the presence of
[*insert description and place of residence.*]

Executed by the above-named *E.F.*, in the presence of

FORM F.

DECLARATION BY TRANSMITTEE APPLYING TO BE REGISTERED AS PROPRIETOR.

* *Here enter number or other means of identifying trade mark in register.*

Trade mark, class , No. *
Name of owner
Firm
Place of business.

(1.) I†, the undersigned *A.B.* of in the county of ‡ carrying on business at in the county of , declare as follows:

† *Alter accordingly, if more than one person makes the declaration.*

‡ *Alter according to circumstances.*

I declare that *A.B.*, the registered proprietor of the trade mark above described§ [died at in the county of , having first made his will, dated the day of whereby he appointed me executor and I proved [*or* confirmed] his said will on the day of in the Court of], *or* [died at in the county of on the day of intestate, and letters of administration of his estate and effects were [confirmation as executor of the said was] on the day of duly granted to me by the Court of]:

§ *Alter according to circumstances.*

Or,

I declare, that [the estate of] *C.D.*, the registered proprietor of the trade mark above described, was on the day of duly† [adjudged a bankrupt] [sequestrated], and that I was on the day of appointed trustee of the [sequestrated] estate of the said *C.D.*, and I am by law entitled to be registered as proprietor of the said trade mark in place of the said *C.D.*:

* *Alter according to circumstances.*

Or,

I declare, that on the day of I intermarried with and am now the husband of *C.D.*, the registered proprietor of the trade mark above described; and † I declare that on such marriage the interest of the said *C.D.* in the said trade mark and in the goodwill of the business concerned in the goods with respect to which the trade mark is registered became by law vested in me, and that I am entitled to be registered as owner of the said trade mark in place of the said *C.D.*, and I declare that *C.D.* is the person referred to in the annexed certificate.

† *Alter according to circumstances.*

(2.) I am lawfully entitled to the goodwill ‡ of the business concerned in the goods with respect to which the trade mark so transmitted to me is registered.

‡ *If the declarant is entitled only to some share in the goodwill, the share must be specified.*

And I make this declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the session of Parliament held in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to repeal an Act of the present session of Parliament, intituled 'An Act for the more effectual abolition of Oaths and Affirmations taken and made in various departments of the State, and to substitute Declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.'"

(Signed)

Dated at the
day of 18 .

Made and subscribed by the above-named *A.B.* in the presence of me,

(Signed)

APPENDIX I.

Instructions to Persons applying for the Registration of Trade Marks.

Forms of Application will be found at page 25 of the Rules under the Trade Marks Registration Acts. The Applicant should carefully read over Rules 3, 4, 5, 6, 7, 9, 10, and 11, relating to Application for Registry, and attend to the notes attached to the forms in the third schedule to the Rules.

All applications must be made in the English language.

The attention of Applicants is called to the following points:

The Declaration.

1. Declarations made *in the United Kingdom* are made under the authority of the Act 5 & 6 Will. IV. cap. 62. (*vide* Rule 65), and should conclude in the form set out in that Act,—"And I make this Declaration conscientiously "believing the same to be true, and by virtue of the provi- "sions of an Act made and passed in the session of Parlia- "ment held in the fifth and sixth years of the reign of His "late Majesty King William the Fourth, intituled 'An Act "'to repeal an Act of the present session of Parliament, enti- "'tuled "An Act for the more effectual abolition of Oaths "'and Affirmations taken and made in various departments "'of the State, and to substitute Declarations in lieu there- "'of, and for the more entire suppression of voluntary and "'extra-judicial oaths and affidavits, and to make other pro- "'visions for the abolition of unnecessary oaths.'"

2. The Declaration must be made before a Justice of the Peace or before a Commissioner for administering oaths (*vide* Rule 65). If made before a Commissioner, it should bear a 2*s.* 6*d.* Inland Revenue impressed stamp.

3. Declarations made *out of the United Kingdom* are not made under the authority of the Act 5 & 6 Will. IV. cap. 62, and should not conclude with the statutory termination above quoted, but should be made strictly in accordance with Form D. of the third schedule of the Rules; such Declarations do not require an Inland Revenue stamp.

4. Declarations made out of Her Majesty's dominions may, in cases where it is impracticable to make them before a British consular officer, be subscribed before a mayor, whose signature or official seal must, however, be certified by a British consular officer, or by the Consul of the nation, in London.

5. The Declaration, and the Statement on Application, should bear the ordinary signature of the person or persons by whom made. The trading name under which the business is carried on must also be stated in every case.

6. If the Application is made by a partner, secretary, or manager of a firm or corporate body, the Declaration and Statement should be made as "on behalf of" such firm or body, and the capacity in which the person signing the documents is acting should be stated.

7. In filling up the first paragraph of the Declaration the day of the month and the year should be stated.

The Statement on Application.

FORM A. OR B.

1. The Statement should be certified as an exhibit to the Declaration by the authority before whom the latter document is declared.

2. It should give an accurate description of the Mark, specifying any words, &c., forming a conspicuous part of the Mark. It should also specify *separately for each class* the description or descriptions of Goods in respect of which the Mark is applied for.

3. Ornamental or coloured groundwork, such as plaids or checks, &c., cannot be claimed as part of a mark unless it is included within the mark by some border or lines which should be referred to in the statement.

4. Where part of a label or mark consists of words or figures which vary with the different goods or qualities of goods to which the mark is applied, these variable parts should not be set out in the description of the mark, but should be referred to in general terms as "printed matter" or "other words referring to the goods to which the mark is applied," in which case these parts may appear in the representations in one variety, or the applicant may leave these parts of the mark or label blank, describing the blank spaces as "to be filled according to the quality or description of the goods with printed matter," or as "to be filled with other words, &c.," as above.

5. Attention should further be paid to the following points:—

Applications for the Registry of Trade Marks in Class 7 should only be made in respect of the larger kinds of agricultural and horticultural implements and machines; for all the smaller descriptions of metal implements, such as gardening, draining, excavating, and mining tools, other than with a cutting edge, application should be made in Class 13.

Marks for the under-mentioned goods should be claimed in Class 50:

Bags, sacks, tarpaulins, rick-cloths, tents brattice, cloth.
Brushes (except artists' brushes) and combs.
Buttons of all kinds, other than of precious metals or imitations thereof.
Cordage, rope, twine.
Coopers' wares.
Flasks.
Fuel (patent and artificial).
Furniture cream, plate powder, polishing paste.
Grindstones, oilstones, hones, emery.
Hose.
Packing.

Representations.

1. The Representations accompanying an Application must be sent in duplicate, each Representation upon a separate half sheet of foolscap paper, and with a margin of not less than one inch and a half on the left-hand side of the page.

2. Representations of a larger size than foolscap may be folded, but all such Representations must be mounted on linen.

3. Representations should be not only of a durable nature but of such a kind as will admit of their being preserved bound together in volumes as records of the property of the Applicants.

4. No Representation or part of a Representation supplied for the purposes of Registration should be in pencil or be merely punched upon paper or stamped or embossed.

5. The two Representations must in all cases be exactly similar.

6. The words "Registered," "Copyright," "Entered at Stationers' Hall," to "counterfeit this is forgery," will not be registered under the Trade Marks Registration Act, 1875, and, therefore, should not appear upon the Representations supplied for the purpose of Registration, nor in the Description of Marks given in the Statement on Application.

7. The engraver's or printer's name should not appear upon the Representations.

Marks not used before the passing of the Trade Marks Registration Act, 1875.

1. The definition of a Trade Mark not used prior to the passing of the Trade Marks Registration Act, 1875, is given in the 10th section of that Act, as follows:—

"A Trade Mark consists of one or more of the following essential particulars; that is to say,
"A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or
"A written signature or copy of a written signature of an individual or firm; or
"A distinctive device, mark, heading, label, or ticket:
"and there may be added to any one or more of the said "particulars any letters, words, or figures, or combina- "tion of letters, words or figures.

All Marks, therefore, which it is desired to register, and which were not used prior to the passing of the Act, must consist of one or more of the above essential particulars.

2. The following devices, designs, or words will not be registered as new marks or parts of new marks:

Representations of Her Majesty the Queen, or of any member of the Royal Family, or of Foreign Sovereigns.
Royal or national arms, crests, or mottoes.
Representations of the Royal Crown or of National flags.
Arms of counties, cities, and boroughs within the United Kingdom.
Prize or exhibition medals.
The words "trade mark," "patent," "warranted," "guaranteed."
Words of advertisement, or words indicating the special quality of the goods to which the mark is applied, such as "pure," "genuine," "excellent," "unequalled, &c."

Fees.

Fees will not be received in cash. They may be paid by a Post Office Order payable to the Registrar, at the General Post Office, London; or, if they exceed five pounds, may be paid by a cheque drawn to the "Registrar of Trade Marks or Bearer," and crossed "Bank of England."

Each application for the registry of a Trade Mark or Marks must be accompanied by a statement, on foolscap paper, of the following particulars:—

1. Name and address of applicant.

(Example.) *John Jones,*
Moon Street,
Birmingham;
Pharmaceutical Chemist.

2. Account of fees for trade mark or marks required (Examples.)

	£	s.	d.
One trade mark in class 4 ...	1	0	0
or			
Two trade marks in class 20 ...	1	10	0
or			
One trade mark in four classes ...	1	6	0

The Post Office Orders or crossed cheques enclosed for payment of fees should be fastened to the form of account of fees.

The Abatement of fees is only allowed when more than one Mark is applied for in pursuance of the *same* Application (*vide* Rule 4).

Applications may be made either on printed forms or altogether in writing, and must be addressed as follows:—

The Registrar,
Trade Marks Registry Office.
Quality Court,
Chancery Lane,
London, W. C.

Printed Forms are not supplied by the Registry Office, but may be obtained at law stationers.

Applications may either be delivered by hand or sent prepaid by post, but an application will not be attended to unless it is accompanied by the proper fees specified in Schedule II. of the Rules.

Advertisements in Trade Marks Journal.

1. A Wood-block or Electrotype must be furnished for each Mark in each class, even though the Mark consists only of words.

2. The wood-blocks or Electrotypes furnished must correspond exactly with the representations accompanying the application, and must afford distinct impressions of the Marks.

3. The Blocks and Electrotypes need not be larger than is required to show the mark in a distinct manner; and provided the Mark is clearly represented, it is not necessary that it should be on a Block two inches square. The largest space available for the representation of any single mark is nine inches broad by eight inches deep.

4. No block should exceed two inches in *breadth* unless a larger size is necessary in order to show the mark distinctly.

5. The Number given by the Registrar should *not* be cut on the Block or Electrotype, but should only be marked upon the side or bottom in such a manner as to secure its identification.

6. A description of the manner in which the Mark is applied should not be cut on the Block.

7. All Blocks should be sent, together with the papers marked "Form 2," to the Office of the Registrar.

8. It would greatly facilitate the compilation of the Trade Marks Journal if each applicant would affix an impression of the mark from the Block, as cut for the Journal, to the Form 2 before forwarding it to the Trade Marks Registry Office.

Notice.

Copies of the Instructions and Rules and of each number of the Journal may be obtained, on payment of a shilling for each copy, of the following publishers:—

Knight and Co., 90, Fleet Street;
Stevens and Sons, 119, Chancery Lane;
E. Stanford, 55, Charing Cross;
Shaw and Sons, Fetter Lane;
Butterworths, 7, Fleet Street;
G. Downing, 8, Quality Court, Chancery Lane;
Trübner and Co., 57 and 59, Ludgate Hill;
Waterlow and Sons, "Limited," 24 and 25, Birchin Lane, 60, 61, and 65, London Wall, and 49, Parliament Street;
J. M. Johnson and Sons, "Limited," 3, Castle Street, Holborn, and 56, Hatton Garden;
Palmer and Howe, 1, 3, and 5, Bond Street, Manchester;
Alex. Thom, 87 and 88, Abbey Street, Dublin; and
A. and C. Black, Edinburgh.

Copies will also be sent by post by any of the above publishers on a prepaid application, containing the name and address of the sender, and accompanied with a Post Office Order for the amount due in respect of the copies required.

Trade Marks Registry Office, 4, Quality Court, Chancery Lane, London, W.C.
15th September 1876.

H. READER LACK,
Registrar.

The 8th February 1877.

No. 8.—Mr. J. V. Woodman, Barrister-at-law, is confirmed in the appointment of Chief Reporter for the Indian Law Reports, and will hold in addition, until further orders, the appointment of Reporter in the High Court at Calcutta, doing the duties of both offices.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 5th February 1877.

No. 88.—Messrs. G. B. Pasley and W. G. Probyn are permitted to resign Her Majesty's Bengal Civil Service.

The 9th February 1877.

No. 97.—Messrs. J. E. Bridges and E. F. Roche, of Her Majesty's Bengal Civil Service, reported to the Chief Commissioner of British Burma their arrival at Rangoon on the 1st December last.

No. 99.—The services of Mr. T. J. Chichele Plowden, C.S., Inspector General of Police in Assam, are placed at the disposal of the Foreign Department, with effect from the 23rd ultimo.

No. 102.—The Governor General in Council is pleased to permit Mr. F. M. Lind to resign Her Majesty's Bengal Civil Service, with effect from the 15th ultimo.

EXAMINATIONS.

The 6th February 1877.

No. 24.—APPOINTMENT.—Captain W F. Trotter, Officiating Assistant Commissioner of the 2nd Grade in Assam, is confirmed in the 3rd Grade of Assistant Commissioners.

SANITARY.

The 8th February 1877.

No. 13.—APPOINTMENT.—Surgeon-Major S. C. Townsend, Sanitary Commissioner and Superintendent of Vaccination, Central Provinces, to officiate as Sanitary Commissioner with the Government of India, during the absence on leave of Surgeon-Major J. M. Cuningham, or until further orders.

PORT BLAIR.

The 5th February 1877.

No. 26.—APPOINTMENT.—Mr. George Peck, Chief Officer of the Steamer *Tenasserim*, to be Harbour Master of Port Blair, in the room of Mr. C. Darwood, deceased.

EDUCATION.

The 8th February 1877.

No. 15.—APPOINTMENT.—Mr. G. Thompson, President, High School, Jubbulpôre, in the Central Provinces, to be Inspector of Schools, 4th Grade, *vice* Mr. J. Deardon, deceased.

ECCLESIASTICAL.

The 5th February 1877.

No. 21.—The Reverend E. G. Davis, Chaplain of Mhow, has passed the Lower Standard Examination in Hindustani.

The 7th February 1877.

No. 23.—ERRATUM.—In Home Department Notification No. 1, dated the 11th ultimo, line 9, for "31st October *1876*," read "31st October *1866*."

The 9th February 1877.

No. 29.—The services of the Reverend K. E. Barrow, M.A., Chaplain of Morar, are placed at the disposal of the Government of the North-Western Provinces, with effect from the 19th instant, or subsequent date on which he may be relieved of his present appointment.

No. 30.—APPOINTMENT.—The Reverend W. J. Hunt, B.A., Chaplain of Dharmsála, to be Chaplain of Morar.

No. 32.—The services of the Reverend J. Kilbee Stuart, M.A., Chaplain of Fyzabad, are placed at the disposal of the Government of the Punjab, with effect from the 12th instant, or any subsequent date on which he may be relieved of his present appointment.

No. 34.—APPOINTMENT.—The Reverend C. R. Tollemache, M.A., Officiating Chaplain of Meerut, to be Chaplain of Fyzabad.

No. 39.—The Reverend John Jefferis Bartlett Coles, M.A., and the Reverend Brook Deedes, M.A., have been appointed by Her Majesty's Secretary of State for India to be Junior Chaplains on the Bengal Establishment.

Messrs. Coles and Deedes reported their arrival in India on the 23rd ultimo and 8th instant, respectively.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—INDUSTRY, SCIENCE, AND ART.

Fort William, the 7th February 1877.

No. 19.—The services of Major Godwin-Austen, Deputy Superintendent in the Topographical Survey, have been placed temporarily at the disposal of the Trustees, Indian Museum, from the 1st instant to the end of September next.

EMIGRATION.

The 7th February 1877.

No. 14.—Under Section 12, Act VII (B.C.) of 1873, the Governor General in Council has been pleased to appoint Dr. James Cromarty, Civil Medical Officer of Goálpára, to be Medical Inspector of Emigrants at Dhubri, and to invest him with all the powers of a Medical Inspector under the said Act. The powers conferred on Dr. Cromarty shall be exercised within the local limits of the district of Goálpára only.

This Notification will have retrospective effect from the date on which Dr. Cromarty assumed charge of his duties at Goálpára.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 6th February 1877.

No. 235P.—With reference to Notification No. 1686P, dated 20th July 1876, the recognition by the Government of India of the appointment of Mr. Carl Kapp as Consul for the German Empire at Bombay, has been confirmed by Her Majesty's Government.

GENERAL.

The 7th February 1877.

No. 337G.—Sheik Hissam-ud-din, Officiating Political Assistant, 2nd Class, and Assistant Cantonment Magistrate, Secunderabad, held charge of the current duties of the Office of Cantonment Magistrate, Secunderabad, from the 18th to the 27th November 1876, during Major Mayne's absence on privilege leave.

The 8th February 1877.

No. 348G.—The services of Surgeon H. Johnstone, Residency Surgeon, Mandalay, are placed at the disposal of the Home Department, with effect from the date on which he may be relieved of his duties by Surgeon A. H. Leapingwell.

No. 350G.—APPOINTMENT.—Surgeon A. H. Leapingwell, of the Madras Medical Department, to be Residency Surgeon at Mandalay, *vice* Surgeon H. Johnstone, with effect from the date of assuming charge.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 7th February 1877.

No. 717.—Mr. R. W. Lodwick, Bombay Civil Service, made over charge of the Offices of Accountant General and Commissioner of the Department of Issue of Government Paper Currency, Madras, to Mr. W. Donald, before noon, on the 29th January 1877.

The 8th February 1877.

No. 792.—Mr. T. H. Biggs received charge of the Offices of Deputy Accountant General, Central Provinces, and Deputy Commissioner of Paper Currency, Nagpur Circle, from Mr. H. G. Cowie, B.A., after noon, on the 2nd February 1877.

LEAVE, LEAVE ALLOWANCES, &c.

The 8th February 1877.

No. 646.—The Governor General in Council directs that the words "Military Department" be substituted for the words "Controller of Military Accounts" in the second sentence of the Note at the head of Chapter IV of the Civil Leave Code.

MINT AND CURRENCY.

The 8th February 1877.

No. 805.—*Statement of the Amount of Government Currency Notes in circulation, of the Amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	Circles of Issue.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.
31st January 1877 ...	Calcutta	5,66,48,335	99,31,497	69,30,895	2,84,80,903	4,53,43,295
Ditto	Madras	1,14,65,580	39,40,260		60,00,000	99,40,260
Ditto	Bombay	3,74,25,370	1,68,41,326	1,61,17,349	1,58,00,000	4,87,58,675
Ditto	Allahabad	70,48,535	55,71,605	...	31,00,000	86,71,605
Ditto	Lahore	55,24,405	27,71,585	...	33,00,000	60,71,585
Ditto	Calicut	16,12,370	4,94,930	...	7,00,000	11,94,930
Ditto	Coconada	11,88,395	6,00,335	...	5,00,000	11,00,335
Ditto	Nagpore	9,00,630	3,82,020	...	6,00,000	9,82,020
Ditto	Kurrachee	20,24,665	3,88,155	...	12,00,000	15,88,155
Ditto	Akola	5,24,190	4,11,615	...	3,00,000	7,11,615
	TOTAL ...	12,43,62,475	4,13,33,328	2,30,48,244	5,99,80,903	12,43,62,475

PAY AND ALLOWANCES.

The 9th February 1877.

No. 799.—The Governor General in Council directs that the following be substituted for Rule 1 (*a* and *b*) under Section 29 of the Acting Allowance Code :—

1. Unless under special orders by the Director General, an Officer of the Post Office can count time only under Section 28, and can count under Part 1 of that Section only so much time as is continuous.

PENSIONS AND GRATUITIES.

The 9th February 1877.

No. 802.—The Governor General in Council directs that the following be inserted as Rule 4 under Section 123 of the Civil Pension Code :—

4. In the case of the Narora Branch Railway and Tramway, the Government of the North-Western Provinces exercises the powers of the Director of State Railways under these Rules.

SEPARATE REVENUE—OPIUM.

The 9th February 1877.

No. 807.—*Opium Revenue to date, compared with the Estimate for the year 1876-77.*

	LATEST MONTH.			ELEVEN SALES OF BENGAL OPIUM AND TEN MONTHS' DUTY ON MALWA OPIUM.		
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.
	£	£	£	£	£	£
Bengal	458,800	485,493	26,693	4,959,628	5,510,731	551,103
Bombay	211,891	220,560	8,669	2,150,532	2,463,541	313,009
TOTAL ...	670,691	706,053	35,362	7,110,160	7,974,272	864,112

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

MILITARY DEPARTMENT.

Fort William, the 6th February 1877.

APPOINTMENTS AND PROMOTIONS.

No. 106.—ARMY COMMISSARIAT DEPARTMENT—

Lieutenant P. A. Buckland, Bengal Staff Corps, Officiating Wing Officer, 45th (Rattray's Sikhs) Regiment of Native Infantry, to be a Sub-Assistant Commissary General, 3rd Class, on probation, with effect from the 23rd January 1877, to fill an existing vacancy.

The 9th February 1877.

No. 107.—PUNJAB FRONTIER FORCE—

2nd Punjab Cavalry.

Lieutenant A. F. Cotton, Wing Officer, 45th (Rattray's Sikhs) Regiment of Native Infantry, and Officiating Squadron Officer, 3rd Punjab Cavalry, to officiate as Squadron Officer, *vice* Lieutenant E. C. Dowse.

1st Sikh Infantry.

Lieutenant J. A. H. Pollock, 1st Battalion, 17th Foot, a candidate for the Bengal Staff Corps, to be Wing Officer, on probation, *vice* Lieutenant F. G. Maltby, appointed to the 2nd Infantry Hyderabad Contingent.

3rd Sikh Infantry.

Lieutenant O. C. Radford, 1st Battalion 25th Foot, a candidate for the Bengal Staff Corps, to be Officiating Wing Officer, on probation, *vice* Captain W. B. Aislabie, officiating as Wing Commander.

No. 108.—STAFF CORPS—

The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Lieutenant Carbery Egan, Bengal Staff Corps. 24th January 1877.

No. 109.—The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval :—

Lieutenant-Colonel William Bannerman, Bombay Staff Corps.	3rd February 1877.
Lieutenant-Colonel William Ryrie Alexander, Bombay Staff Corps.	
Lieutenant-Colonel Douglas Scott, Madras Staff Corps.	4th February 1877.
Lieutenant-Colonel William Bolton Girdlestone, Bengal Staff Corps.	
Lieutenant-Colonel Augustus Frederick Williams, Madras Staff Corps.	
Lieutenant-Colonel Walter John Vizard, Madras Staff Corps.	
Lieutenant-Colonel Augustus Phillip Chesshyre, Bombay Staff Corps.	5th February 1877.
Lieutenant-Colonel Thomas Spence Hawks, Madras Staff Corps.	

No. 110.—MEDICAL DEPARTMENT—

Surgeon-Major J. Gibbons, Army Medical Department, Madras, is brought on the Administrative Staff of the British Medical Service in Bengal, with effect from the date of his arrival in Calcutta, *vice* Deputy Surgeon-General T. Crawford, M.D., appointed Principal Medical Officer in Ireland.

Dr. Gibbons is appointed to the Medical Superintendence of the Allahabad Circle, with effect from the date on which he may take up the duties of the office.

No. 111.—VETERINARY DEPARTMENT—

Staff Veterinary Surgeon F. F. Collins, Officiating Inspecting Veterinary Surgeon, 1st Circle, and Principal Veterinary Surgeon, Bengal, is confirmed in those appointments, with effect from the 29th October 1876, *vice* Principal Veterinary Surgeon A. Turnbull, retired.

TRANSFER OF OFFICERS.

No. 112.—The services of Lieutenant F. R. deWolski, Royal Engineers, Executive Engineer, 4th Grade (temporary rank), Port Blair, are, with reference to the Notification by the Public Works Department, No. 32, dated the 31st January 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the date on which he may be relieved of his duties.

No. 113.—The services of Lieutenant G. U Browne, 40th Foot, are placed *temporarily* at the disposal of the Hon'ble the Lieutenant Governor of Bengal, for appointment on His Honor's personal staff.

No. 114.—The services of Surgeon W. A. C. Roe, Medical Department, in medical charge, 21st (Punjab) Regiment of Native Infantry, are placed *temporarily* at the disposal of the Government of the North-Western Provinces.

HONORS AND REWARDS.

No. 115.—GOOD SERVICE PENSION—

It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the under-mentioned officer, with effect from the 1st September 1876, in room of Colonel W. D. Aitken, Royal (late Bombay) Artillery, succeeded to the Colonel's allowance :—

Colonel JOHN GORDON PETRIE, *C. B., Royal (late Bombay) Artillery.*

2nd Lieutenant	...	11th June 1841.
Lieutenant	...	28th February 1843.
Captain	...	31st December 1853.
Brevet-Major	...	20th July 1858.
Lieutenant-Colonel		18th February 1861.
Brevet-Colonel	...	18th February 1866.
Colonel	...	26th April 1866.

Colonel Petrie served throughout the operations in Sind in 1843, including the battles of Meeanee and Hyderabad, and surrender of Oomerkote (Medal); commanded 2nd troop, Horse Artillery, throughout the operations in Rajpootana, in 1857-58, including the attack on Awah, siege and capture of Kotah, and battle of the Bunass (Medal and Brevet-Major); commanded the Artillery throughout the Abyssinian campaign from 1st January 1868, and was present at the action of Arogee and capture of Magdala —(mentioned in despatches; C.B. and Medal.)

RETIREMENTS.

No. 116.—The under-mentioned Officer in Civil employ is permitted to retire from the service on a pension of £365 per annum, with an additional annuity of £325-7-0, with effect from the 31st March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) William Nembhard, Bengal Staff Corps, Commissioner, Hyderabad Assigned Districts.

No. 117.—The under-mentioned Officer in Civil employ is permitted to retire from the service on a pension of £456-5-0 per annum, with the capitalized value of the additional annuity, *viz.*, £5,143, with effect from the 15th March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and capitalized value are payable in England.

Lieutenant-Colonel (Brevet Colonel) James Anthony Steel, Bengal Staff Corps, Deputy Commissioner, Bharaich, Oudh.

No. 118.—Surgeon-Major Theodore Duka, M.D., Medical Department, is permitted to retire from the service on a pension of £220 per annum from the 22nd March 1877.

PENSIONS.

No. 119.—*Erratum.*—In G. G. O. No. 1024 of 1876, 11th Hussars, *for* Syce "Jughan," *read* Syce "Inghan."

FURLOUGH AND LEAVE.

No. 120.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Colonel James Crofton, Royal Engineers, Inspector General of Irrigation, and Deputy Secretary to the Government of India, Civil Works Branch, Public Works Department,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) Charles Thornton Stewart, Royal Engineers, Superintending Engineer, North-Western Circle, Public Works Department, Bengal,—private affairs, for one year, under Rule IX of the Regulations of 1868, embarking on or after the 7th March 1877.

Surgeon-Major John Richardson, M.B., Medical Department, Superintendent of Vaccination, Benares Division,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Captain George Thomas Halliday, late 4th European Light Cavalry, Brigade Major on the Establishment,—private affairs, for six months, under Rule IX of the Regulations of 1868.

Captain Charles Evans Hallett, Bengal Staff Corps, Sub-Assistant Commissary General, 2nd Class,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Captain James Dundas, V.C., Royal Engineers, Executive Engineer, 2nd Grade, Assistant to Chief Engineer, Special Military Works, Simla. Temporary Executive Engineer, 1st Grade, Public Works Department,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Surgeon John Henry Newman, M.D., Medical Department, in medical charge, Political Agency, Jodhpore,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Surgeon Arthur Stephen, M.B., Medical Department, Superintendent, Central Jail, Lahore,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 121.—Major William Walker Pemberton, Madras Staff Corps, Deputy Commissioner, 3rd Grade, British Burmah, is allowed to proceed to Europe on medical certificate under the Regulations of 1868, in anticipation of the furlough which will be granted to him by the Government of his own Presidency.

No. 122.—The grant of furlough on private affairs to Captain C. A. Baylay, Bengal Staff Corps, Political Agent, 3rd Class, Assistant to the Agent Governor General, Rajpootana, Officiating Political Agent, 3rd Class, Jeypore, in G. G. O. No. 75 of 1877, is cancelled.

No. 123.—With reference to G. G. O. No 952 of 1875, Major H. S. Jarrett, Bengal Staff Corps, Secretary to the Board of Examiners, and Assistant Secretary to the Government of India, Legislative Department, is granted an extension of furlough to the 11th January 1877.

No. 124.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) G. S. Macbean, Bengal Staff Corps, Deputy Commissary General,—Bombay, 27th January 1877.

Major (Brevet Lieutenant-Colonel) E. Perkins, Royal Engineers, Superintending Engineer, 2nd Grade, Public Works Department,—Bombay, 2nd February 1877.

Major H. S. Jarrett, Bengal Staff Corps, Secretary to the Board of Examiners and Assistant Secretary to the Government of India, Legislative Department,—Bombay, 11th January 1877.

Major W. W. Boddam, Bengal Staff Corps, District Superintendent of Police, 1st Grade, Umballa District, Punjab—Bombay, 2nd February 1877.

Major R. C. B. Pemberton, Royal Engineers, Superintending Engineer, 2nd Grade, Public Works Department,—Bombay, 2nd February 1877.

Surgeon-Major R. H. Perkins, Medical Department, in medical charge, 6th Regiment of Native (Light) Infantry,—Bombay, 2nd February 1877.

Captain J. Hill, Royal Engineers, Assistant Superintendent, 1st Grade, Great Trigonometrical Survey of India,—Bombay, 27th January 1877.

Captain C. R. Pennington, Bengal Staff Corps, Squadron Commander, 13th Bengal Lancers,—Bombay, 31st January 1877.

Surgeon W. F. Murray, M.B., Medical Department,—Fort William, 2nd February 1877.

Surgeon H. Boyd, Medical Department, in medical charge, 14th (The Ferozepore) Regiment of Native Infantry,—Fort William, 2nd February 1877.

Deputy Assistant Commissary and Honorary Lieutenant A. Litster, Head Clerk, Office of the Assistant Adjutant General (for Musketry) at Army Head Quarters,—Bombay, 31st January 1877.

No. 125.—REPORTS OF DEPARTURE—

Surgeon-Major H. W. Graham, Medical Department, G. G. O. No. 1178 of 1876,—*Australia*, 1st December 1876, from Bombay.

Captain J. C. Stewart, Bengal Staff Corps, G. G. O. No. 1040 of 1876,—*Nepaul*, 4th December 1876, from Bombay.

Captain A. D. Strettell, Bengal Staff Corps, G. G. O. No. 1235 of 1876,—*Nepaul*, 4th December 1876, from Bombay.

Captain L. R. H. D. Campbell, Bengal Staff Corps, G. G. O. No. 1272 of 1876,—*Nepaul*, 4th December 1876, from Bombay.

Major E. L. Ommanney, Bengal Staff Corps, G. G. O. No. 1052 of 1876,—*Cathay*, 11th December 1876, from Bombay.

Lieutenant-Colonel (Brevet Colonel) W. E. Marshall, Bengal Staff Corps, G. G. O. No. 1167 of 1876,—*Trenacria*, 13th December 1876, from Bombay.

Major B. R. Chambers, Bengal Staff Corps, G. G. O. No. 1264 of 1876,—*Mirzapore*, 18th December 1876, from Bombay.

Captain G. W. Willock, General List, Cavalry, G. G. O. No. 1288 of 1876,—*Mirzapore*, 18th December 1876, from Bombay.

Lieutenant H. S. F. Haynes, Royal Engineers, G. G. O. No. 1272 of 1876,—*Serapis*, 19th December 1876, from Bombay.

Major A. Seagrim, Bengal Staff Corps, G G. O. No. 9 of 1877,—*Assiria*, 15th January 1877, from Bombay.

Lieutenant A. C. Talbot, Bengal Staff Corps, G. G. O. No. 1235 of 1876,—*Malwa*, 22nd January 1877, from Bombay.

PAY AND ALLOWANCES.

No. 126.—FURLOUGH—

The Right Hon'ble the Secretary of State for India having decided to give retrospective effect to the privilege of drawing their furlough pay at the rate of exchange of 2*s.* the rupee, granted to those Officers who elected the furlough rules of 1868 before the 1st July 1871, it is notified that all Officers who may desire that their arrears of pay may be issued to their Agents in England, should make application to that effect through the Government of the Presidency to which they belong.

G. G. O. No. 991 of 1876.

No. 127.—Under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified that G. G. O. No. 813 of 1876 does not apply to Officers in Command of Divisions and Brigades.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th February 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the under-mentioned Commissioned Officers, on the dates specified, were received in the Military Department from 27th January to 9th February 1877:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
9th Lancers ...	Captain W. C. Clayton ...	26th December 1876 ...	Delhi.		
Royal Artillery ...	Major R. C. W. Campbell ...	3rd February 1877 ...	Mooltan.		
Bengal Staff Corps ...	Lieutenant-Colonel J. Gillespie ...	7th February 1877 ...	Dera Ghazee Khan.		

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS:—ESTABLISHMENT.

Fort William, the 29th January 1877.

No. 27.—Captain H. W. Pierson, R.E., on return from furlough, is appointed to the Public Works Department, with the rank of Executive Engineer, 2nd Grade, and posted to the Military Works Branch.

The 3rd February 1877.

No. 37.—The following Officers are temporarily transferred from Bengal, Provincial Branch, to Bombay, for employment on Famine Relief Works:—

Mr. J. J. O'Flaherty, Executive Engineer, 4th Grade.

Mr. W. B. Christie, Assistant Engineer, 1st Grade.

Mr. C. J. Middleton, Assistant Engineer, 2nd Grade.

No. 38.—The following Officers are temporarily transferred from the North-Western Provinces, Provincial and Irrigation Branches, to Bombay, for employment on Famine Relief Works:—

Lieutenant G. H. M. Bellasis, S.C., Assistant Engineer, 1st Grade (Provincial).

Mr. C. L. Bickers, Assistant Engineer, 2nd Grade (Provincial).

Mr. N. A. Graydon, Executive Engineer, 4th Grade (temporary rank), Irrigation.

No. 39.—The services of Lieutenant J. S. Nicholson, R.E., Executive Engineer, 4th Grade, on duty in connection with the proposed Railway Conference, are replaced at the disposal of the Director of State Railways, with effect from 1st February 1877.

The 5th February 1877.

No. 40.—The following promotions are made in the Upper Subordinate Establishment attached to the Military Works Branch of the Public Works Department, with effect from the 24th November 1876, *vice* Mr. J. Barry, Overseer, 1st Grade, deceased :—

Shama Churn Dey, temporary Overseer, 1st Grade, to Overseer, 1st Grade, permanent.
Nathoo Ram, Overseer, 2nd Grade, to temporary Overseer, 1st Grade.

No. 41.—Consequent on the return from furlough of Conductor J. Walsh, Sub-Engineer, 1st Grade, the following Upper Subordinates attached to the Military Works Branch of the Public Works Department will revert to their substantive grades, with effect from 16th November 1876 :—

Mr. P. Kelly, to Supervisor, 2nd Grade.
Sergeant M. Hanley, to Overseer, 1st Grade.
Nathooram, to Overseer, 2nd Grade.

No. 42.—Mr. P. McKenzie, Assistant Engineer, 3rd Grade, Military Works Branch, having passed the prescribed examination, is promoted to the rank of Assistant Engineer, 2nd Grade, with effect from 25th October 1876.

No. 43.—M. A. Trimalcharry is appointed to the Public Works Department as a Probationary Accountant, 4th Grade, with effect from 1st October 1876, and posted to Mysore.

This cancels Public Works Notification No. 484, dated 29th November 1876.

The 6th February 1877.

No. 44.—The following Upper Subordinates, now on the Establishment under the Director of State Railways, are appointed temporarily to the Public Works Department from the dates specified :—

Mr. J. G. Hamer, Sub-Engineer, 3rd Grade, from 21st May 1874.
Modhoosudun Ghosal, Supervisor, 1st Grade, from 7th March 1874.
Omer Ally, Overseer, 1st Grade, from 5th September 1873.
Kader Nath Banerjee, Overseer, 2nd Grade, from 8th December 1873.

No. 45.—The following temporary Upper Subordinates on the Establishment under the Director of State Railways are confirmed in their respective Grades, from the dates specified :—

Mr. D. Bewell, Supervisor, 2nd Grade, 14th January 1873.
Mr. J. A. Edwards, Supervisor, 1st Grade, 31st May 1873.
Mr. G. Winmill, Sub-Engineer, 2nd Grade, 17th November 1875.

No. 46.—The following Officers are temporarily transferred to Bombay for Famine Relief Works :—

From North-Western Provinces, Irrigation.

Mr. G. C. Kauntze, Assistant Engineer, 2nd Grade.

From Punjab, Provincial.

Lieutenant R. de Villamil, R.E., Temporary Assistant Engineer, 1st Grade.

From Punjab, Irrigation.

Mr. D. McMordie, Assistant Engineer, 1st Grade.
Mr. H. Daniell, Assistant Engineer, 1st Grade.
Mr. C. A. Greenwood, Assistant Engineer, 2nd Grade.
Mr. S. Rebsch, Assistant Engineer, 2nd Grade.

C. H. DICKENS, *Colonel, R.A.*,
Secretary to the Govt. of India.

The 7th February 1877.

No. 47.—Mr. T. H. Bainbridge, Overseer, 1st Grade, Military Works Branch, and Sergeant J. Battman, Overseer, 1st Grade, Bengal, are temporarily transferred to Bombay for employment on Famine Relief Works.

No. 48.—Mr. C. Blair, Executive Engineer, 2nd Grade, is transferred from British Burmah Railway Establishment to the Simla Imperial Circle.

Mr Blair joined his appointment on 18th January 1877.

No. 49.—With reference to Public Works Notification No. 33 of 1st February 1877, Colonel C. H. Dickens, C.S.I., R.A., made over charge of the office of the Secretary to the Government of India, Public Works Department, to Major General Crommelin, C.B., R.E., on the afternoon of the 6th February 1877.

No. 50.—The under-mentioned Upper Subordinates are temporarily transferred from Bengal, Irrigation Branch, to Madras and Bombay respectively, for employment on Famine Relief Works :—

To Madras.

Sergeant T. Green, Overseer, 1st Grade.
Mr. B. Marshall, Overseer, 2nd Grade.

To Bombay.

Mr. J. G. Pew, Sub-Engineer, 1st Grade.
„ R. J. Beckwith, Overseer, 1st Grade.

The 8th February 1877.

No. 51.—With reference to Notification No. 413, dated 11th October 1876, Baboo Sreekisto Bose, Accountant, 4th Grade, Bengal, is transferred to the Military Works Branch, instead of Haran Chunder Bose.

No. 52.—The under-mentioned officer and subordinates are temporarily transferred from North-Western Provinces, Provincial Establishment, to Bombay, for employment on Famine Relief Works :—

Captain H. A. Graves, R.A., Assistant Engineer, 2nd Grade.
Mr. W. Ellison, Sub-Engineer, 3rd Grade.
„ J. D. Gash, Temporary Supervisor, 1st Grade.
„ J. Edwards, Supervisor, 2nd Grade.

No. 53.—Major D. Ward, R.E., Executive Engineer, 1st Grade, Military Works Branch, is temporarily promoted to Superintending Engineer, 3rd Grade, and appointed to the charge of the 5th Circle of Military Works, *vice* Lieutenant Colonel C. M. Browne, R.E.

The 9th February 1877.

No. 54.—Mr. C. H. G. Jenkinson, Assistant Engineer, 1st Grade, having reported his return to duty on the 2nd February 1877, the unexpired portion of the leave granted to him by the Director of State Railways (Notification No. 50, dated 13th March 1876) is cancelled.

Mr. Jenkinson is allowed the usual subsidiary leave to enable him to join his appointment in Bombay.

No. 55.—Mr. G. S. Duff, Officiating Assistant Auditor, Oudh and Rohilkund Railway Accounts, is granted 7 days' privilege leave in extension of the leave granted to him in Public Works Department Notification No. 486 of 30th November 1876.

No. 56.—Consequent on the return to duty of Major-General Maclagan, R.E., Chief Engineer and Secretary to the Government of the Punjab, in the Public Works Department, Major-General A. Taylor, C.B., R.E., reverts to his substantive appointment of Chief Engineer, Military Works Branch, the duties of which office he assumed on the afternoon of the 19th January 1877.

TELEGRAPH.

The 9th February 1877.

No. 57.—With the consent of the Government of India, Colonel D. G. Robinson, R.E., Director General of Telegraphs, assumed charge of his office at Bombay on the forenoon of the 2nd February 1877.

W. A. CROMMELIN, *R.E., Major-Genl.*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 7. } CALCUTTA, SATURDAY, FEBRUARY 17, 1877. { Register No. 33.

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

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PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 10th February 1877.

No. 107.—The services of Mr. D. Ferguson, of the Bengal Civil Service, are placed at the disposal of the Chief Commissioner of British Burma.

The 15th February 1877.

No. 117.—The services of Mr. W. G. Jackson, of the Bengal Civil Service, are placed at the disposal of the Chief Commissioner of British Burma.

No. 120.—Mr. D. Ferguson, of Her Majesty's Bengal Civil Service, reported his arrival at Calcutta on the 2nd instant.

The 16th February 1877.

No. 131.—APPOINTMENT.—Kazi Núrúddin Ali is confirmed in his appointment of Extra Assistant Commissioner of the 3rd Grade in Oudh, with effect from the 18th ultimo, *vice* Munshi Syad-uddin, deceased.

MEDICAL.

The 14th February 1877.

No. 90.—APPOINTMENT.—Surgeon-Major J. MacNaughtan Fleming, M.D., to officiate in joint medical charge of Simla, during the absence on special duty of Surgeon R. Harvey, M.B., or until further orders.

No. 94.—APPOINTMENT.—Surgeon H. Johnstone, M.B., Residency Surgeon at Mandalay, to be Civil Surgeon of Akyab, *vice* Dr. W. J. Mountjoy, retired.

POLICE.

The 13th February 1877.

No. 38.—In exercise of the power conferred by the 4th Section of "The Foreign Recruiting Act, 1874," the Governor General in Council is pleased to impose the following conditions upon recruiting for the Ceylon Pioneer Force; that is to say,—

1. Such recruiting shall be conducted only in the Districts of Trichinopoly, Tanjore and Madura.
2. No person shall act as a recruiting officer for the said Force in any of the said districts except under a written license from the Collector of such district.
3. A Collector may at any time, for reasons to be recorded by him in writing, cancel or suspend any such license granted by him or by his predecessor in office.
4. No man under eighteen or over thirty years of age shall be taken as a recruit.
5. All recruits obtained by a recruiting officer in any district shall be taken by him before the Treasury Deputy Collector of such district between the 1st and 10th of the month.
6. If such Deputy Collector finds that such recruits understand and accept the terms

offered to them and are fit for service in the said Force, he may send them, at the expense of the Ceylon Government, to the representative of that Government at Tuticorin.

7. If it has been arranged between the recruiting officer and any recruit that the wife and children of such recruit shall accompany him to Ceylon, such Deputy Collector may send them with such recruit to Tuticorin at the expense of the Ceylon Government.
8. The Agent of the Ceylon Government shall receive all recruits and wives and children of recruits sent to him under the preceding clauses, shall maintain them while at Tuticorin, and (except in the case of recruits rejected by the medical officer on examination under clause 10) shall arrange for a free passage for them to Colombo.
9. Except as provided in clause 8 no representative of the Ceylon Government shall receive or despatch any recruits obtained in British India for the said Force.
10. Every recruit on arriving at Tuticorin shall be examined by the medical subordinate in charge of the dispensary there, and the Ceylon Government shall pay to such medical subordinate for each recruit so examined by him such fee as may have been fixed by the Government of Madras.
11. When such medical subordinate rejects any recruit as physically unfit for service in the said Force, the representative of the Ceylon Government shall send such recruit, together with his wife and children (if they have accompanied him to Tuticorin under clause 7), back to his home at the expense of the Ceylon Government.
12. No recruit shall be engaged for service in the said Force except on such terms as may from time to time be approved of by the Governor General in Council.

ECCLESIASTICAL.

The 9th February 1877.

No. 41.—The Reverend G. Lovely and the Reverend H. D. James, Senior Chaplains on the Bengal Establishment, have been permitted by Her Majesty's Secretary of State to retire from the service on the expiration of their present furloughs.

The 16th February 1877.

No. 49.—The Governor General in Council is pleased to notify for general information that the Right Reverend Edward Ralph Johnson, D.D., Lord Bishop of Calcutta and Metropolitan in India and the Island of Ceylon, arrived in Calcutta on Thursday, the 8th instant, and was installed in St. Paul's Cathedral on the 11th idem.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Fort William, the 14th February 1877.

No. 241.—His Excellency the Governor General in Council is pleased to make the following officiating promotions in the Forest Department under the Government of India, with effect from the 13th October 1876:—

Mr. J. E. O'Callaghan, Deputy Conservator of Forests, 2nd Grade, in the North-Western Provinces, to officiate in the 1st Grade of Deputy Conservators.

Messrs. A. T. Drysdale and G. Mann, Deputy Conservators of Forests, 3rd Grade, in Berar and Assam, respectively, to officiate in the 2nd Grade of Deputy Conservators.

Mr. J. McKee, Assistant Conservator of Forests, 2nd Grade, in the Central Provinces, to officiate in the 1st Grade of Assistant Conservators.

SURVEYS.

The 14th February 1877.

No. 90.—Mr. H. E. Gastrell, Assistant Superintendent of Revenue Survey, 2nd Grade, is granted leave to Europe, on medical certificate, for one year, under Section 14, Chapter IV of the Civil Leave Code.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 12th February 1877.

No. 295P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. F. Masotti as Acting Consul for Belgium at Bombay, during the absence of Mr. Groux.

GENERAL.

The 12th February 1877.

No. 369G.—Major H. M. B. Burlton, Political Assistant, 3rd Class, and Assistant Cantonment Magistrate, Morar, held charge of the current duties of the office of the Political Agent, Gwalior, from the afternoon of the 14th December 1876, to the forenoon of the 9th January 1877, during the absence of Colonel Hutchinson on special duty.

No. 373G.—The following Treaty of Commerce between Great Britain and Austria-Hungary, which appeared in the *London Gazette* of the 2nd of January 1877, is published for general information:—

FOREIGN OFFICE, *January 1, 1877.*

TREATY OF COMMERCE between Great Britain and Austria-Hungary.

Signed at Buda-Pesth, December 5, 1876.

[Ratifications exchanged at Vienna, December 29, 1876.]

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, on the other part, being equally desirous to regulate and extend the commercial relations between their respective States and Possessions, have resolved, after notice had been given for the termination of the Treaty of Commerce of the 16th of December 1865, and of the Convention supplementary thereto of the 30th of December 1869, to conclude a new Treaty for the above purpose, and have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Andrew Buchanan, a member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty;

And His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, Julius, Count Andrassy de Csik-Szent-Király et Kraszna-Horka, Grand Cross of the Order of St. Stephen, General in His Imperial Majesty's Army, Privy Councillor, Minister of the Imperial House and of Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of His Imperial and Royal Apostolic Majesty who reside temporarily or permanently in the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, and the subjects of Her Britannic Majesty who reside temporarily or permanently in the Austro-Hungarian Monarchy, shall enjoy therein during the continuance of this Treaty, with respect to residence and the exercise of commerce and trade, the same rights as, and shall not be subjected to any higher or other imposts than, the subjects of any third country the most favoured in these respects.

ARTICLE II.

The produce and manufactures of, as well as all goods coming from, Austria-Hungary, which are imported into the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, and the produce and manufactures of, as well as all goods coming from, British possessions, which are imported into the Austro-Hungarian Monarchy, whether intended or consumption, warehousing, re-exportation or transit, shall therein, during the continuance of this Treaty, be treated in the same manner as, and in particular shall be subjected to no higher or other duties than, the produce and goods of any third country the most favoured in this respect.

No other or higher duties shall be levied in the Austro-Hungarian Monarchy on the exportation of any goods to the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, or in the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, on the exportation of any goods to the Austro-Hungarian Monarchy, than on the exportation of the like goods to any third country the most favoured in this respect.

The two High Contracting Parties likewise guarantee to each other treatment on the footing the most favoured third country in regard to the the transit of goods through the territory of the one from and to the territory of the other.

ARTICLE III.

Every reduction in the Tariff of Import and Export Duties, as well as every favour or immunity that one of the contracting Parties grants to the subjects and commerce of a third Power, shall be participated in simultaneously and unconditionally by the other.

ARTICLE IV.

The stipulations of the foregoing Articles, I to III, relative to the reciprocal treatment on the footing of the most favoured third country, shall not apply—

1. To those special and ancient privileges which are accorded to Turkish subjects for the Turkish trade in Austria-Hungary.
2. To those advantages which are or may be granted on the part of the Austro-Hungarian Monarchy to the neighbouring countries solely for the purpose of facilitating the frontier traffic, or to those reductions of, or exemptions from, Customs duties which are only valid in the said Monarchy for certain frontiers, or for the inhabitants of certain districts.
3. To the obligations imposed upon either of the High Contracting Parties by a Customs Union already concluded, or which may hereafter be concluded.

ARTICLE V.

Neither of the High Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to the third country most favoured in this respect.

ARTICLE VI.

The subjects of one of the two High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects with regard to rights of ownership over trade and manufacture marks, and other distinctive marks of goods or their packages, as well as over patterns and designs for manufactures.

The subjects of Her Britannic Majesty will not, however, be able to claim in Austria-Hungary the exclusive right to a mark or other indication on a pattern or design unless they have deposited two specimens of it in the Chambers of Commerce at Vienna and Buda-Pesth.

ARTICLE VII.

The present Treaty shall come into force on the 1st of January 1877, and remain in operation until the 31st of December of the same year.

ARTICLE VIII.

The present Treaty shall be ratified as soon as possible, and the ratifications shall be exchanged at Vienna by the 31st of December 1876, at latest.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Buda-Pesth, on the 5th day of December, in the year of our Lord one thousand eight hundred and seventy-six.

ANDREW BUCHANAN,
ANDRASSY.

Protocol annexed to Treaty.

On proceeding to the signature of the Treaty of Commerce concluded this day between the United Kingdom of Great Britain and Ireland and the Austro-Hungarian Monarchy, and on the demand addressed to him by the Plenipotentiary of Her Britannic Majesty, the Plenipotentiary of

His Majesty the Emperor and King hereby declares that the stipulation contained in paragraph 3 of Article IV only refers to the Customs Union between the said Monarchy and the Principality of Lichtenstein.

The Plenipotentiary of Her Britannic Majesty takes note of this declaration.

The present Protocol, drawn up in duplicate, was signed at Buda-Pesth, on the 5th December 1876.

ANDREW BUCHANAN.
ANDRASSY.

The 14th February 1877.

No. 399*G*.—Mr. T. E. Woodcock, Assistant Commissioner, 5th Class, Mysore Commission, has passed the examination by the Lower Standard prescribed for Assistants in that Province.

No. 401*G*.—Major H. M. B. Burlton, Political Assistant, 3rd Class, and Assistant Cantonment Magistrate, Morar, has passed the examination in Indian History, Political Economy, Jurisprudence, International Law, and Aitchison's Treaties, prescribed by No. 541P, dated 17th March 1871, for Officers employed in the Political Department.

The 15th February 1877.

No. 413*G*.—Surgeon A. Barclay assumed temporary medical charge of the 2nd Regiment, Central India Horse, with effect from the forenoon of 16th November 1876, during the absence of Surgeon D. F. Keegan on duty at Delhi.

The 16th February 1877.

No. 418*G*.—Consequent on the deputation on special duty of Mr. C. B. Saunders, C.B., Chief Commissioner of Mysore and Coorg, the following temporary appointments were made with effect from 12th December 1876 to 19th January 1877, both days inclusive:—

Mr. J. D. Gordon, C.S.I., Judicial Commissioner, to officiate as Chief Commissioner of Mysore and Coorg, *vice* Mr. Saunders.

Colonel J. L. Pearse, Commissioner, Nundidroog Division, to officiate as Judicial Commissioner, *vice* Mr. Gordon.

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

FINANCIAL DEPARTMENT.

NOTIFICATION.—ACCOUNTS AND FINANCE.

Fort William, the 14th February 1877.

No. 889.—Mr. H. S. Schurr is appointed to officiate as Assistant to the Comptroller General from the 26th January 1877.

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

MILITARY DEPARTMENT.

Fort William, the 16th February 1877.

APPOINTMENTS AND PROMOTIONS.

No. 128.—ORDNANCE COMMISSARIAT DEPARTMENT—

Captain S. Murray, Royal Artillery, Assistant Superintendent, Gunpowder Factory at Ishapore, to be a Commissary of Ordnance, 3rd Class, *vice* Captain H. M. Mackenzie.

No. 129.—In accordance with the provisions of G. G. O. No. 370 of 1863, paragraph 10, Sub-Conductors John Healy and Matthew Donlon, who were appointed on probation in the Ordnance Commissariat Department in G. G. Os. Nos. 732 and 895 of 1876, are confirmed in their present grade of Sub-Conductor from 16th June and 2nd August 1876, respectively.

No. 130.—MILITARY ACCOUNTS DEPARTMENT—

Lieutenant F. F. R. Burgess having, with reference to G. G. O. No. 1280 of 1875, fulfilled the necessary conditions, is confirmed in his appointment as Assistant Military Accountant, with effect from the 23rd January 1877.

No. 131.—STAFF CORPS—

The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant George Henry B. Coats, 2nd Battalion, 1st Foot, Officiating Wing Officer, 25th (Punjab) Regiment of Native Infantry,—18th December 1875.

No. 132.—HYDERABAD CONTINGENT—

1st Infantry.

Lieutenant F. D. Welchman, 48th Foot, a candidate for the Bengal Staff Corps, to be Wing Officer, on probation.

TRANSFER OF OFFICERS.

No. 133.—The services of Surgeon P J. Freyer, M.D., attached to the 45th (Rattray's Sikhs) Regiment of Native Infantry, are placed temporarily at the disposal of the Government of the North-Western Provinces.

No. 134.—With reference to G. G. O. No. 1285 of 1876, the services of Lieutenant F. Benson, 12th Lancers, are placed permanently at the disposal of the Hon'ble the Lieutenant-Governor of the North-Western Provinces, for employment on His Honor's Personal Staff.

No. 135.—The services of Surgeon-Major J. Jones, M.D., late Officiating Civil Surgeon, Saháranpur, are, with reference to the Notification by the Government, North-Western Provinces, No. 72A, dated the 13th February 1877, placed temporarily at the disposal of the Government of Bengal.

No. 136.—The services of Sub-Lieutenant J. S. G. Manera, 17th Foot, are placed at the disposal of the Government of Fort St. George, for appointment to a regiment in that Presidency as a probationer for the Staff Corps.

RETIREMENTS.

No. 137.—The under-mentioned Officer, in Civil employ, is permitted to retire from the service on a pension of £365 per annum, with an additional annuity of £324-4-0, from the 31st March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) John Beresford Smyly, Bengal Staff Corps, Deputy Commissioner, 1st Class, Punjab.

No. 138.—The under-mentioned Officer, in Civil employ, is permitted to retire from the service on a pension of £456-5-0 per annum, with the capitalized value of the additional annuity, *viz.*, £3,008, with effect from the 20th January 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and capitalized value are payable in England.

Lieutenant-Colonel Ralph Ouseley, Bengal Staff Corps, Assistant Commissioner, 1st Grade, Oudh.

PENSIONS.

No. 139.—2nd Class Hospital Assistant Mahamed Sajeed, attached to the Jaikhaie Coolie Depôt, Cachar, is granted a pension of Rs. 6-10-8 per mensem from the date of his discharge, payable in the Presidency Circle.

No. 140.—Soonduree, widow of Havildar Sirdaroo, 1st Punjab Infantry, is admitted to the Sepoy's rate of 3rd Class Order of Merit pension, *viz.*, Rs. 1-13 4 per mensem, for three years, from the 2nd February 1876, payable in the Punjab Circle.

No. 141.—Subadar Ramdial Lolla, 2nd (Queen's Own) Regiment of Native (Light) Infantry, having served 40 years with unblemished character, is granted a pension of Rs. 40 per mensem from the date of his discharge, payable in the North-Western Provinces Circle.

No. 142.—*Erratum.*—In G. G. O. No. 1251 of 1876, 4th Goorkha Regiment, for Naick Nurr Sing "Nunderwal," *read* Naick Nurr Sing *Munderwal*.

FURLOUGH AND LEAVE.

No. 143.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Adrian Hugh Paterson, Bengal Staff Corps, Deputy Inspector General of Police, Calcutta,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel William Carnell, Bengal Staff Corps, Commandant, Erinpoorah Irregular Force, and Political Superintendent of Serohi,—private affairs, for twenty months, under Rule IX of the Regulations of 1868.

Major Robert Francis Firth, Bengal Staff Corps, Wing Commander, 10th Regiment of Native Infantry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Surgeon-Major Henry Cayley, Superintendent, Eye Infirmary, and Surgeon, Mayo Native Hospital, Calcutta,—private affairs, for eight months, under Rule IX of the Regulations of 1868.

Captain Travers Dodgson Madden, Bengal Staff Corps, Wing Commander, 37th (The Meerut) Regiment of Native Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant (Local Captain) John Lawrence Macpherson, Executive Engineer, 4th Grade, Shikohabad Distributary Division Ganges Canal, North-Western Provinces, Public Works Department,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 144.—The following extract from List No. 2, dated the 19th January 1877, received from the India Office, is published for general information:—

Permitted to return to duty.

Sub-Conductor R. Orr, Ordnance Department.
Lieutenant E. W. Chalmers, Staff Corps.
Captain F. Coddington, Staff Corps.
Captain C. McK. Hall, General List Infantry.
Major A. M. Brandreth, Royal Engineers.
Lieutenant-Colonel W. A. Franks, General List Infantry.
Colonel W. D. Morgan, Staff Corps.
Conductor J. Murray, Public Works Department.
Lieutenant-Colonel H. H. Gough, C.B., V.C., Staff Corps.
Major J. P. Westmorland, Royal Engineers.
Colonel C. C. Johnson, Staff Corps.
Captain A. FitzW. Taylor, Staff Corps.
Captain F. V. Corbett, Royal Engineers.
Surgeon R. Moodie.

Granted extensions of leave.

Colonel A. Macqueen, Staff Corps, four months, medical certificate.
Surgeon R. Moodie,* one month, urgent private affairs.
Lieutenant C. C. Dyce, Staff Corps, five months, medical certificate.

Retirement.

Surgeon-Major B. Kendall, 22nd February 1877.

* The return to duty granted to this Officer on 22nd November 1876 is cancelled.

EQUIPMENT TABLE.

No. 145.—The Equipment Tables published under authority of G. G. O. No. 747 of the 22nd July 1875 detail the stores forming the equipment of a 9-pr. M. L. Battery, but do not include General Stores, such as Fire Engine, Gardening Tools, &c., which are handed over to the relieving battery.

The orders regarding the supply of all such stores continue in force.

MEDICAL DEPARTMENT.

No. 146.—REGULATIONS—

The Right Hon'ble the Governor General in Council is pleased to approve of the publication of Revised Regulations, Part I, in supersession of the Code of 1873, for the conduct of the British Medical Department in the Bengal Presidency.

VOLUNTEER CORPS.

No. 147.—REGULATIONS—

In paragraph 257 of the Regulations for the Volunteer Force in India, for the words "the annual," substitute the word *a*.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 12th February 1877.

No. 58.—Mr. J. Caldwell, Supervisor, 1st Grade, and Sergeant D. Haining, R.E., Overseer, 1st Grade, are temporarily transferred from Ben-

gal to Madras, for employment on Famine Relief Works.

The 13th February 1877.

No. 59.—Mr. T. G. Sharpe, Accountant, 4th Grade, on probation, Military Works Branch, is transferred to the Establishment of Clerks.

Mr. W. Hart, Temporary Accountant, 4th Grade, Military Works Branch, is permanently appointed in that grade.

The 14th February 1877.

No. 60.—The under-mentioned Officers are temporarily transferred from the Establishment under the Director of State Railways to Bombay, for employment on the proposed Dhoond and Manmar Railway:—

Mr. A. Izat, Temporary Executive Engineer, 1st Grade.
Mr. H. Vacher, Executive Engineer, 4th Grade.
Mr. E. J. Moore, Executive Engineer, 4th Grade.
Mr. T. R. Wynne, Assistant Engineer, 2nd Grade.

The 16th February 1877.

No. 61.—Mr. E. Behrmann, Assistant Engineer, 2nd Grade, on the Establishment under the Director of State Railways, is temporarily transferred to Bombay, for employment on Famine Relief Works.

No. 62.—Lieutenant-Colonel J. J. McLeod Innes, R.E., resumed charge of the Office of the Accountant General, Public Works Department, and Deputy Secretary to the Government of India, Public Works Department, Accounts Branch, from Lieutenant-Colonel G. J. Melliss, on the afternoon of the 13th February 1877.

No. 63.—Mr. J. Jackson, Temporary Sub-Engineer, 3rd Grade, on the Establishment under the Director of State Railways, is transferred temporarily to Madras, for employment on Famine Relief Works.

No. 64.—Gunesh Janardhun Gokle, Overseer, 3rd Grade, Port Blair, is temporarily transferred to Bombay, for employment on Famine Relief Works.

No. 65.—Mr. J. F. Stokes, Executive Engineer, 1st Grade, and Assistant to the Consulting Engineer to the Government of India for State Railways, is granted privilege leave for two months, with effect from 14th February 1877, or such later date as he may avail himself of it.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 8. } CALCUTTA, SATURDAY, FEBRUARY 24, 1877. { Register No. 33.

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

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PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 23rd February 1877.

No. 9.—Leave of absence for two months and sixteen days, with effect from the 17th instant, is granted to Mr. Amír Ali, Barrister-at-Law, Reporter in the High Court at Calcutta for the Indian Law Reports.

No. 10.—APPOINTMENT.—Mr. Agnew, Barrister-at-Law, to officiate as Reporter in the High Court at Calcutta for the Indian Law Reports, during the absence on leave of Mr. Amír Ali, or until further orders.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 20th February 1877.

No. 137.—The Honorable F. B. Kemp, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained furlough for four months, from such date in April next as he may avail himself of it.

No. 139.—The Honorable C. Pontifex, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained furlough for eight months with effect from the 5th April next, or from any subsequent date on which he may avail himself of it.

The 22nd February 1877.

No. 144.—APPOINTMENTS.—Mr. E. J. Sinkinson, B.C.S., Junior Secretary to the Chief Commissioner of British Burma, to officiate as Inspector General of Prisons, Sanitary Commissioner and Superintendent of Vaccination in British Burma, during the absence on leave of Surgeon-Major W. P. Kelly, or until further orders.

Mr. E. Darlington, Assistant to the Secretary to the Chief Commissioner, to officiate as Junior Secretary.

No. 146.—The furlough granted to Mr. A. Anderson, Assistant Commissioner, 3rd Class, Punjab, commenced on the 27th March last, and expired on the 26th December following, instead of 16th April 1876 and 15th January 1877, respectively, as notified in Home Department Notification No. 809, dated the 8th December last.

The 23rd February 1877.

No. 149.—APPOINTMENTS.—Colonel H. F. Waddington, Deputy Commissioner, 2nd Class, in the Central Provinces, to be Deputy Commissioner, 1st Class, *vice* Colonel J. B. Dennys, retired.

Lieutenant-Colonel E. M. Playfair, Deputy Commissioner, 3rd Class, to be Deputy Commissioner, 2nd Class, *vice* Colonel Waddington.

Major J. L. Loch, Deputy Commissioner, 4th Class, to be Deputy Commissioner, 3rd Class, *vice* Colonel Playfair.

Mr. H. J. MacGeorge, Assistant Commissioner, 1st Class, to be Deputy Commissioner, 4th Class, *vice* Major Loch.

Major T. H. B. Brooke, Cantonment Magistrate, 2nd Class, to be Assistant Commissioner, 1st Class, *vice* Mr. MacGeorge, and to continue to officiate as Deputy Commissioner, 4th Class.

Captain W. Vertue, Assistant Commissioner, 2nd Class, to be Cantonment Magistrate, 2nd Class, *vice* Major Brooke, and to continue to officiate as Deputy Commissioner, 4th Class.

Mr. F. Venning, C.S., Assistant Commissioner, 3rd Class, to be Assistant Commissioner, 2nd Class, *vice* Captain Vertue, and to continue to officiate as Deputy Commissioner, 4th Class.

Captain T. W. Hogg, Assistant Commissioner, 4th Class, to be Assistant Commissioner, 3rd Class, *vice* Mr. Venning, and to continue to officiate as Cantonment Magistrate at Jubbulpore.

No. 150.—APPOINTMENTS.—Mr. J. Hornby, Extra Assistant Commissioner, 3rd Class, in the Central Provinces, to be Extra Assistant Commissioner, 2nd Class, *vice* Ali Hussain Khan, retired.

Munshi Liladhar, Extra Assistant Commissioner, 4th Class, to be Extra Assistant Commissioner, 3rd Class, *vice* Mr. Hornby.

Mr. Moreshwar Rao, Officiating Extra Assistant Commissioner, to be Extra Assistant Commissioner, 4th Class, *vice* Munshi Liladhar.

MEDICAL.

The 21st February 1877.

No. 122.—The services of the under-mentioned Medical Officers are temporarily placed at the disposal of the Government of Madras:—

Surgeon W. E. Griffiths.
" G. Bomford.
" A. Barclay, M.B.
" Shibram Borah, M.B.
" P. deHaga Haig.
" H. A. C. Gray.

The 22nd February 1877.

No. 142.—The services of Surgeon-Major S. C. Amesbury are replaced at the disposal of the Military Department, with effect from the 15th ultimo.

SANITARY.

The 19th February 1877.

No. 22.—In exercise of the power conferred by Section 25 of Act XXII of 1864, the Governor General in Council is pleased to extend the rules and regulations made under Clause 7, Section 19 of the above Act, for the prevention of venereal disease among European troops in the Dum-Dum Cantonment, to the whole of the area contained within the thanahs of Dum-Dum and Areadah.

POLICE.

The 22nd February 1877.

No. 50.—The services of Major F. H. Conolly, Bengal Staff Corps, District Superintendent of Police, Peshawur, who has resigned his appointment in the Punjab Police, are placed at the disposal of the Military Department.

EDUCATION.

The 21st February 1877.

No. 21.—Under Section 12 of Act II of 1857, the Governor General in Council is pleased to authorize the affiliation of the Residency College, Indore, to the Calcutta University, with effect from the 1st January 1877, and up to the standard for the B. A. Examination.

ECCLESIASTICAL.

The 20th February 1877.

No. 53.—APPOINTMENTS.—The under-mentioned Junior Chaplains to be Senior Chaplains, with effect from the dates specified opposite to their respective names:—

The Reverend G. T. Carruthers, Chaplain of Nagpur,—11th December 1876.
The Reverend A. L. Mitchell, Chaplain of Fatehgarh,—15th January 1877.
The Reverend T. Stephenson, Chaplain of Allahabad,—12th December 1876.
The Reverend H. J. Mathew, Chaplain of Simla,—15th February 1877.

The 23rd February 1877.

No. 55.—The Right Reverend the Lord Bishop of Calcutta has appointed the Reverend Brook Deedes, M.A., to be His Lordship's Domestic Chaplain, with effect from the 8th instant.

PATENTS.

The 22nd February 1877.

No. 117.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India, in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open at all reasonable hours at the Office of the Secretary to the Government of India, in the Home Department, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 41 of 1876.—Major F. E. B. Beaumont, R.E., and Mr. Woodford Pilkington, Civil Engineer, both of London, County of Middlesex, England, for improvements in roller skates.

No. 79 of 1876.—Mr. M. J. Roberts, of the City of Bath, England, for improvements in applying ropes, chains, or belts, for driving machinery or for other purposes.

No. 80 of 1876.—Mr. F. J. Cleaver, of 32, Red Lion Street, Holburn, in the County of Middlesex, England, Manufacturing Perfumer, for improvements in soaps, pomades, cosmetics, and the like.

No. 81 of 1876.—Mr. William Walker, of Liverpool, in the County of Lancaster, and No. 115, St. George's Road, in the County of Surrey, in that part of the United Kingdom of Great Britain and Ireland, called England, for an improved system of an apparatus for extracting, dressing, and treating hemp, flax, jute, rhea, New Zealand flax and other like fibres, and spinning or preparing the same for spinning, converting ropes or other cordage and textile fabric into oakum, tow and paper stuff.

No. 82 of 1876.—Mr. E. H. Sibold, Shellac Manufacturer, of Mirzapore, North-Western Provinces, at present residing at Dinapore, Bengal, for the manufacture of shellac by machinery.

No. 96 of 1876.—Mr. H. Bull, Engineer, at present of Sahibgunge, Bengal, India, for improvements in punkahs and their connections.

No. 4 of 1877.—Mr. C. A. Bouton, of New York, in the United States of America, but at present of King William Street, in the City of London, and Kingdom of England, for improvements in air brakes, which improvements are also applicable to motive power engines.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—INDUSTRY, SCIENCE, AND ART.

Fort William, the 23rd February 1877.

No. 29.—Two years' furlough is granted, under Section 12 of the Civil Leave Code, to Mr. G. Nevill, Assistant Secretary and Assistant Curator of the Indian Museum, from the 1st April next, or from any subsequent date on which he may avail himself of it.

SURVEYS.

The 23rd February 1877.

No. 108.—Consequent on the return from furlough of Lieutenant-Colonel A. D. Vanrenen, Deputy Superintendent of the 2nd Grade, in the Revenue Survey, and the subsequent return to duty of Lieutenant-Colonel John Macdonald, Deputy Superintendent of the 2nd Grade, the following Officers of the Revenue Survey reverted to their substantive grades, with effect from the 23rd ultimo:—

Major Donald Macdonald, from Officiating Deputy Superintendent, 2nd Grade, to Deputy Superintendent, 3rd Grade.
Mr. James Campbell, from Officiating Deputy Superintendent, 3rd Grade, to Assistant Superintendent, 1st Grade.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 20th February 1877.

No. 368P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. George Groux as Consul for Belgium at Bombay.

The 21st February 1877.

No. 381P.—The friendly relations between the British Government and His Highness Meer Muhammad Khodadad Khan, Khan of Khelat, which were suspended in 1873, having been renewed, the Right Honorable the Governor General in Council is pleased, in compliance with the wishes of His Highness, to direct the re-establishment of the Khelat Agency, withdrawn at the period above-mentioned, and to make the following appointments, subject to the approval of Her Majesty's Government:—

Major R. G. Sandeman, C.S.I., Deputy Commissioner, Punjab, is appointed Agent to the Governor General for Beloochistan, and will take rank with Residents of the 2nd Class in the Gradation List of the Political Department.

Mr. R. I. Bruce, Assistant Commissioner, Punjab, is appointed 1st Assistant, and will take rank with Political Agents of the 2nd Class.

Captain E. S. Reynolds, Sind Horse, is appointed 2nd Assistant, and will take rank with Political Agents of the 3rd Class.

Captain H. Wylie, 1st Punjab Cavalry, is appointed 3rd Assistant, and will take rank with Political Agents of the 3rd Class.

Surgeon O. T. Duke is appointed Medical Officer to the Agency.

The 23rd February 1877.

No. 407P.—His Excellency the Viceroy and Governor General is pleased to confer upon Sirdar Imám Baksh Khan Mazari, and Sirdar Jamal Khan Loghari, Bilúch Sardars of the Dera Ghazi Khan District, the title of "Nawab," as a personal distinction.

GENERAL.

The 19th February 1877.

No. 454G.—The services of Surgeon-Major J. Law, Officiating Residency Surgeon, Hyderabad, are replaced at the disposal of the Home Department, with effect from the date on which he was relieved of his duties as Special Medical Officer in attendance on His Highness the Nizam.

The 22nd February 1877.

No. 481G.—APPOINTMENT.—Captain H. L. Greenfield, 2nd-in-Command, to officiate as Commandant of the Deolee Irregular Force, with effect from the date of assuming charge, *vice* Lieutenant-Colonel Clay, proceeding on furlough.

Captain P. W. Smith, Adjutant, to officiate as 2nd-in-Command, *vice* Captain Greenfield.

Lieutenant F. M. Rundall, Staff Corps, to officiate as Adjutant, *vice* Captain Smith.

No. 486G.—APPOINTMENT.—Major A. L. Playfair, B.S.C., at present doing general duty at Fort William, is appointed to officiate as Political Agent, 2nd Class.

No. 487G.—POSTING.—Major A. L. Playfair, Officiating Political Agent, 2nd Class, is posted to Neemuch as Cantonment Magistrate.

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

FINANCIAL DEPARTMENT.

NOTIFICATION.—ACCOUNTS AND FINANCE.

Fort William, the 23rd February 1877.

No. 1015.—Furlough under Section 12 of the Civil Leave Code, without medical certificate, for thirteen months from 1st March 1877, with subsidiary leave from 18th February 1877, is granted to Mr. H. A. Mangles, B.C.S., Accountant General, Bengal.

Mr. Mangles made over charge of his duties, after noon, on the 17th February 1877.

Mr. D. M. Barbour is appointed to officiate as Accountant General, Bengal, during the absence of Mr. Mangles on furlough, or until further orders.

Mr. E. J. Sinkinson, B.C.S., is appointed to officiate as Under Secretary to the Government of India in this Department.

Mr. E. J. Sinkinson received charge of the office of Under Secretary to the Government of India in this Department from Mr. D. M. Barbour, after noon, on the 19th February 1877.

No. 1029.—Mr. T. W. Biss received charge of the offices of Accountant General, Punjab, and Deputy Commissioner of Paper Currency, Lahore Circle, from Mr. L. C Probyn, after noon, on the 10th February 1877.

No. 1150.—Leave of absence without allowances is granted to Mr. G. FitzGerald, an Officer of the Second Class of this Department, for a period not exceeding two years, with effect from the 18th January 1877.

The 23rd February 1877.

LEAVE, LEAVE ALLOWANCES, &C.

No. 1154.—The Governor General in Council directs that the following names be added, in their proper places, to the Nominal Roll printed at pages 147 to 159 of the Civil Leave Code:—

NAMES.	Designation of Office held when the Officers were recommended for admission.
Bolton, W. H.	... Deputy Collector in Sind.
Crawford, D B.	... 3rd Class Deputy Collector in Sind.
FitzGerald, H. V. S.	... Supernumerary Deputy Collector in Sind.
Foxton, W., B.A.	... 1st Class Deputy Collector in Sind.
Giles, R., B.A.	... Supernumerary Deputy Collector in Sind.
Lambert, R. M.	... 3rd Class Deputy Collector in Sind.
Steele, C. E. S.	... Supernumerary Deputy Collector in Sind.
Tyndall, S. W.	... 2nd Class Deputy Collector in Sind.
Watson, H. E.	... 2nd Class Deputy Collector in Sind.
Taylor, A.	... Deputy Collector of Salt Revenue, Bombay.
Cole, W. T.	... Collector of Customs, Kurrachee.
Beynon, R. C.	... Assistant Superintendent, Revenue Survey, Southern Mahratta Country.
Beyts, N. B.	... Deputy Superintendent, Revenue Survey and Assessment, Guzerat.
Bulkley, A. S.	... Assistant Superintendent, Revenue Survey and Assessment, Guzerat.
Disney, H. K.	... Assistant Superintendent, Revenue Survey and Assessment, Poona and Nasik.
Fletcher, W. M.	... Assistant Superintendent, Revenue Survey, Poona and Nasik.
Fforde, A. B.	... Assistant Superintendent, Revenue Survey, Poona and Nasik.
Gibson, J. R.	... Deputy Superintendent, Revenue Survey, Rutnagiri.
Grant, H. M.	... Assistant Superintendent, Revenue Survey, Poona and Nasik.
Harrison, W.	... Assistant Superintendent, Revenue Survey, Rutnagiri
Hearn, E.	... Assistant Superintendent, Revenue Survey and Assessment, Rutnagiri.
Light, R. E. H.	... Assistant Superintendent, Revenue Survey and Assessment, Southern Mahratta Country.
Presscott, W. B.	... 1st Class Assistant Settlement Officer, Guzerat.
Price, W. S.	... 1st Class Assistant Settlement Officer, Southern Mahratta Country.
Scott, J. W.	... 1st Class Assistant Settlement Officer, Poona and Nasik.
Summers, H. H.	... 1st Class Assistant Settlement Officer, Guzerat.
Wingate, R. T.	... 1st Class Assistant Settlement Officer, Guzerat.
Whitcombe, J. C.	... Assistant Superintendent, Revenue Survey, Poona and Nasik.
Young, A. B.	... Assistant Superintendent, Revenue Survey, Southern Mahratta Country.
Young, J. W.	... Assistant Superintendent, Revenue Survey, Rutnagiri.
Giertzen, G. T.	... Superintendent of Police, 1st Grade, Bombay.
Spencer, N.	.. 2nd Judge, Small Cause Court, Bombay.
Cooper, C. P.	... Senior Magistrate of Police, Bombay.
Fox, C. E.	... Master and Registrar in Equity and Commissioner for taking Accounts and Local Investigations and Taxing Officer, High Court, Bombay.
Orr, J. W.	... Prothonotary and Ecclesiastical and Admiralty Registrar, High Court, Bombay.
Filgate, T. M.	... Inspector General of Registration, Bombay.
Ryan, P.	... Assistant Secretary to Government, Bombay.
Miles, G.	... Assistant Secretary to Government, Bombay.
Corke, W. G.	... Protector of Emigrants, Bombay.

MINT AND CURRENCY.

The 23rd February 1877.

No. 1156.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year 1877.*

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
In the month of January 1877—	Rs.	Rs.	Rs.
Calcutta	524	10,66,911	26,39,187
Bombay	...	1,14,72,314	39,99,000
TOTAL ...	524	1,25,39,225	66,38,187

Imports and Exports of Gold and Silver during the calendar year 1877.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.	Imports	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of January 1877 ...	13,86,797	48, 26	13,38,571	1,22,11,361	21,54,477	1,00,56,884	1,35,98,158	22,02,703	1,13,95,455

SEPARATE REVENUE—(Stamps.)

The 23rd February 1877.

No. 1046.—In exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the whole of the duties chargeable under the said Act on all security bonds for the due performance of their duties by headmen nominated or appointed in accordance with the rules made by His Honor the Lieutenant-Governor of Bengal under the provisions of Section 99 of Act III (B. C.) of 1876.

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

MILITARY DEPARTMENT.

Fort William, the 23rd February 1877.

APPOINTMENTS AND PROMOTIONS.

No. 148.—MILITARY ACCOUNTS DEPARTMENT—

Surgeon-Major W. E. Cates, Bombay Medical Department, in Medical charge, 19th Regiment Bombay Native Infantry, to officiate as Examiner of Medical Accounts, Bombay, with effect from the date on which he may take up the duties of the office, *vice* Surgeon-Major P. S. Turnbull, M.D., proceeding on furlough.

No. 149.—ORDNANCE MANUFACTURING ESTABLISHMENT—

Lieutenant H. P. Willoughby, Royal Artillery, Officiating Commissary of Ordnance, 3rd Class, to be an Assistant Superintendent of Factories, with effect from the date on which he may take up the duties of the office, *vice* Captain S. Murray.

No. 150.—STAFF CORPS—

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

Major Thomas James Watson,—20th February 1877.

No. 151.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Charles Henry Ewart...
Captain William Ewbank Chambers ... ...
Captain Arthur Power Palmer ...
Captain Edwin Beddy ...
} 20th February 1877.

No. 152.—The under-mentioned Officers of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel George Robert Frederick Bardin, Madras Staff Corps ... ...
Lieutenant-Colonel Isaac Torsyth MacAndrew, Bengal Staff Corps ... ...
} 20th February 1877.

No. 153.—LONDON GAZETTE—

The following Extracts are published for general information:—

"London Gazette," dated the 29th December 1876, page 7145.

WAR OFFICE, PALL MALL,
29th December 1876.

* * * *

Brevet.

* * * *

Ensign and Assistant Commissary Richard Busher, Warrant Officer, Bengal Establishment, to have the honorary rank of Lieutenant. Dated 28th April 1875.

Deputy Assistant Commissary George Edward Wiffen, Warrant Officer, Madras Establishment, to have the honorary rank of Lieutenant (but to be junior of that rank for one year). Dated 24th July 1876.

Deputy Assistant Commissary John Lyons, who was granted the honorary rank of Lieutenant (but to be junior of that rank for one year), dated 22nd February 1876, belongs to the *Bombay* and to the *Bengal* Establishment, as stated in the *Gazette* of 14th July 1876.

The under-mentioned Officers having completed the qualifying service, to be Colonels:—

Lieutenant-Colonel James Fairbrother, Bombay Staff Corps. Dated 19th July 1876.

Lieutenant-Colonel William James Pratt Barlow, Bengal Staff Corps. Dated 22nd July 1876.

Lieutenant-Colonel Charles Armstrong, Bengal Staff Corps. Dated 22nd July 1876.

Lieutenant-Colonel James Murray Grant, Madras Staff Corps. Dated 22nd July 1876.

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Lieutenant-Colonel Jonathan Keer, Bengal Staff Corps. Dated 26th July 1876.

Lieutenant-Colonel William Henry Hessey, Madras Staff Corps. Dated 20th August 1876.

Lieutenant-Colonel George Money Battye, Bengal Staff Corps. Dated 20th August 1876.

Lieutenant-Colonel Reginald Quintin Mainwaring, Madras Staff Corps. Dated 20th August 1876.

Lieutenant-Colonel George Augustus Williams, Bengal Staff Corps. Dated 23rd August 1876.

Lieutenant-Colonel John Frederic Berthon, Bombay Staff Corps. Dated 8th September 1876.

Lieutenant-Colonel Benjamin George Vander-Gucht, Bengal Staff Corps. Dated 20th September 1876.

The honorary rank of Lieutenant conferred on the under-mentioned Warrant Officers, Bengal Establishment, in the *Gazette* of 5th October 1875 and 30th May 1876, respectively, to be post-dated to the 28th April 1875:—

Deputy Assistant Commissary Archibald Litster.

Deputy Assistant Commissary Joseph Mole.

The under-mentioned Senior Apothecaries of the Bombay Medical Establishment to have the honorary and local rank of Surgeon:—

J. Lawrence. Dated 30th December 1876.

W. Waite. Dated 30th December 1876.

London Gazette, Extraordinary, dated the 1st January 1877, page 2.

INDIA OFFICE,
1st January 1877.

"The Queen has been graciously pleased, on the occasion of the proclamation this day, at Delhi, of the addition of Empress of India to Her Majesty's Royal style and titles, to make the following appointments to the first, second, and third classes of the said Most Exalted Order of the Star of India."

To be Companions.

* * * *

Major Robert Groves Sandeman, Bengal Staff Corps.

Captain Leopold John Herbert Grey, Bengal Staff Corps.

Captain Pierre Louis Napoleon Cavagnari, Bengal Staff Corps, Deputy Commissioner, Kohat.

George Welsh Kellner, Esq., Accountant General, Military Department, Calcutta.

London Gazette, 12th January 1877, page 171.

INDIA OFFICE,
11th January 1877.

Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps, and of Her Majesty's Indian Military Forces, made by the Governments in India:—

Brevet.

Captain Arthur William Capel, Bengal Cavalry, to be Major, in succession to Colonel (borne as Major-General on the Indian List) H. T. Vincent, Bombay Staff Corps, deceased. Dated 12th July 1876.

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SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Majors.

Captain (Brevet Major) James Sconce. Dated 11th October 1876.

Captain Francis Gellie. Ddated 20th October 1876.

Captain (Brevet Lieutenant-Colonel) Charles Metcalfe MacGregor, C.S.I. Dated 20th October 1876.

To be Captain.

Lieutenant Norton Charles Martelli. Dated 11th October 1876.

London Gazette, the 16th January 1877, page 217.

Brevet.

* * * *

The second Christian name of Brevet Colonel Shakespear, Madras Staff Corps, who was granted the honorary rank of Major-General on retirement, in the Gazette of 25th August 1876, is *Maxton*, and not *Maxtone*, as therein stated.

The under-mentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

Lieutenant-Colonel and Brevet Colonel Henry Clyde Fletcher, Madras Staff Corps, to be Major-General. Dated 17th January 1877.

Lieutenant-Colonel and Brevet Colonel George Markham Carter, Madras Army, to be Major-General. Dated 17th January 1877.

Major George Bowen Cassan Simpson, Bengal Staff Corps, to be Lieutenant-Colonel. dated 17th January 1877.

The under-mentioned Warrant Officers to have the honorary rank of Lieutenant, but to be junior of that rank for one year:—

Deputy Assistant Commissary Cyril Tyler, Bombay Establishment. Dated 1st July 1876.

Deputy Assistant Commissary Donald McIntosh Smith, Bombay Establishment. Dated 1st July 1876.

Deputy Assistant Commissary James Butler, Madras Establishment. Dated 19th September 1876.

Deputy Assistant Commissary Frederick John White, Madras Establishment. Dated 21st October 1876.

No. 154.—ORDNANCE COMMISSARIAT DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Sub-Conductor (Officiating Conductor) B. Morley.	Conductor ...	23rd January 1877.	*Vice* Conductor T. Hunt, transferred to the Harness and Saddlery Factory, and his name placed on the seconded list.
Magazine Sergeant (Officiating Sub-Conductor) Owen Maguire.	Sub-Conductor on probation.	Ditto ...	*Vice* Sub-Conductor B. Morley, promoted.
Temporary.			
Sub-Conductor Edward McCarthy ...	Officiating Conductor.	Ditto ...	*Vice* Officiating Conductor Morley, promoted, or until further orders.
Magazine Sergeant James Williams ...	Officiating Sub-Conductor.	Ditto ...	*Vice* Officiating Sub-Conductor Maguire, promoted, or until further orders.
Magazine Sergeant Henry Mitchell ...	Officiating Sub-Conductor.	8th February 1877.	*Vice* Sub-Conductor McDermott, on furlough to Europe on medical certificate, or until further orders. Officiating Sub-Conductor James Riddle having reverted to his substantive grade on proceeding to Europe on furlough on medical certificate.

NOTE.—Officiating Sub-Conductor Mitchell will revert to his substantive grade with effect from the 19th February 1877, consequent on the return to duty of Sub-Conductor McDermott.

No. 155.—NATIVE ARMY—

10th Regiment of Native Infantry.

Havildar Mowla Bux Khan, to be Jemadar *vice* Ismdar Khan, deceased. Dated the 10th December 1876.

15th (The Loodianah) Regiment of Native Infantry.

Jemadar Attar Sing, to be Subadar *vice* Essur Sing, deceased; Havildar Jewun Sing, to be Jemadar *vice* Attar Sing, promoted. Dated the 3rd February 1877.

35th (The Munpoorie) Regiment of Native Infantry.

Jemadar Abdool Raheem, to be Subadar *vice* Sunkur, deceased. Dated the 4th October 1876. Havildar Beharie, to be Jemadar *vice* Jeet Singh, deceased. Dated the 24th September 1876. Havildar Mohun to be Jemadar, *vice* Abdool Raheem, promoted. Dated the 4th October 1876.

2nd (Prince of Wales' Own) Goorkha Regiment (The Sirmoor Rifles).

Jemadar Seeboo Aswal, to be Subadar *vice* Lall Sing Gurtee, invalided; Jemadar Seebah Gullay, to be Subadar *vice* Narain Thappa, invalided; Havildar Mahabeer Bhist, to be Jemadar *vice* Seeboo Aswal, promoted; Havildar Bagdul Goorung, to be Jemadar *vice* Seebah Gullay, promoted. Dated the 1st November 1876.

No. 156.—PUNJAB FRONTIER FORCE—

5th Punjab Cavalry.

Duffadar Gundah Sing, to be Jemadar *vice* Ram Sing, discharged. Dated the 12th December 1876.

No. 157.—Jemadar Raja Kurmdad Khan, appointed on probation to the 10th Regiment of Native Infantry in G. G. O. No. 121 of 1875, is confirmed in that rank with effect from the 29th January 1875.

No. 158.—Jemadar Sirdar Mukhun Singh, appointed on probation to the 21st (Punjab) Regiment of Native Infantry in G. G. O. No. 122 of 1875, is confirmed in that rank with effect from the 29th January 1875.

TRANSFER OF OFFICERS.

No. 159.—The services of Colonel C. H. Dickens C.S.I., Royal Artillery, are, with reference to Public Works Department Notification No. 33, dated the 1st February 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 6th February 1877.

No. 160.—The services of Lieutenant H. D. P. Okeden, 2nd Battalion 60th Rifles, are, with reference to the Notification by the Government of the North-Western Provinces, No. 121 A, dated the 15th February 1877, placed at the disposal of the Hon'ble the Lieutenant-Governor of Bengal for employment on His Honor's Personal Staff, with effect from the date on which he quitted his appointment on the Personal Staff of the Lieutenant Governor, North-Western Provinces.

No. 161.—The services of Surgeon E. Bovill, M.B., officiating in Medical charge 16th (The Lucknow) Regiment of Native Infantry, are placed at the disposal of the Government of Bengal.

No. 162.—The services of Lieutenant-Colonel H. St. G. Tucker, of Infantry, late Officiating Cantonment Magistrate, Ranikhet, are, with reference to the Notification by the Government of the North-Western Provinces, No. 125A, dated the 15th February 1877, replaced at the disposal of His Excellency the Commander-in-Chief.

HONORS AND REWARDS.

No. 163.—GOOD SERVICE PENSION—

It is hereby announced that on the recommendation of the Government of India Her Majesty's Government has been pleased to confer a good service pension on the under-mentioned Officer, with effect from the 15th June 1876, in room of Colonel C. M. Shakespear, Madras Staff Corps, retired:—

Brevet Colonel JAMES EDMUND MAYNE, *Madras Staff Corps, late Judge Advocate-General (since retired).*

Dates of Commissions.

Cornet	...	24th January 1839.
Lieutenant	...	20th February 1844.
Captain	...	1st November 1849.
Brevet Major	...	6th June 1856.
Major	...	18th February 1861.
Brevet Lieut.-Col.	...	2nd July 1862.
Lieut.-Colonel	...	24th January 1865.
Brevet Colonel	...	24th " 1870.

Appointments.

Quartermaster and Interpreter, 8th Regiment Light Cavalry	...	1st March 1845.
Adjutant, 8th Regiment Light Cavalry	...	19th July 1849.
Deputy Assistant Quartermaster-General, Kurnool	...	22nd July 1857.
Deputy Judge Advocate-General	...	27th November 1857.
Deputy ditto, Centre Division	...	4th December 1857.
Judge Advocate-General	...	17th March 1873.

War Services.

Commanded a Regiment and subsequently a Brigade of Cavalry in the Turkish Contingent, during the war with Russia, and has received the order of the Medjidie—served as Deputy Assistant Quartermaster-General in the Kurnool Moveable Column, and as Deputy Judge Advocate in the Saugor Field Division—was engaged in Central India, in suppression of the mutiny under Major-General Sir G. C. Whitlock, K.C.B.—was present at the affairs of Sheegunge and Kobraie, battle of Banda, and storming the heights of Punwaree—Turkish Medal. Medal and clasp for Central India.

No. 164.—ORDER OF BRITISH INDIA—

In continuation of G. G. O. No. 2 of 1877, His Excellency the Governor General in Council is pleased to admit the following Native Officers to the 2nd Class of the Order of British India with the title of "Bahadur," with effect from the 1st January 1877:

Madras.

Subadar-Major Hyath Khan, 24th Regiment Native Infantry.

Subadar Narrainsawmy, "Queen's Own," Sappers and Miners.
Subadar Muhummud Ayoob, 26th Regiment Native Infantry.

RETIREMENT.

No. 165.—Conductor David Cordwell, Head Clerk, Office of the Deputy Adjutant General, Royal Artillery, in India, is permitted to retire from the service on the pension of £75 per annum, under G. G. O. No. 69 of 1868, payable in Europe, with effect from the 24th February 1877.

PENSIONS.

No. 166.—Gunner Joseph McDougall, late 6th Brigade, Royal Artillery, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to Imperial Revenue) in India, *viz.*, one shilling per diem, from the date he ceases to receive regimental pay.

FURLOUGH AND LEAVE.

No. 167.—The under-mentioned Officers are granted furlough to Europe, with the necessary *subsidiary leave*:—

Major-General John Douglas Campbell, Royal Engineers, Superintending Engineer, 1st Grade, 3rd Circle, Provincial, Punjab Public Works Department,—private affairs, for two years, under Rule IX of the Regulations of 1868, embarking on or after the 6th March 1877.

Lieutenant-Colonel Alfred Worsley Montagu, Bengal Staff Corps, Sub-Assistant Commissary General, 1st Class—private affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major Alfred Eteson, in Medical charge Corps of Bengal Sappers and Miners,—privates affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major William Edward Allen, in Medical charge Bhopaul Battalion and Political Agency,—private affairs, for twelve months, under Rule IX of the Regulations of 1868.

Captain Charles Henry Tilson Marshall, Bengal Staff Corps,—private affairs, for six months, under Rule IX of the Regulations of 1868.

Captain Arthur Noel Phillips, late 19th Regiment Native Infantry, 1st Grade Assistant Commissioner, Officiating Deputy Commissioner, 3rd Grade, Nowgong, Assam,—for twenty months—one year and two days on private affairs, under Rules IX and XV, and the remaining period on medical certificate, under Rule XIV, Clause II, of the Regulations of 1868.

Captain Charles Denroche Swete, Bengal Staff Corps,—private affairs, for two years, under Rule IX of the Regulations of 1868.
This cancels G. G. O. No. 717 of 1876.

Lieutenant (Local Captain) William Hans Rathborne, Royal Engineers, Executive Engineer, 3rd Grade, Public Works Department, Deputy Consulting Engineer to Government of India for Guaranteed Railways, Lucknow,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant Dudley Elphinstone Gouldsbury, Bengal Staff Corps, Wing Officer, 19th (Punjab) Regiment of Native Infantry,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

No. 168.—Lieutenant-General George William Bishop, Infantry, is permitted to proceed to Europe and there reside, until his services shall be called for.

No. 169.—With reference to G. G. O. No. 148 of 1875, Captain C. McNeile, Bengal Staff Corps, Assistant Commissioner, 2nd Class, Punjab, has been permitted by the Right Hon'ble the Secretary of State to return to India, with a view to spending the residue of his furlough in this country.

No. 170.—Lieutenant Thomas Mecklenburgh, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence to proceed to England for eighteen months, from the 1st April 1877.

No. 171.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) W. J. P. Barlow, Bengal Staff Corps, Commandant, 5th Regiment of Native (Light) Infantry,—Fort William, 18th February 1877.

Lieutenant-Colonel A. H. Bamfield, Bengal Staff Corps, Deputy Inspector General of Police, 2nd Grade, Punjab,—Bombay, 7th February 1877.

Lieutenant-Colonel H. F. Newmarch, Bengal Staff Corps, Deputy Commissioner, 2nd Class, Central Provinces,—Bombay, 15th February 1877.

Major M. Ramsay, Bengal Staff Corps, Cantonment Magistrate, Meean Meer, Punjab,—Bombay, 9th February 1877.

Captain E. S. Neave, Bengal Staff Corps, Squadron Commander, 18th Bengal Cavalry,—Bombay, 9th February 1877.

Captain E. B. Bishop, Bengal Staff Corps, Squadron Officer, 2nd Punjab Cavalry, Punjab Frontier Force,—Bombay, 5th October 1876.

Captain A. G. Ross, Bengal Staff Corps, Wing Commander, 1st Sikh Infantry, Punjab Frontier Force,—Bombay, 17th February 1877.

Lieutenant E. W. Chalmers, Bengal Staff Corps, Squadron Officer, 17th Bengal Cavalry,—Bombay, 9th February 1877.

Sub-Conductor W. J. McDermott, Ordnance Commissariat Department,—Bombay, 12th February 1877.

Senior Apothecary F. J. Grose, Subordinate Medical Department,—Bombay, 12th February 1877.

PAY AND ALLOWANCES.

No. 172.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops":—

Article 388.—In the margin enter "G. L. No. 1248-52 of 27th November 1876."

Insert the following additional article:—

"2059*b*. When women and children (the families of British soldiers) proceed from port to port in India, they should be provided with between-deck or 2nd class accommodation, whether accompanied by their husbands or not."
G. L. No. 275-8 of 6th December 1876.

Insert the following additional article:—

"1264*b*. When an officer proceeds on furlough or leave on private affairs in or out of India, he does so entirely to suit his own convenience, and subject to any contingencies which may arise, during his absence, necessitating his presence with his regiment: he may therefore be required to rejoin his regiment at his own expense, wherever it may be ordered on active service."
G. L. No. 1030-31 of 23rd November 1876.

Article 223 as revised.—Insert the following note after the word "rules" in the fourth line:—

"Note.—The fact of an officer absent under the furlough rules of 1868 or 1875, being restricted to the maximum furlough allowance of £1,000 a year, affords no claim on behalf of the acting incumbent, to more than the half staff salary of the appointment calculated in the ordinary way—Article 67."
G. L. No. 559-61 of 11th December 1876.

Article 2024.—Add—"This rule will also govern the grant of free conveyance from an asylum or orphanage in such cases."
G. L. No. 687 of 13th December 1876.

Page 171. After the term "Preparatory leave," immediately above Article 862, enter the following:—

"Note.—The term 'subsidiary leave' has been substituted for 'preparatory leave,' and the former only is to be used."
G. G. O. No. 1145 of 1876.

Article 936.—After the words "home service" enter "(*viz.*, three years)."
G. G. O. No. 1176 of 1876.

Article 1121, fifth line.—Expunge the words "after five years' service." Expunge the seventh line "Deputy Surgeon-General under five years' service."
G. G. O. Nos. 1116 and 1117 of 1876.

Article 2086.—Add—"Compensation in lieu of rations may be drawn, if preferred, for the wife and family of a trained schoolmaster, the rate being fixed annually according to the actual cost of rations during the preceding year."
G. G. O. No. 1208 of 1876.

Article 1170, page 223.—Insert the following additional clause:—

"*s*. When left behind sick, or allowed to remain behind on account of the illness of his wife, after the march of his regiment or detachment—provided he is required to join quickly, or that, the distance being very great, he would be materially delayed by being required to march at his own expense."
G. L. No. 932-5 of 18th December 1876.

Article 1744.—Substitute "G. L. No. 497-8 of 9th February 1877" for the words "For approval" in the margin.

Insert the following article:—

"111*a*. A Sub-Inspector of army schools is allowed, on first arrival in India, staff pay from date of landing (inclusive), provided the usual time for joining his appointment is not exceeded."
G. L. Nos. 193-6 of 5th February 1877.

Article 2085, clause (*c*).—*Add*—"provided in cases (*f*) and (*j*), the soldier is sentenced by Court Martial to a long period of imprisonment extending over one year, or one year at the least."
G. L. No. 547-9 of 15th January 1877.

Insert the following article:—

"1667*a*. Lance pay being only admissible when in performance of regimental duty, it will be forfeited by a lance-sergeant, lance-corporal, or acting bombardier, on leaving his regiment for staff or departmental employment."
G. L. No. 671 of 17th January, and Nos. 1427-28 of 31st January 1877.

Article 1926.—To the amount ("£1") granted to the best judge of distance in each company of infantry, affix an asterisk (*) and enter the following *foot-note*:—

* This prize is derived from two sources, *viz.*, 10*s.* as the best judge of distances, and 10*s.* as one of the 10 per cent.
G. O. No. 364 of 1876.

Article 1810.—The second portion commencing "A report" is cancelled, and the following substituted:—

"The difference, if any, between the amount of passage money lodged at home and that paid for his passage in India, will be paid to the man at the port of embarkation, at the rate of exchange fixed annually."
G. L. Nos. 1105-9 of 24th November 1876.

Article 2076.—Enter in the margin "G. L. Nos. 1228-29 to Madras and Bombay, dated 29th January 1877."

Article 1882.—After the words sappers and miners in the fifth line, *insert* "sergeant-instructors of volunteer corps."
G. L. Nos. 1314-16 of 30th January 1877.

Article 306.—Add the following clause:—

"The leave granted under this article, may be taken at any time during an officer's tour of service, provided that it is included in the five years."
G. L. Nos. 978-82 of 24th January 1877.

Insert the following article:—

"326*a*. An officer who, while present with his corps, may have been in sick quarters for one month, forfeits half staff pay after that period. This rule also applies to a commandant who, under such circumstances, is required to make over the command of his corps to the next senior officer."
G. L. Nos. 131-2 of 4th December 1876.

Article 330*a*.—Add the following:—

"No portion of the staff pay granted under this article, can be drawn during absence from duty on any account, except privilege leave."
G. L. Nos. 867-73 of 22nd January 1877.

Article 61, clause *c*, page 26.—Expunge the appointment and salary of the Foot Adjutant, Chunar, which is abolished from the 4th May 1877.
G. G. O. No. 1062 of 1876.

PAY AND ALLOWANCES.

No. 173.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume II, Native Troops:—

Article 68.—Expunge the words "in the Bengal Presidency."
G. L. No. 828—9 of 15th December 1876.

Article 127 is re-constructed as follows:—

"127. A soldier who, within twelve months of any previous forfeiture, *is again convicted* of an offence requiring entry in the regimental defaulters' book, must serve for two years from date of original forfeiture, without another entry, before he can claim restoration of the reward."

G. O. No. 341 of 1876.

Insert the following article:—

"127*a*. The period of one or two years' approved good conduct required under Articles 126 and 127 shall count, in the case of a commanding officer's award, from the date of such award, if it shall not have been accompanied by imprisonment, and otherwise from date of release; and in the case of the forfeiture having been awarded by court martial, or been consequent on a conviction, from date of sentence when corporal punishment or imprisonment is remitted, and otherwise from date of the execution or the termination of the sentence."

G. O. No. 341 of 1876.

Article 39.—After the word "gratuities" in the third line, *insert* "but men who have brought disorders on themselves by indulgence in drugs or from other causes, have no claim to *gratuity on discharge*."

G. L. No. 1305—7 of 30th January 1877.

Insert the following additional article:—

"413*a*. *It being* considered unnecessary that a native officer of cavalry proceeding on recruiting service should be mounted, free conveyance by rail for his charger will not be allowed."

G. L. No. 395—9 of 12th January 1877.

Article 423*a*.—Expunge the parenthetical sentence and add the following at the end of the article:—

"Such passages may also be furnished for native escorts proceeding in charge of Government stores *sent* by that mode of conveyance, when it is considered necessary that, with reference to the value or nature of the stores or the country to be traversed, a guard is absolutely necessary."

G. O. No. 332 of 1876.

Article 352, page 69.—In the scale of rations on boardship, expunge the dagger against "Bombay" and omit corresponding foot-note.

G. L. No. 465—8 of 9th February 1877.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd February 1877.

Statement of deposits on account of Estates from the 3rd to the 23rd February 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
BRITISH MILITARY SERVICE.							
Maximilian Bieber (*a*) ...	Captain ...	13th Hussars...	6th Aug. 1876	No will found	2,469 1 0		
Adolphus Lambert Dennis(*b*)	Lieutenant	62nd Foot ...	26th Nov. 1876	Intestate ...	294 15 7		

(*a*) Next-of-kin—Brother, Bieber, Fulletby House, Horncastle, Lincolnshire.
(*b*) Next-of-kin—Reverend J. M. Dennis, Ennis Coffey Glebe, Milltown Pass, Kilbecan, near Mullingar, Ireland. Administrator General, Bengal, administering.

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

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 23rd February 1877.

TRANSFER OF OFFICERS.

No. 1.—The services of Mr. G. Peck, Acting 1st Officer of the Indian Government Steamer *Tenasserim*, are placed at the disposal of the Home Department, with effect from the 15th February 1877.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 19th February 1877.

No. 66.—Captain A. G. Begbie, R.E., Examiner, Public Works Accounts, Mysore, is granted three months' privilege leave, with effect from such date as he may avail himself of the same.

Mr. W. G. Bayly, Deputy Examiner is (on return from furlough) appointed to officiate as Examiner, Public Works Accounts, Mysore, during the absence of Captain Begbie, or until further orders.

No. 67.—ERRATUM.—In Notification No. 511, dated the 12th December 1876, transferring Mr. Becher to Rajpootana, for the words "as Deputy Examiner" substitute as "Officiating Deputy Examiner."

No. 68.—Major R. C. B. Pemberton, R.E., Superintending Engineer, 2nd Grade, is granted subsidiary leave from the 2nd to 6th February 1877, under Section 24(*b*) of the Civil Leave Code.

No. 69.—With reference to Public Works Department Notification No. 36, dated 2nd February 1877, Lieutenant-Colonel Medley, R.E., assumed charge of the Office of Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, on the forenoon of the 9th February 1877.

The 20th February 1877.

No. 70.—With reference to Public Works Department Notification No. 427, dated 19th October 1876, Mr. W. C. Furnivall rejoined his appointment as Under Secretary to the Government of India, Public Works Department, Railway Branch, on the 17th February 1877.

No. 71.—Mr. J. P. Steel, R.E., assumed charge of the duties of Under Secretary to the Government of India, Public Works Department, Establishment Branch, from Mr. A. B. Sampson, B.A., on the forenoon of the 17th February 1877.

No. 72.—Sergeant C. Hilton, R.E., and Private A. Anderson, Overseers, 1st Grade, North-Western Provinces, Irrigation Branch, are temporarily transferred to Bombay for employment on Famine Relief Works.

No. 73.—Mr. W. E. Durant, Accountant, 2nd Grade (temporary rank), Indus Valley State Railway, reverted to his substantive rank of 3rd Grade, with effect from the 12th December 1876, in consequence of the return to duty of Mr. Neuville, Accountant, 2nd Grade.

No. 74.—Babu Mohendranath Chakravarti, B.A., Engineer Apprentice, North-Western Provinces, Irrigation Branch, is promoted to the rank of Assistant Engineer, 3rd Grade.

The 22nd February 1877.

No. 75.—Baboo Preo Nath Gangooly, Clerk, attached to the Office of the Auditor, Oudh and Rohilkund Railway, is appointed a 4th Grade Accountant on probation, and posted to the Office of Examiner of Guaranteed Railway Accounts, Lahore.

No. 76.—His Excellency the Commander-in-Chief having brought to the notice of the Government of India the excellent service performed by Lieutenant S. Grant, R.E., Assistant Engineer, 2nd Grade, Military Works Branch, in connection with the preparations for the Imperial Assemblage at Delhi, the Governor General in Council has been pleased to promote Lieutenant Grant to Assistant Engineer, 1st Grade (Supernumerary), with effect from the 1st January 1877.

No. 77.—Mr. P. Phillips, Officiating Examiner, Public Works Accounts, Bombay, is granted two months' privilege leave, with effect from such date as he may be permitted to avail himself of the same.

The 23rd February 1877.

No. 78.—The services of Major R. C. B. Pemberton, R.E., Superintending Engineer, 2nd Grade, are placed at the disposal of the Director of State Railways, with effect from the 6th February 1877.

No. 79.—Mr. G. E. Thomas, Executive Engineer, 4th Grade, on the Establishment under the Director of State Railways, is transferred to the State Railway Revenue Establishment in Class III, with effect from 12th April 1875.

No. 80.—Private J. Smith, Overseer, 1st Grade, Rangoon and Irrawaddi Valley State Railway, British Burmah, is remanded to regimental duty.

No. 81.—Colonel A. Cadell, R.E., Chief Engineer, 3rd Class (temporary 2nd), and Secretary to the Agent Governor General for Central India, Public Works Department, is permanently promoted to Chief Engineer, 2nd Class, from 24th November 1875, *vice* Mr. H. Leonard.

No. 82.—Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, on the Establishment under the Director of State Railways, is temporarily promoted to Store-keeper, 1st Grade, during the absence on leave of Mr. Homan, or until further orders.

W. A. CROMMELIN, *Major-Genl., R.E.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 9. } CALCUTTA, SATURDAY, MARCH 3, 1877. { Register No. 33.

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

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PART I.

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

LEGISLATIVE DEPARTMENT.

CORRIGENDA.

In Act I of 1877, section 22, paragraph II, published in the *Gazette of India* of the 10th, 17th and 24th February 1877, *after* illustration (*k*), *insert*—

"The following is a case in which the Court may properly exercise a discretion to decree specific performance."

In section 26, illustration (*a*), line 6, *for* "A," *read* "D."

In volume I of General Acts of the Governor General of India in Council, page 310, section-number—*for* "134," *read* "341."

NOTIFICATIONS.

Fort William, the 27th February 1877.

No. 11.—The following Rule, substituted for number 58 of the Rules under the Trade Marks Registration Act, 1875, and the Trade Marks Registration Act Amendment Act, 1876 (38 & 39 Vic., Chap. 91), published under Notification of this Department, No. 7, dated the 7th instant, is published for general information:—

"58. Every person who at the date of the passing of the Act used any cotton mark shall, if resident in the United Kingdom, on or before the first day of January one thousand eight hundred and seventy-seven, and if resident elsewhere, on or before the first day of March one thousand eight hundred and seventy-seven, send to the Manchester office three representations of such cotton mark, in such form and with such a description as may be from time to time required by the Commissioners of Patents."

Representations of cotton marks to be sent by owners resident in the United Kingdom on or before January 1, 1877; by owners resident abroad on or before March 1, 1877.

No. 12.—Mr. W. F. Agnew, Barrister-at-law, received charge of the office of Reporter for the Indian Law Reports, in the High Court at Calcutta, from Mr. Amír Ali, after noon on the 26th instant.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 26th February 1877.

No. 382.—Mr. J. F. D. Inglis, C.S.I., made over charge of the Office of Chief Commissioner of Oudh to Sir George Couper, Bart., C.B., K.C.S.I., on the 15th instant.

ESTABLISHMENTS,

The 28th February 1877.

No. 153.—The Honourable Sir John Strachey, K.C.S.I., is permitted to resign the Bengal Civil Service, with effect from 14th December 1876.

The 28th February 1877.

No. 161.—APPOINTMENTS.—Mr. G. D. Burgess, Bengal Civil Service, Assistant Commissioner of the 3rd Grade, in British Burma, to be Assistant Commissioner of the 2nd Grade, with effect from the 16th September last, *vice* Mr. L. McIver.

Mr. A. H. Hildebrand, Assistant Commissioner of the 4th Grade, to be Assistant Commissioner of the 3rd Grade, *vice* Mr. Burgess.

Mr. E. S. Symes, Bengal Civil Service, Supernumerary Assistant Commissioner, to be Assistant Commissioner of the 4th Grade, *vice* Mr. Hildebrand.

The 2nd March 1877.

No. 169.—APPOINTMENT.—Mr. A. Manson, C.S., Officiating Joint Magistrate and Deputy Collector of Purneah, in Bengal, to officiate as Deputy Commissioner of Sylhet in Assam, during the absence on furlough of Mr. A. L. Clay, or until further orders.

No. 173.—The following list of Civil Servants on the Bengal Establishment, absent on furlough special or subsidiary leave, on the 31st December 1876, is published for general information :—

No.	NAMES.	SUBSTANTIVE APPOINTMENT.	DATE OF COMMENCEMENT OF FURLOUGH OR LEAVE.	DATE OF EXPIRY OF FURLOUGH OR LEAVE.	REMARKS.
		GOVERNMENT OF INDIA.			
		FURLOUGH.			
1	C. U. AITCHISON, C.S.I.	Secretary to the Government of India in the Foreign Department.	Feb. 11, 1876	Feb. 10, 1877	Granted 8 months' extension by the Secretary of State.
2	F. R. HOGG ...	Post Master General, Bengal ...	April 24, 1876	April 23, 1878	
3	J. WESTLAND ...	Accountant General, Central Provinces...	April 10, 1876	Nov. 9, 1877	
		SPECIAL LEAVE.			
1	A. C. LYALL ...	Secretary to the Government of India, Home Department.	Aug. 19, 1876	Feb. 28, 1877	On duty in England.
		LOWER PROVINCES.			
		FURLOUGH.			
1	H. L. DAMPIER ...	Secretary to Government of Bengal ...	April 11, 1876	April 10, 1877	Granted 7½ months' extension by the Secretary of State.
2	E. W. MOLONY ...	Commissioner, Bhagalpur ...	Mar. 29, 1875	Mar. 28, 1877	
3	W. J. MONEY, C.S.I.	District and Sessions Judge, Mymensing	Mar. 24, 1876	Nov. 23, 1877	
4	W. V. G. TAYLER ...	Magistrate and Collector, Pubna ...	April 23, 1875	April 22, 1877	
5	F. G. MILLETT ...	... ...	April 21, 1876	April 20, 1877	
6	J. S. DRUMMOND ...	Magistrate and Collector, Sarun ...	April 26, 1875	April 25, 1877	
7	W. WAVELL ...	Magistrate and Collector, Moorshedabad	April , 1876	April , 1877	
8	J. GEOGHEGAN ...	Magistrate and Collector, Dacca ...	Oct. 23, 1876	June 22, 1878	
9	F. JONES ...	Senior Superintendent of Survey ...	Mar. 29, 1875	Mar. 28, 1877	
10	T. T. ALLEN ...	District and Sessions Judge ...	April , 1876	Mar. , 1878	
11	F. WYER, B.A. ...	Joint Magistrate and Deputy Collector, 1st Grade.	Mar. 16, 1876	Aug. 15, 1877	
12	J. A. HOPKINS, B.L.	Inspector of Schools, Western Circle ...	Mar. 17, 1876	Mar. 16, 1878	
13	F. W. R. COWLEY ...	Deputy Commissioner, Ward's Estate ...	June 30, 1876	Jan. 29, 1878	
14	G. K. WEBSTER ...	.....	Oct. 1, 1875	Mar. 30, 1877	
15	E. H. RUDDOCK ...	Assistant Magistrate and Collector ...	Nov. 1, 1874	Jan. 31, 1877	Since returned.
16	W. H. VERNER ...	Joint Magistrate and Deputy Collector, 24-Pergunnahs.	Mar. 27, 1876	Sep. 26, 1877	
17	P. HURLEY ...	Assistant Magistrate and Collector ...	Jan. 18, 1876	Jan. 17, 1877	Has applied to resign the service.
18	W. F. MEEES ...	Joint Magistrate and Deputy Collector...	Feb. 16, 1876	Dec. 15, 1877	
19	J. SOOBELL ARMSTRONG.	Assistant Magistrate and Collector ...	Nov. 23, 1874	April 2, 1877	
20	C. H. VOWELL ...	Assistant Magistrate and Collector, Shahabad.	Mar. 11, 1876	Nov. 10, 1877	
21	A. W. COCHRAN ...	Assistant Magistrate and Collector ...	April 11, 1876	April 10, 1878	
22	A. W. B. POWER ...	Political Agent, Hill Tipperah ...	May 7, 1876	May 6, 1878	
23	R. M. WALLER ...	Assistant Magistrate and Collector ...	May 11, 1874	Feb. 10, 1877	Since returned.
24	J. E. B JEFFERY ...	Assistant Magistrate and Collector ...	April 1, 1876	Oct. 31, 1877	
25	P. NOLAN ...	Assistant Magistrate and Collector ...	Mar. , 1876	Nov. , 1877	
26	R. CORNISH ...	Assistant Magistrate and Collector ...	April 21, 1876	April 20, 1877	
27	E. M. MONEY ...	Assistant Magistrate and Collector ...	Dec. 31, 1875	June 30, 1877	
28	G. E. MANISTY ...	Assistant Magistrate and Collector ...	June 9, 1876	June 8, 1877	
29	W. R. MILLAR ...	Assistant Magistrate and Collector ...	June 16, 1876	June 15, 1877	
		SPECIAL LEAVE.			
1	H. HANKEY ...	Inspector General of Police ...	Aug. , 1876	Feb. , 1877	
		NOTE.—Total absent ... 30 Total of Civil Servants employed in the Lower Provinces ... 237 Percentage of absentees ... 12·6			
		NORTH-WESTERN PROVINCES.			
		FURLOUGH.			
1	G. H. LAWRENCE ...	Judge ...	Nov. 29, 1875	Feb. 12, 1877	Has applied to resign the service.
2	J. SIMSON ...	Magistrate and Collector ...	April 10, 1876	Nov. 9, 1877	
3	C. A. ELLIOTT ...	Secretary to Government, N.W. Provinces	Mar. 15, 1875	Jan. 29, 1877	Since returned.
4	C. J. POWLETT ...	Joint Magistrate, 1st Grade ...	Dec. 1, 1876	Nov. 30, 1877	
5	E. F. T. ATKINSON...	Assistant Magistrate ...	April 8, 1876	Feb. 22, 1877	
6	R. J. CROSTHWAITE...	None ...	June 9, 1876	June 8, 1877	
7	R. EVANS ...	Assistant Magistrate ...	Mar. 1, 1876	Feb. 28, 1877	
8	R. S. AIKMAN ...	Assistant Magistrate ...	Mar. 6, 1876	Nov. 5, 1877	
9	H. F. EVANS ...	Employed in the Settlement Department previous to departure on furlough.	April 8, 1876	Nov. 7, 1877	
10	E. WHITE ...	Assistant Magistrate ...	Nov. 6, 1876	Nov. 5, 1877	
11	F. BAKER ...	Assistant Magistrate ...	Mar. 22, 1875	Feb. 21, 1877	
12	J. W. HARRIS ...	Assistant Magistrate ...	April 8, 1876	April 7, 1878	
13	F. GILES ...	Assistant Magistrate ...	April 17, 1876	April 16, 1877	

No.	NAMES.	SUBSTANTIVE APPOINTMENT.	DATE OF COMMENCEMENT OF FURLOUGH OR LEAVE.	DATE OF EXPIRY OF FURLOUGH OR LEAVE.	REMARKS.
		NORTH-WESTERN PROVINCES—*continued.*			
		SPECIAL LEAVE.			
1	W. DUTHOIT ...	Deputy Superintendent, Family Domains, Maharaja of Benares.	Aug. 11, 1876	Feb. 10, 1877	Since returned.
		NOTE.—Total absent ... 14 Total of Civil Servants employed in the North-Western Provinces ... 189 Percentage of absentees ... 7·4			
		PUNJAB.			
		FURLOUGH.			
1	T. W. H. TOLBORT ...	Assistant Commissioner, 1st Class ...	Mar. 29, 1876	Mar. 28, 1878	
2	T. ROBERTS ...	Assistant Commissioner, 2nd Class ...	April 10, 1876	Jan. 9, 1877	Since returned.
3	F. P. BEACHCROFT ...	Assistant Commissioner, 2nd Class ...	Mar. 15, 1875	Mar. 14, 1877	Since returned.
4	A. W. STOGDON ...	Assistant Commissioner, 3rd Class ...	Feb. 13, 1875	Feb. 12, 1877	Since returned.
5	P. DE L. H. JOHNSTONE.	Assistant Commissioner, 3rd Class ...	Nov. 1, 1875	April 30, 1877	
		SPECIAL LEAVE.			
		Nil.			
		NOTE.—Total absent ... 5 Total of Civil Servants employed in the Punjab ... 87 Percentage of absentees ... 5·7			
		OUDH.			
		FURLOUGH.			
1	SIR T. D. FORSYTH, C.B., K.C.S.I.	Commissioner ...	Feb. 20, 1876	Feb. 19, 1878	
2	R. M. KING, B. A. ...	Deputy Commissioner, 1st Grade ...	Mar. 15, 1876	Dec. 14, 1877	
3	C. W. MCMINN ...	Assistant Commissioner, 1st Grade ...	April 21, 1876	April 20, 1877	
4	W. C. BENETT ...	Assistant Commissioner, 3rd Grade ...	April 16, 1876	April 15, 1878	
		SPECIAL LEAVE.			
		Nil.			
		SUBSIDIARY LEAVE.			
1	M. L. FERRAR, B. A.	Assistant Commissioner, 2nd Grade ...	Dec. 22, 1876		
		NOTE.—Total absent ... 5 Total of Civil Servants employed in Oudh 27 Percentage of absentees ... 18·5			
		CENTRAL PROVINCES.			
		FURLOUGH.			
1	G. J. NICHOLLS ...	Assistant Commissioner, 3rd Class ...	July 29, 1875	July 28, 1877	
2	L. K. LAWRIE ...	Assistant Commissioner (Supernumerary)	Feb. 23, 1876	Feb. 22, 1877	Since returned.
		SPECIAL LEAVE.			
1	H. F. BARTLETT ...	Assistant Commissioner (Supernumerary)	Aug. 1, 1876	Jan. 31, 1877	
		NOTE.—Total absent ... 3 Total of Civil Servants employed in the Central Provinces ... 30 Percentage of absentees ... 10			
		BRITISH BURMA.			
		FURLOUGH.			
1	J. D. SANDFORD ...	Judicial Commissioner ...	April 17, 1875	Jan. 16, 1877	Since returned.
2	S. F. A. SMITH ...	Assistant Commissioner, 1st Grade ...	April 18, 1876	Oct. 17, 1877	
		SPECIAL LEAVE.			
		Nil.			
		NOTE.—Total absent ... 2 Total of Civil Servants employed in British Burma ... 18 Percentage of absentees ... 11·11			
		MYSORE AND COORG.			
		Nil.			
		HYDERABAD.			
		Nil.			
		ASSAM.			
		FURLOUGH.			
1	O. G. R. MCWILLIAM	Deputy Commissioner, 3rd Grade ...	April 24, 1876	Oct. 23, 1877	
2	A. FORBES ...	Assistant Commissioner, 1st Grade ...	May 22, 1876	Jan. 21, 1878	

No.	NAMES.	SUBSTANTIVE APPOINTMENT.	DATE OF COMMENCEMENT OF FURLOUGH OR LEAVE.	DATE OF EXPIRY OF FURLOUGH OR LEAVE.	REMARKS.
		ASSAM—*continued.*			
		SPECIAL LEAVE.			
		Nil.			
		NOTE.—Total absent ... 2			
		Total of Civil Servants employed in Assam 14			
		Percentage of absentees ... 14·3			
		NOTE.—Grand Total of absentees ... 65			
		Grand Total of Civil Servants employed on the Bengal Establishment ... 644			
		Percentage of absentees ... 10·09			

PORT BLAIR.

The 2nd March 1877.

No. 66.—APPOINTMENTS.—Mr. F. E. Tuson, Extra Assistant Superintendent of the 2nd Class in Port Blair and the Nicobars, to officiate as Extra Assistant Superintendent of the 1st Class, during the absence of Mr. F. A. de Roepstorff, or until further orders.

Mr. H. G. Austen to officiate as Extra Assistant Superintendent of the 2nd Class, *vice* Mr. F. E. Tuson, or until further orders.

ECCLESIASTICAL.

The 28th February 1877.

No. 58.—The services of the Reverend A. H. Etty, M.A., Chaplain of Kamptee, in the Central Provinces, are placed at the disposal of the Government of the North-Western Provinces, with effect from the 12th instant.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Fort William, the 28th February 1877.

No. 128.—Navigating Sub-Lieutenant E. W. Petley, R.N., Assistant Superintendent of the 2nd Grade in the Marine Survey Department, is granted eight months' furlough on medical certificate, under Section 14, Chapter IV, of the Civil Leave Code.

The 2nd March 1877.

No. 138.—With reference to Notification No. 108, dated the 23rd ultimo, Captain J. R. Wilmer, Officiating Assistant Superintendent of the 1st Grade in the Topographical Survey, reverted to his substantive position as Assistant Superintendent in the 2nd Grade, on the 23rd January last.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 2nd March 1877.

No. 15*J.*—The Governor General in Council is pleased to invest Captain W. S. S. Bisset, R.E., Manager (Open Line), Holkar and Neemuch State Railway, with the powers of a Magistrate, 3rd Class, as described in Section 20, Act X, 1872, (the Code of Criminal Procedure) to be exercised within the limits of the Open Line, Holkar and Neemuch State Railway.

POLITICAL.

The 1st March 1877.

No. 452*P.*—With reference to Notification No. 1275P, dated the 13th June 1873, and in exercise of the powers and jurisdiction therein described, and of the powers conferred by the Foreign Jurisdiction and Extradition Act, 1872, (Act No. XI of 1872) the Governor General of India in Council is pleased to appoint the Officer for the time being holding the Office of Assistant Political Resident in the Persian Gulf, being a European British subject, to be a Justice of the Peace, and to exercise also the powers of a Magistrate of the 1st Class, within the under-mentioned territories beyond the limits of British India, *viz.*—the whole of the Coast and Islands of the Persian Gulf and the Gulf of Oman, with the exception of those portions which are under the jurisdiction of the Political Agent at Muscat, and the Assistant Political Agent at Gwadur.

GENERAL.

The 1st March 1877.

No. 535*G.*—The services of Surgeon R. M. Wall, Civil Surgeon, Bushire, are re-placed at the disposal of the Government of Bombay.

No. 536*G.*—APPOINTMENT.—Surgeon J. C. Lucas, Bombay Medical Establishment, is appointed Civil Surgeon at Bushire, with effect from the date of assuming charge, *vice* Surgeon R. M. Wall.

The 2nd March 1877.

No. 545*G.*—Captain C. B. Euan Smith, C.S.I., Officiating Political Agent, 3rd Class, and 1st Assistant Resident, Hyderabad, held charge of the current duties of the Hyderabad Residency, from the 29th September to 21st October 1876, both days inclusive, and again from 11th December 1876 to 24th January 1877, both days inclusive, during the temporary absence of Colonel R. J. Meade, K.C.S.I., on duty.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 28th February 1877.

No. 1228.—Mr. E. F. T. Atkinson, B.C.S., is appointed to officiate as Accountant General, North-Western Provinces, and Deputy Commissioner of Paper Currency, Allahabad Circle, until further orders.

Mr. T. W. Rawlins, B.C.S., is appointed to officiate as Accountant General, Punjab, and Deputy Commissioner of Paper Currency, Lahore Circle, until further orders.

No. 1250.—Mr. D. M. Barbour received charge of the Office of Accountant General, Bengal, before noon, on the 26th February 1877.

No. 1224.—*Cash Balances in the Government Treasuries in India on the last day of the month of January 1877, compared with those on the same date in 1876 and 1875* :—

	Jan. 1875.	Jan. 1876.	Jan. 1877.
	Rs.	Rs.	Rs.
Govt. of India ...	2,44,66,865	2,23,78,302	1,36,63,986
Bengal ...	2,38,61,922	1,93,04,592	1,30,06,527
Assam ...	26,18,846	34,27,139	27,70,203
British Burmah ...	30,74,204	27,05,071	26,42,461
N. W. Provinces ...	2,30,15,253	2,62,63,977	2,12,88,627
Oudh ...	64,68,786	74,37,485	62,63,287
Punjab ...	1,43,76,284	1,17,81,207	93,08,839
Bombay ...	2,29,60,889	2,36,11,977	2,45,92,341
Central Provinces ...	50,20,585	48,56,797	46,46,879
Madras ...	2,30,41,214	2,19,51,525	2,15,16,541
TOTAL ...	14,89,04,848	14,37,18,072	11,96,99,691

The 2nd March 1877.

No. 1281.—*Bills drawn upon India by the Secretary of State, 1876-77.*

	£	Rs.	Average rate.	Loss compared with estimate on average of 2s. the rupee.
			s. d.	
Estimated for the whole year ...	13,660,000	15,99,20,000	1 8·5	2,33,20,000
In the month of February ...	510,625	56,40,000	1 9·73	5,33,750
First 11 months	12,118,386	14,20,05,501	1 8·48	2,08,21,641
Remains to make estimate good...	1,541,614	1,79,14,499	1 8·65	24,98,359

Estimated expenditure in excess of the cost at 2s. the rupee in raising	£12,118,386 at 1s. 8·5d.	Rs.	2,06,88,196
Actual ditto ditto ...	„ „ 1-8·48	„	2,08,21,641
Expenditure in excess of estimate		„	1,33,445

MINT AND CURRENCY.

The 2nd March 1877.

No. 1298.—*Statement of the Amount of Government Currency Notes in circulation, of the Amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	Circles of Issue.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.
28th February 1877 ...	Calcutta	5,40,01,435	99,11,155	49,05,637	2,84,80,903	4,32,97,695
Ditto	Madras	1,16,56,215	50,57,040	...	60,00,000	1,10,57,040
Ditto	Bombay	3,56,84,710	1,09,65,217	1,98,26,223	1,58,00,000	4,65,91,440
Ditto	Allahabad	58,18,420	44,09,895	...	31,00,000	75,09,895
Ditto	Lahore	63,99,895	21,28,505	...	33,00,000	54,28,505
Ditto	Calicut	17,02,030	2,55,645	...	7,00,000	9,55,645
Ditto	Coconada	14,91,010	13,24,920	...	5,00,000	18,24,920
Ditto	Nagpore	13,94,610	8,79,455	...	6,00,000	14,79,455
Ditto	Kurrachee	20,32,940	6,17,340	...	12,00,000	18,17,340
Ditto	Akola	5,26,315	4,45,545	...	3,00,000	7,45,545
	TOTAL ...	12,07,07,480	3,59,94,717	2,47,31,860	5,99,80,903	12,07,07,480

PENSIONS AND GRATUITIES.

The 28th February 1877.

No. 1232.—The Governor General in Council directs that the words "Dockyard Tindals" and "Dockyard Serangs" be inserted after the words "Tindals" and "Serangs" respectively in the list of Officers contained in Rule 1, under Section 42 of the Civil Pension Code.

SEPARATE REVENUE—POST OFFICE.

The 28th February 1877.

No. 1209.—The services of Mr. T. W. Gribble, B.C.S., Officiating Post Master General, Bengal, are replaced at the disposal of the Government of Bengal, from the date on which he is relieved of his duties in the Post Office Department.

Mr. J. Macfarlan, Bo. C.S., Post Master General of the 2nd Grade, now on furlough, is appointed to officiate as Post Master General, Bengal, and in the first grade of Post Masters General, until further orders.

No. 1216.—Mr. T. Rhenius is appointed to officiate as Post Master, Madras, during the absence, on privilege leave, of Mr. M. Percy, or until further orders.

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

MILITARY DEPARTMENT.

Fort William, the 1st March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 174.—MILITARY ACCOUNTS DEPARTMENT—Colonel J. W. Rideout, Military Accountant, 1st Class, 1st Grade, to officiate as Controller of Military Accounts, Madras, with effect from the date on which he may take up the duties of the office, *vice* Colonel T. Gillilan, proceeding on furlough.

No. 175.—ARMY COMMISSARIAT DEPARTMENT—

Temporary.

Lieutenant P. A. Buckland, Sub-Assistant Commissary General, 3rd Class, on probation, to officiate as Sub-Assistant Commissary General, 2nd Class, with effect from the 23rd January 1877.

No. 176.—STAFF CORPS—

The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval :—

Lieutenant-Colonel Henry Leslie Grove, Madras Staff Corps, 24th February 1877.

Lieutenant-Colonel James Hale Warden, Madras Staff Corps, 24th February 1877.

No. 177.—MEDICAL DEPARTMENT—

Supernumerary Surgeons-Major Joseph MacNaughtan Fleming, M.D., Charles Frederick Oldham, and Edward Amrose Fitzgerald, are brought on the Establishment of Surgeons-Major to fill existing vacancies.

No. 178.—SUBORDINATE MEDICAL DEPARTMENT—

Rank.	Name.	To what rank promoted.	From what date.	In succession to.
Apothecary	W. Price ...	Snr. Apthy.	Nov. 11, 76	Snr. Apthy. W. J. Hannagan, seconded.
Asst. Apthy.	A. Fitzgibbon	Apthy. ...	Jan. 15, 77	Apthy. J. Pitts, deceased.
Do. ...	A. B. Eates ...	Do. ...	„ 15, 77	Do. J. Baillie, deceased.
Passed Hospital Apptc.	P. Rourke ...	Asst. Apthy.	July 25, 76	Asst. Apthy. J. Reid, seconded.
Do. ...	F. McCarron...	Do, ...	Nov. 29, 76	Do. J. Connolly, dismissed.
Do. ...	S. Dullard ...	Do. ...	Dec. 21, 76	Do. M. Quigley, deceased.
Do, ...	J. Gibb ...	Do. ...	Jan. 15, 77	Do. A. Fitzgibbon, promoted.
Do. ...	H. Farrell ...	Do. ...	„ 15, 77	Do. A. B. Eates, promoted.
Do. ...	A. H. Nolan ...	Do. ...	„ 18, 77	Do. A. D'Silva, dismissed.

No. 179.—VOLUNTEER CORPS—

1st Punjab Volunteer Corps.

Colonel A. Cory, Retired List, Bengal Army, to be Commandant, *vice* Lieutenant-Colonel L. C. Probyn, resigned.

No. 180.—LONDON GAZETTE—

The following extracts are published for general information:—

"London Gazette," 26th January 1877, page 370.

INDIA OFFICE,
24th January 1877.

Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps and of Her Majesty's Indian Military Forces, made by the Governments in India:—

BREVET.

To be Majors.

Captain Charles Chase Morris, Madras Cavalry. Dated 20th October 1876.

Captain Henry Smith Daniell, Bombay Cavalry. Dated 4th November 1876.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Captains.

Lieutenant Edward Samuells Cooke. Dated 11th November 1876.

Lieutenant Mansell Armstrong. Dated 22nd November 1876.

MADRAS STAFF CORPS.

To be Major.

Captain Charles Campbell Hewetson. Dated 4th November 1876.

Her Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Lewis Maltby Boileau, 109th Regiment. Dated 28th October 1871.

Lieutenant George Edward Money, 16th Lancers. Dated 28th October 1871.

Lieutenant Duncan Chesney, 15th Regiment. Dated 28th October 1871.

Lieutenant Frederick Stapleton Gwatkin, 73rd Regiment. Dated 27th March 1872.

"London Gazette," 30th January 1877, pages 438 & 439.

WAR OFFICE, PALL MALL,
30th January 1877.

Brevet.

Lieutenant-Colonel Robert John Baker, Madras Staff Corps, to be Colonel. Dated 11th February 1876.

* * *

Deputy Assistant Commissary George Blake, Warrant Officer, Bengal Establishment, to have the honorary rank of Lieutenant, but to be junior of that rank for one year. Dated 31st January 1877.

The following promotions to take place consequent on the death, on the 15th December 1876, of Major-General Doveton Hodson, C.B., Madras Staff Corps:—

* * *

Major William Henry Newport, Bombay Staff Corps, to be Lieutenant-Colonel. Dated 16th December 1876.

The following promotions to take place on the British Establishment, consequent on the death, on 18th December 1876, of General Robert Hawkes, Bengal Cavalry:—

* * *

Major William Dickinson, C.S.I., half pay, Bombay Staff Corps, to be Lieutenant-Colonel. Dated 19th December 1876.

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The under-mentioned promotion to take place in Her Majesty's Indian Military Forces, consequent on the death of General William Prescott, Madras Infantry, on 2nd December 1876:—

Lieutenant General Thomas Polwhele, Bengal Infantry, to be General. Dated 3rd December 1876.

The under-mentioned promotions to take place in Her Majesty's Indian Military Forces, consequent on the death of General Robert Hawkes, Bengal Cavalry, on 18th December 1876:—

Lieutenant-General Sir John Fowler Bradford, K.C.B., Bengal Cavalry, to be General. Dated 19th December 1876

Major-General Henry William Matthews. Bengal Infantry, to be Lieutenant-General, Dated 19th December 1876.

The under-mentioned Officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Robert John Baker, Madras Staff Corps. Dated 17th January 1877.

Lieutenant-Colonel and Brevet Colonel James Edmund Mayne, Madras Staff Corps. Dated 31st January 1877.

Lieutenant-Colonel and Brevet Colonel Charles Crawford Mason, Madras Staff Corps. Dated 31st January 1877.

Lieutenant-Colonel and Brevet Colonel Walter Weldon, Madras Staff Corps. Dated 31st January 1877.

Lieutenant-Colonel and Brevet Colonel Henry John Thomas Neild, Madras Staff Corps. Dated 31st January 1877.

To be Colonel.

Lieutenant-Colonel Coulson Frederick Joseph Skottowe, Madras Staff Corps. Dated 31st January 1877.

No. 181.—NATIVE ARMY—

45th (Rattray's Sikhs) Regiment of Native Infantry.

Jemadar Sheikh Ibrahim, to be Subadar, *vice* Utter Sing, dismissed; Havildar Nowrung Singh, to be Jemadar, *vice* Sheikh Ibrahim, promoted. Dated the 5th February 1877

No. 182.—ERRATUM—

In G. G. O. No. 82 of 1877, 6th Bengal Cavalry, for "Lance Duffadar Maitab Sing," read, "Duffadar Maitab Sing."

TRANSFER OF OFFICERS.

No. 183.—The services of Major A. L. Playfair, Bengal Staff Corps, are placed temporarily at the disposal of the Foreign Department.

No. 184.—The services of Lieutenant-Colonel S. H. E. Chamier, Royal Artillery, are placed temporarily at the disposal of the Government of Fort St. George.

No. 185.—The services of Surgeon-Major S. C. Amesbury, in Medical charge, 6th Regiment of Native (Light) Infantry, are, with reference to the Notification by the Home Department, No. 142, dated the 22nd February 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 15th January 1877.

No. 186.—The services of Surgeon W. F. Murray, M.B., are placed temporarily at the disposal of the Government of Bengal.

No. 187.—The services of Captain C. W. Campbell, General List, Cavalry, are, with reference to Madras G. O. No. 163, dated the 19th February 1877, replaced, at his own request, at the disposal of His Excellency the Commander-in-Chief.

RETIREMENT.

No. 188.—The under-mentioned Officer in civil employ is permitted to retire from the service on a pension of £456-5-0 per annum, with an additional annuity of £373-18-0, with effect from the 31st March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) John Fendall, Bengal Staff Corps, Deputy Commissioner, 1st Class, Umballa, Punjab.

DISMISSAL.

No. 189.—Native Medical pupil Goolam Nubbee, No. 538, admitted by G. G. O. No. 1054 of 1873, is dismissed the service.

PENSIONS.

No. 190.—The under-mentioned men are transferred to the Pension Establishment:—

Serial No.	Rank.	NAME.	In what rank pensioned.	Amount of pension.	Circle of payment.
		38th (The Agra) Regiment of Native Infantry.		Rs.	
	Havildar	Bulwunt Sing ...	Havildar	7	N. W. P.
	Drummer	E. L. Lewis ...	Drummer	4	Presidency.
	„ ...	A. Paul ...	„ ...	4	„
		Punjab Frontier Force—No. 2 Mountain Battery.			
	Jemadar Syce.	Goolzar ...	Jemadar Syce.	3	N. W. P.
	Syce ...	Hakim ...	Syce ...	3	Punjab.
	Jorawalla grass-cutter	Khooshialli ...	Jorawalla grass-cutter	3	„
	„ ...	Wazeera ...	„ ...	3	
	„ ...	Sookha (1) ...	„ ...	3	
		No. 3 (Peshawar) Mountain Battery.			
	Tent Lascar	Neazee ...	Tent Lascar	3	Punjab.
	Jemadar Syce.	Jowahir ...	Jemadar Syce.	3	„
	Syce ...	Jeengur ...	Syce ...	3	„
	„	Ooree ...	„	3	N. W. P.
	„	Jameeta ...	„	3	Punjab.
		No. 3 (Peshawar) Mountain Battery—contd.			
	Syce ...	Nunda ...	Syce ...	3	Punjab.
	„	Mutha ...	„	3	„
	„	Mehtaba ...	„	3	„
	Jorawalla grass-cutter	Ramjawun ...	Jorawalla grass-cutter	3	„
	„	Gunga ...	„	3	„
		Meywar Bheel Corps.			
	Jemadar	Maneea ...	Jemadar	10	N. W. P.
	Havildar	Surupjeet Singh	Havildar	6	„
	„ ...	Rutna ...	„ ...	6	„
	Naick ...	Pursadee ...	Naick ...	5	„
	„ ...	Kumjee ...	„ ...	5	„
	Private ...	Hukjee ...	Private ...	3-8	„
	„ ...	Peetha ...	„ ...	3-8	„
	„ ...	Kumjee ...	„ ...	3-8	„
	Native Doctor.	Moolchund ...	Native Doctor.	10	Presidency.

FURLOUGH AND LEAVE.

No. 191.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) George William Fraser, Bengal Staff Corps, Commandant, 39th (The Allygurh) Regiment of Native Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868, embarking on or after the 27th March 1877.

Lieutenant-Colonel (Brevet Colonel) Thomas Gillilan, Madras Staff Corps, Controller of Military Accounts, Madras, private affairs, for

two years, under Rule IX of the Regulations of 1868, embarking on or after the 10th April 1877.

Lieutenant-Colonel Ralph Bristow Dundas, of Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major John Edward Tuson, M.D., in Medical charge, 16th Bengal Cavalry,—private affairs, for eleven months and twenty-two days, under Rule IX of the Regulations of 1868.

Captain Robert Jocelyn Waller, Bengal Staff Corps, Wing Officer, 45th (Rattray's Sikhs) Regiment of Native Infantry,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

Captain Francis Frederick Cotton, Royal Engineers, Executive Engineer, 3rd Grade, Military Works, Ferozepore Division, Public Works Department,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Captain Charles Crawford, Royal Engineers, Executive Engineer, 2nd Grade, Military Works, Meerut Division, Public Works Department,—medical certificate, for one year, under Rule IX, note I, of the Regulations of 1868.

Captain Henry Campbell Garden, late 57th Regiment of Native Infantry,—for two years—one year on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause II, of the Regulations of 1868.

Captain William Pringle Harrison, General List, Infantry, Assistant Commissioner, 3rd Grade, Sitapur, Officiating 2nd Grade, Oudh,—private affairs, for fourteen months and fifteen days, under Rule IX of the Regulations of 1868.

No. 192.—With reference to G. G. O. No. 1154 of 1874, Captain W. E. Gowan, General List, Infantry, has been granted by the Right Hon'ble the Secretary of State for India an extension of leave for nine months, without pay.

No. 193.—The following extract from List No. 3, dated the 2nd February 1877, received from the India Office, is published for general information:—

Permitted to return to duty.

Lieutenant-Colonel W. C. Chowne, Infantry.
Lieutenant-Colonel W. Playfair, Staff Corps.
Captain T. St.Q. Clutterbuck, General List, Infantry.
Colonel J. Dawson, Staff Corps.
Major C. W. Campbell, Staff Corps.

Granted extensions of leave.

Captain F. E. Wiggens, General List, Infantry, —six months, medical certificate.
Captain T. H. Lewin, Staff Corps,—six months, medical certificate.

No. 194.—Mr. G. W. Kellner, C.S.I., Accountant General, Military Department, has been permitted by the Right Hon'ble the Secretary of State to return to duty.

No. 195.—REPORTS OF DEPARTURE—

Lieutenant-Colonel (Brevet Colonel) C. Herbert, Bengal Staff Corps, G. G. O. No. 1288 of 1876,—*India*, 14th February 1877, from Bombay.

Lieutenant-Colonel E. H. C. Simpson, Bengal Staff Corps, G. G. O. No. 1178 of 1876,—*Gwalior*, 15th January 1877, from Bombay.

Lieutenant-Colonel H. A. Prinsep, Bengal Staff Corps, G. G. O. No. 95 of 1877,—*Malwa*, 22nd January 1877, from Bombay.

Major G. C. Udny, Bengal Staff Corps, G. G. O. No. 95 of 1877,—*Pleiades*, 18th February 1877, from Calcutta.

Surgeon-Major T. T. Sherlock, G. G. O. No. 75 of 1877,—*Navarino*, 13th February 1877, from Calcutta.

Surgeon-Major R. Mantell, M.B., G. G. O. No. 1103 of 1876,—*Siam*, 1st January 1877, from Bombay.

Surgeon-Major J. C. Corbyn, M.B., G. G. O. No. 9 of 1877,—*Avoca*, 8th January 1877, from Bombay.

Surgeon W. Jackson, G. G. O. No. 1235 of 1876,—*Siam*, 1st January 1877, from Bombay.

No. 196.—REPORTS OF ARRIVAL—

The under-mentioned Officers of the Royal Engineers, who have been placed under orders for duty in the Bengal Presidency, reported their arrival on the dates specified:—

Lieutenant F. N. Maude,—date of arrival at Bombay, 12th February 1877.

Lieutenants C. Maxwell, J. G. Day, G. M. Porter, and G. K. Scott-Moncrieff,—date of arrival at Bombay, 31st January 1877.

No. 197.—REGULATIONS—

Under instructions from the Right Hon'ble the Secretary of State for India, the following clauses are substituted for clauses 2 and 3 of Rule IX of the Furlough Regulations of 1868, republished in G. G. O. No. 171 of 1874:—

"2. Leave granted under these Rules, without furlough pay, will not reckon as furlough already taken in calculating the balance at an officer's credit, or as part of the total of eight years allowed as shown in Rule XVI, but all furlough with furlough pay, whether on private affairs or on medical certificate, taken under these rules, will so reckon.

"3. Furlough and leave previously taken under the Rules of 1796 or 1854, will count, as respects officers who have elected these Rules, as follows:—

"Furlough on private affairs, with pay, taken under the Rules of 1796 or 1854, counts in all respects as furlough.

"Leave on sick certificate, under the Rules of 1796, does not count in any respect as furlough.

"Leave on sick certificate, with pay, under the Rules of 1854, counts as part of the maximum of eight years allowed under these Rules, but until the maximum thus made up be reached, this leave will not count as furlough already taken in determining the amount of furlough to which an officer is entitled.

"Leave without pay under the Rules either of 1796 or 1854, does not count in any respects as furlough."

No. 198.—In continuation of G. G. O. No. 1244 of 1869, and under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified that in the case of a Colonel of the Indian Army who may be desirous of proceeding on furlough on the expiration of his term of Brigade Command, he may, if he has furlough to his credit, avail himself of it without reference to the restriction ordinarily imposed of serving three years from the date of his last return to duty.

EQUIPMENT.

No. 199.—BRITISH CAVALRY—

With reference to G. G. O. No. 1278, dated 21st December 1876, paragraph 2, the following rules for the supply and repair of line gear, &c., to regiments of British cavalry serving in the three Presidencies, are published for information and guidance.

2. All surplus stores, materials for repairs &c., of a suitable description and in serviceable condition, the property of officers commanding troops, will be taken over by Government at a valuation to be decided on by a special committee.

3. Special committees will be convened on an early date at stations where British cavalry regiments are located, in the Bengal Presidency under the orders of His Excellency the Commander-in-Chief, and in Madras and Bombay by direction of the Governments of those Presidencies.

4. The stores, materials, &c., will be carefully examined, weighed, counted or measured in the presence of the committee. And to enable the committee to arrive at a just valuation, a certificate will be signed by the officer commanding each regiment showing the actual cost that was incurred by commanding officers of troops in obtaining the various articles and materials locally.

5. The committee will also note and report on the condition of all articles already the property of Government, and record their opinion whether they will last the full period of service or not. In the latter case, the committee will state the reasons, which, as far as can be ascertained, will lead to their earlier condemnation.

6. Bills supported by the proceedings of such committees will be forwarded to the Examiner of Ordnance Accounts for adjustment.

7. Articles of line gear and materials for their repair will be supplied in the following proportions on indents to be submitted in the usual form on the 1st February of each year to the departments concerned. Indents for the year 1877-78 to be submitted as soon as possible.

NAMES OF ARTICLES.	PROPORTION.		NUMBER REQUIRED PER REGIMENT.			Period of duration.	Source of supply.	REMARKS.
	No.	Per	Total.	Spare.	Grand Total.			
Bags, Canvas Europe, coarse, painted, for. (Head stalls, head ropes, eye fringes, and watering bridles. Heel ropes and loops. Gram - Leather (or gunny) nose-bags. Pegs and mallets.)	...	...	...	...	...	...	...	Will be fixed hereafter.
Bags, Nose. Canvas -	1	Horse -	436	...	436	To be repaired or replaced as required.	Commissariat Department.	
Bags, Nose. Leather -	1	Ditto -	436	...	436	3 years -	Arsenals -	In the Madras and Bombay Presidencies, Bags, Nose, "Gunny," will be supplied in lieu by the Commissariat Department. They will be repaired or replaced as required as in the case of "Canvas Nose-bags."
Baskets, Country -	1	2 Horses	218	...	218	To be obtained and renewed locally as required.	To be procured locally by officers commanding regiments.	

NAMES OF ARTICLES.	PROPORTION.		NUMBER REQUIRED PER REGIMENT.			Period of duration.	Source of supply.	REMARKS.
	No.	Per	Total.	Spare.	Grand Total.			
Blankets -	1*	Horse -	436	...	436	2 years or longer till worn out.	Commissariat Department.	* Or 2 per Horse according to climate, if deemed necessary by the Officer Commanding the Brigade, District, or Division of the Army. These will be in addition to the blankets now authorized for horses without stables, and for Waler Remounts that have not been a year in the country.
Bridles, watering -	1	Ditto -	436	22	458	Rein 1 year; Bit till worn out.	Arsenals -	
Brooms -	1	2 Horses	218	...	218	To be obtained and renewed locally as required.	To be procured locally by officers commanding regiments.	
Brushes, country-made	1	Horse -	436	22	458	6 months, or longer till worn out.	Commissariat Department.	
Buckets, wooden, water, small.	12	Troop -	72	...	72	To be obtained, repaired, and renewed as required.	Ditto.	These articles are not to be taken on line of march but will be left behind for the relieving regiment.
Combs, Curry, country-made.	1	Horse -	436	22	458	5 years, "tentative."	Ditto.	
Cordage for tying up hay.	13 feet to every 4 horses per quarter.					3 months -	To be procured locally by officers commanding regiments.	In the Bombay Presidency only.
Dusters -	2	Horse -	972	...	972	6 months -	Commissariat Department.	
Eye fringes, leather -	1	Ditto -	436	...	436	2 years -	Ditto.	
Head Stalls -	1	Ditto -	436	22	458	3 years -	Arsenals.	
Loops, heel, rope, of leather.	1	Ditto -	436	44	480	1 year -	Ditto.	
Machines, clipping -	6	Regiment	6	...	6	3 years or longer till worn out.	Ditto.	
,, rope-making	1	Ditto -	1	...	1	Till worn out	To be procured locally by officers commanding regiments.	
Mallets for driving pegs.	12	Troop -	72	...	72	To be repaired and renewed locally as required.	Ditto.	
Pegs, wooden (Babool)	3	Horse -	1308	...	1308	Ditto -	Ditto.	

NAMES OF ARTICLES.	PROPORTION.		NUMBER REQUIRED PER REGIMENT.			Period of duration.	Source of supply.	REMARKS.
	No.	Per	Total.	Spare.	Grand Total.			
Pickers, hoof -	12	Troop -	72	...	72	Till worn out	Arsenals.	
Posts, picketing, wooden, 2′ 6″, iron shod of Home pattern.	12	Ditto -	72	4	76	To be repaired and renewed locally as required.	To be procured locally by officers commanding regiments.	
Ropes, head, with loop and hook (length 7 feet exclusive of loop.)	1	Horse -	436	44	480	4 months or longer, hooks till worn out.	Commissariat Department.	
Ropes, heel, (length 15 feet exclusive of loop.)	1	Ditto -	436	44	480	4 months or longer.	Ditto.	
Ropes, picketing, of 2″ English-tarred rope, each 25 yards long.	8	Troop -	48	2	50	3 years -	Ditto.	
Rollers with pad (the latter made of leather.)	1	Horse -	436	22	458	2 years -	Ditto -	1st size length of web 5′ 9″. 2nd size length of web 5′ 6½″ } To be supplied in the proportion of 2 of 1st to 1 of 2nd size.
Straps for bags, canvas, Europe, coarse, painted, for.								
Headstalls, &c.	...	...	...	...	...	...	...	Will be fixed hereafter.
Heelropes, &c.								
Gram -								
Nose Bags -								
Pegs and Mallets.								
MATERIALS FOR REPAIR, &C., OF LINE GEAR.								
Cloth, canvas, Europe, coarse yd.	...	...	...	...	...	...	...	Ditto.
Dubbing lbs.	Annual.		150	...	150	...	Commissariat Department.	
Gunny - -	As required for repairs.						Ditto -	In the Madras Presidency for repairs of nose bags.
Hides -	As required for repairs.					...	...	Ditto.
Rope -								
Thread -								

NOTE.—A set of light line gear per horse, consisting of 1 head rope, 1 heel rope, and loop, and 2 pegs and 1 nose bag, will be supplied and kept up, and carried on the horses, so that they can be picketed at once without waiting for the standing line gear.

7. One set of farrier's tools per squadron, or three sets per regiment, in addition to the tools allowed by G. G. O., No. 157 of 1875, and a second forge cart for each regiment, will (on completion of manufacture at the Gun Carriage Factory) be issued by the Ordnance Department. They will be included in the half-yearly returns rendered to the Examiner of Ordnance Accounts.

8. Such articles of the line gear and materials for repairs, &c., as are authorised by this order to be obtained in the local market will be purchased by officers commanding regiments, and contingent bills for the cost incurred, countersigned by the officer commanding the station, and supported by the station price-current of materials and labor, under the signature of the officer in charge of the principal Sudder Bazar, will be forwarded, monthly, to the Executive Commissariat Officer on the spot, or at the nearest station, for payment.

9. The repairs necessary to line gear are to be effected by officers commanding regiments, and for the purpose of carrying out these repairs, the employment of two syces per troop at Rs. 2 each per mensem has been sanctioned by paragraph 10 of G. G. O. No. 1278 of 1876. Any other expense for material or labor necessarily incurred to be recovered by contingent bill in the manner prescribed in paragraph 8 of this order.

10. Well ropes and water bags will be procured locally by officers commanding regiments, and their cost recovered by monthly contingent bill under paragraph 8, repairs being effected under the rules which apply to articles of line gear.

11. All articles of line gear which have served the prescribed periods of duration and have been pronounced unfit for further service by competent Boards of Survey, will be sold on the spot to the highest bidder, and the proceeds realised credited to Government; such component parts of iron as may not be unserviceable being returned into ordnance store for further use in manufacture.

Rammers 6 per Troop.
Hand-beaters 12 per Troop.
To be procured locally by officers commanding regiments, cost being recovered by contingent bill, and to last till worn out.

12. Repairs needed to the flooring of stables will be effected by regimental establishments, and for this purpose rammers and hand-beaters will be supplied in the proportion marginally noted; when the repairs to be executed are of an extensive nature, the aid of the Public Works Department is to be applied for.

13. This order is applicable to the three Presidencies.

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

ERRATUM.—In Marine Department Notification No. 1, dated 23rd February 1877, published in the Gazette of the 24th idem, for *15th* February 1877, read *5th* February 1877.—*Publisher, Gazette of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 27th February 1877.

No. 83.—Mr. P. Gilhooly, Sub-Engineer, 3rd Grade, on the Establishment under the Director of State Railways, is temporarily promoted to Sub-Engineer, 2nd Grade, with effect from 24th September 1875.

This cancels Public Works Department Notification No. 468, dated 16th November 1875.

No. 84.—In correction of Public Works Department Notification No. 253, dated the 5th May 1876, the promotions, *vice* Mr. C. Kinnear, and those subsequent to them, are as follows:—

NAMES.	Present Grade.	Grade to which promoted.	With effect from	Nature of promotion.	
Sergt. T. Collier, R.A. ...	Overseer, 1st ...	Supervisor, 2nd ...	Nov. 23, 1874	Temporary ...	*Vice* C. Kinnear, promoted.
Mr. W. Becker ...	Supervisor, 2nd ...	Ditto 1st ...	Dec. 15, 1874	Ditto ...	*Vice* A. R. Marr, on leave.
„ E. Corcoran ...	Overseer, 1st ...	Ditto 2nd ...	Ditto ...	Ditto ...	Ditto.
Sergt. G. Preece, R.E. ...	T. Supervisor, 2nd	Ditto ...	Dec. 21, 1874	Permanent ...	*Vice* A. C. Galbreath, dismissed.
„ H. Mathews ...	Supervisor, 2nd ...	Ditto 1st ...	Jan. 4, 1875	Temporary ...	*Vice* Sergeant McCawley, on furlough.
„ P. Collins ...	Overseer, 1st ...	Ditto 2nd ...	Ditto ...	Ditto ...	Ditto.
„ T. Collier, R.A. ...	T. Supervisor, 2nd	Ditto ...	Jan. 6, 1875	Permanent ...	*Vice* E. Lawrence, resigned.
Mr. E. Corcoran ...	Ditto 2nd	Ditto ...	Jan. 21, 1875	Ditto ...	*Vice* H. Fewings, resigned.
Sergt. P. Collins ...	Ditto 2nd	Ditto ...	Ditto ...	Ditto ...	*Vice* Sergt. Troup, remanded.
Mr. C. O'Connor ...	Ditto 1st	Ditto 1st ...	Jan. 24, 1875	Ditto ...	*Vice* S. Tripp, deceased.
„ H. Bristow ...	Supervisor, 2nd ...	Ditto ...	Ditto ...	Temporary ...	Ditto.
„ W. Handy ...	Ditto ...	Ditto ...	Feb. 1, 1875	Ditto ...	*Vice* T. Murphy, on furlough.
„ T. Brady ...	T. Supervisor, 1st	Ditto ...	Feb. 12, 1875	Permanent ...	*Vice* H. Woodroffe, deceased.
Sergt. W. M. Cargill ...	Supervisor, 2nd ...	Ditto ...	Ditto ...	Temporary ...	Ditto.
Mr. M. McInerny ...	Sub-Engr., 3rd ...	Sub-Engr., 2nd ...	Feb. 21, 1875	Ditto ...	*Vice* S. Flaxington, on furlough.
„ M. McInerny ...	T. Sub-Engr., 2nd	Ditto ...	April 1, 1875	Permanent ...	*Vice* W. D. Wilson, resigned.
„ W. Becker ...	T. Supervisor, 1st...	Supervisor, 1st ...	Ditto ...	Ditto ...	Ditto.
„ T. J. Browning ...	Sub-Engr., 3rd ...	Sub-Engr., 2nd ...	Ditto ...	Temporary ...	*Vice* M. McInerny, promoted.
Sergt. H. Mathews ...	T. Supervisor, 1st...	Supervisor, 1st ...	April 5, 1875	Permanent ...	*Vice* I. Beynon, resigned.
Mr. G. Sharpe	Sub-Engr., 3rd ...	Sub-Engr., 2nd ...	April 15, 1875	Temporary ...	*Vice* F. Blake, on furlough.
„ H. Bristow ...	T. Supervisor, 1st...	Supervisor, 1st ...	June 26, 1875	Permanent ...	*Vice* A. Craighead dismissed.

No. 85.—Captain W. H. Browne, S.C., late Assistant Engineer, 2nd Grade, on the Establishment under the Director of State Railways, was granted leave in India on medical certificate from the 30th August to 30th November 1875, under Chapter I of the Military Furlough Rules of 1868.

No. 86.—The following Upper Subordinates on the Establishment under the Director of State Railways, are transferred to the Subordinate (Revenue) Establishment in the grades specified:—

Mr. H. Gower, Supervisor, 2nd Grade, as Inspector, 2nd Grade.
Mr. A. Joseph, Overseer, 1st Grade, as Inspector, 3rd Grade.

The 28th February 1877.

No. 87.—Mr. P. Magrath, Sub-Engineer, 1st Grade, Central India, is temporarily transferred to Madras for employment on Famine Relief Works.

No. 88.—With reference to Public Works Department Notification No. 56, dated 9th February 1877, Lieutenant-Colonel L. Russell, R.E., Temporary Chief Engineer, 2nd Class, Military Works Branch, reverted to his substantive rank of Superintending Engineer, 1st Grade, on the afternoon of the 19th February 1877.

No. 89.—Deputy Assistant Commissary A. Connell, Sub-Engineer, 2nd Grade, Military Works Branch, is temporarily transferred to Madras for employment on Famine Relief Works.

No. 90.—In continuation of Public Works Department Notification No. 221 of 10th May 1876, Lance Corporal G. McDonald, R.E., is appointed to the Public Works Department, as Overseer, 1st Grade, with effect from 30th March 1876.

The 1st March 1877.

No. 91.—The under-mentioned temporary 2nd Grade Superintending Engineers of the Railway Branch will revert to the 3rd Grade of Superintending Engineers, with effect from the dates specified:—

Major J. G. Lindsay, R.E., from 16th January 1877, consequent on the return from furlough of Mr. W. Nethersole.
Mr. H. Prince, from 6th February 1877, consequent on the return from furlough of Major R. C. B. Pemberton, R.E.

No. 92.—The transfer of Mr. T. L. Tanner, Assistant Engineer, 1st Grade, to Bombay, for employment on Famine Relief Works (Public Works Department Notification No. 23, dated 25th January 1877), is cancelled.

The 2nd March 1877.

No. 93.—Lieutenant D. A. Scott, R.E., Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, is transferred to Lucknow, as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, during the absence of Captain H. W. Rathborne, R.E., or until further orders.

No. 94.—The under-mentioned Upper Subordinates are transferred temporarily, from the North-Western Provinces, Irrigation Branch, to Madras, for employment on Famine Relief Works:—

Sergeant R. Fryer, Supervisor, 2nd Grade.
Sergeant J. Bell, Overseer, 1st Grade.

W. A. CROMMELIN, *Major-Genl., R.E.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 10.} CALCUTTA, SATURDAY, MARCH 10, 1877. {Register No. 33.

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

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SUPPLEMENT No. 10.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 5th March 1877.

No. 183.—Mr. J. A. Crawford is permitted to resign Her Majesty's Bengal Civil Service.

The 8th March 1877.

No. 192.—Mr. J. F. D. Inglis, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 15th ultimo.

The 9th March 1877.

No. 198.—Mr. J. C. Colvin is permitted to resign Her Majesty's Bengal Civil Service.

MEDICAL.

The 8th March 1877.

No. 163.—The services of Surgeon D. J. Macdonald are temporarily placed at the disposal of the Government of Madras. The transfer of Surgeon A. Barclay's services, announced in Home Department Notification No. 122, dated the 21st ultimo, is cancelled.

SANITARY.

The 8th March 1877.

No. 34.—Surgeon-Major S. C. Townsend, M.D., received charge of the Office of Sanitary Commissioner with the Government of India, from Surgeon-Major J. M. Cuningham, M.D., on the afternoon of the 23rd ultimo.

EDUCATION.

The 9th March 1877.

No. 33.—His Excellency the Governor General in Council is pleased to appoint the under-mentioned gentlemen to be Fellows of the University of Calcutta:—

The Hon'ble E. G. Birch, C.S.
S. C. Bayley, Esq., C.S., C.S.I.
J. Geoghegan, Esq., C.S.
A. Mackenzie, Esq., C S., B.A.
W. M. Souttar, Esq., C.S., M.A.
Surgeon T. Lewis, M.B.
Surgeon D. D. Cunningham, M.B.
Syud Ameer Ali, Barrister-at-Law.
Nawab Ashgar Ali, Khan Bahadoor, Diler Jung, C.S.I.
E. Lethbridge, Esq., M.A.
W. Robson, Esq., M.D.
A. W. Garrett, Esq., B.A.
J. Elliott, Esq., M.A.
Pundit Mohesh Chunder Nyayaratna.
Revd. Lall Behary Dey.
C. F. Egerton Allen, Esq., Barrister-at-Law.
Revd. Father E. Lafont, S.J.
Revd. J. E. Payne.
Babu Anund Mohun Bose, Barrister-at-Law.
Babu Kali Churn Banerji, M.A., B.L.

ECCLESIASTICAL.

The 6th March 1877.

No. 66.—The services of the Reverend John Jefferis Bartlett Colley, M.A., are placed at the disposal of the Government of Bengal.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Fort William, the 6th March 1877.

No. 359.—Mr. C. J. Ponsonby, Deputy Conservator of Forests of the 3rd Grade in Oudh, is granted two years' furlough under Section 12 of the Civil Leave Code, with effect from the 14th instant, or from any subsequent date on which he may avail himself of the same.

Mr. Ponsonby is also granted subsidiary leave for thirty days.

SURVEYS.

The 6th March 1877.

No. 142.—Mr. James Campbell, Assistant Superintendent of the 1st Grade in the Revenue Survey, is granted eight months' furlough on private affairs in India, under Section 12, Chapter IV of the Civil Leave Code, from the date on which he may avail himself of it.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 6th March 1877.

No. 566*G.*—APPOINTMENT.—Colonel C. R. Blair, Commandant, Mhairwarra Battalion, to officiate as Commandant of the Erinpoorah Irregular Force, with effect from the date of assuming charge, *vice* Colonel Carnell, on furlough.

Major C. G. Gunning, 2nd-in-Command, Meywar Bheel Corps, to officiate as Commandant of the Mhairwarra Battalion, with effect from the date of assuming charge, *vice* Colonel Blair.

The 7th March 1877.

No. 576*G.*—The following promotions and appointment are made in the Mysore Commission with effect from the date of the retirement of V. Krishnaswami Moodelliar, Assistant Commissioner, 4th Class.

N. Tirumalachari, Assistant Commissioner, 5th Class, to be Assistant Commissioner, 4th Class.

P. N. Purnaiya, B.A., Assistant Commissioner, 6th Class, to be Assistant Commissioner, 5th Class.

Ganes Singh, Officiating Assistant Commissioner, 6th Class, is confirmed in that appointment.

The 8th March 1877.

No. 582*G.*—Captain S. A. Swinley, Station Staff Officer, Nowgong, Bundelkund, held charge of the current duties of the office of the Cantonment Magistrate, Nowgong, in addition to his own duties, from the afternoon of the 13th December 1876 to the forenoon of the 15th January 1877, inclusive.

No. 583*G.*—Surgeon G. E. Burroughs, Bombay Medical Department, held charge of the current duties of the office of the Residency Surgeon, Indore, in addition to his own duties, from the 15th December 1876 to the 8th January 1877, inclusive.

No. 584*G.*—Consequent on the return from furlough of Lieutenant-Colonel H. C. Menzies, Assistant Commissioner, 1st Class, and Inspector General of Registration in the Hyderabad Assigned Districts, and Judge of the Small Cause Court at Amraoti, the following changes are made in the Berar Commission, with effect from the 25th January 1877 :—

Mr. H. B. Knowlys, Officiating Assistant Commissioner, 1st Class, to revert to his substantive appointment of Assistant Commissioner, 2nd Class.

Captain H. deP. Rennick, Officiating Assistant Commissioner, 2nd Class, to revert to his substantive appointment of Assistant Commissioner, 3rd Class.

No. 586*G.*—APPOINTMENT.—Mr. C. Prayero to be Extra Assistant Commissioner in the Hyderabad Assigned Districts, with effect from 14th January 1877.

The 9th March 1877.

No. 593*G.*—With reference to the Notification in this Department, No. 1769G, dated 14th August 1876, Mr. A. C. Lyall, C.S., Officiating Agent to the Governor General, Rajpootana, has been granted 10 days' additional leave by Her Majesty's Secretary of State for India.

Mr. A. C. Lyall, C.S., resumed charge of his office of Officiating Agent to the Governor General, Rajpootana, from Major C. K. M. Walter on the forenoon of the 5th March 1877.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 7th March 1877.

No. 1372.—Mr. E. F. T. Atkinson, B.C.S., received charge of the offices of Accountant General, North-Western Provinces, and Deputy Commissioner of Paper Currency, Allahabad Circle, before noon, on the 1st March 1877.

No. 1427.—Furlough, without medical certificate, for one year ten months and seven days, under Section 12 of the Civil Leave Code, is granted to Mr. E. F. Harrison, B.C.S., Comptroller General and Head Commissioner of Paper Currency.

Mr. W. Waterfield, B.C.S., is appointed to officiate as Comptroller General and Head Commissioner of Paper Currency during the absence of Mr. Harrison on furlough, or until further orders.

No. 1432.—Furlough, without medical certificate, for nineteen months, under Section 12 of the Civil Leave Code, with subsidiary leave for sixteen days, under Section 24 *(a)* of the Civil Leave Code, is granted to Mr. R. Taylor, B.C.S., Inspector of Local Offices of Account.

Mr. Taylor availed himself of his subsidiary leave from the 28th February 1877, after noon.

The 8th March 1877.

No. 1473.—Mr. L. C. Probyn, B.C.S., received charge of the offices of Accountant General, and Commissioner of the Department of Issue of Government Paper Currency, Madras, from Mr. W. Donald, after noon, on the 26th February 1877.

LEAVE, LEAVE ALLOWANCES, &c.

The 7th March 1877.

No. 1351.—The Governor General in Council directs that Section 4 (*a* 3) of the Civil Leave Code be cancelled, and that the following be inserted as a foot-note under the word "duty" in Section 4 (*a*) :—

In a despatch No. 16, dated 18th January 1877, the Secretary of State declined to lay down a general rule that the period of absence of an officer deputed or detained on duty out of India shall count as service for leave as well as for pension, and wrote—"The occasions when Indian Officers are employed out of India on duty are comparatively so rare, and the circumstances of their employment vary so much, that it will be preferable to consider each case that may arise in future on its merits, and this course I shall be prepared to adopt."

PAY AND ALLOWANCES.—ACTING ALLOWANCES.

The 7th March 1877.

No. 1333.—The Governor General in Council directs that the following be added as a new entry between the entries relating to an Assistant Superintendent of Police serving in the hill tracts of Ganjam, &c., and an Assistant Superintendent of Police serving elsewhere, &c., in the list contained in Section 37 of the Acting Allowance Code :—

An Assistant Superintendent of Police serving in the Lower Provinces of the Bengal Presidency holding no substantive appointment under Government, Rs. 250.

PAY AND ALLOWANCES.—TRAVELLING.

The 8th March 1877.

No. 1457.—The Governor General in Council is pleased to decide that when any public officer is compelled to leave a station where there is no medical officer, in order to procure medical advice, he may draw travelling allowance at the ordinary rates to and from the station where the nearest civil medical officer is located.

Bills for travelling allowance drawn under these orders must be countersigned by the medical officer consulted, who must certify that the journey was, in his opinion, absolutely necessary. Supervising officer must take care that no undue advantage is taken of this privilege. Halting allowance may not be drawn while the officer is at the medical officer's station, and if the absence of the sick officer from his station be prolonged, he should be required to take leave on medical certificate.

SEPARATE REVENUE.—POST OFFICE.

The 9th March 1877.

No. 1471.—Mr. E. R. Douglas, Officiating Deputy Director General of the Post Office of India, is appointed to officiate temporarily as Post Master General, Bengal.

SEPARATE REVENUE—OPIUM.

The 9th March 1877.

No. 1468.—*Opium Revenue to date compared with the Estimate for the year 1876-77.*

	Latest Month.				Twelve Sales of Bengal Opium and Eleven Months' Duty on Malwa Opium.			
	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.
	£	£	£	£	£	£	£	£
Bengal	458,800	490,920	32,120	...	5,418,428	6,001,651	583,223	...
Bombay	210,726	194,040	...	16,686	2,361,258	2,657,581	296,323	...
TOTAL ...	669,526	684,960	15,434	...	7,779,686	8,659,232	879,546	...

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

MILITARY DEPARTMENT.

Fort William, the 9th March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 200.—ADJUTANT GENERAL'S DEPARTMENT—

Lieutenant-Colonel A. H. Murray, Royal Artillery, to officiate as Deputy Adjutant-General of Royal Artillery in India, with effect from the date on which he may take up the duties of the office, *vice* Colonel C. G. Arbuthnot, C.B., proceeding on furlough.

No. 201.—BRIGADE STAFF—

Colonel J. E. Michell, C.B., Royal Artillery, to the Brigade Staff of the Army with the rank of Brigadier General, with effect from the date on which he may take up the duties of the office, in succession to Brigadier General W. Payn, C.B., promoted to the rank of Major-General.

No. 202.—MEDICAL DEPARTMENT—

Surgeon-Major J. A. C. Hutchinson, M.D., in medical charge, 18th (The Alipore) Regiment of Native Infantry, to be a Deputy Surgeon-General with temporary rank, *vice* Deputy Surgeon-General J. N. Tresidder, proceeding on furlough.

No. 203.—HYDERABAD CONTINGENT—

4th Cavalry.

Captain C. J. O. FitzGerald, Squadron Commander, 3rd Cavalry, to officiate as Commandant, with effect from the date on which

he may take up the duties of the office, *vice* Major A. A. Johnson, proceeding on furlough.

2nd Infantry.

Surgeon A. Adams, Officiating in medical charge, is confirmed in the appointment, *vice* Surgeon C. Little.

No. 204.—STAFF CORPS—

The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Alfred Ollivant,—4th March 1877.
Captain Lindsay Charles deLorentz Daniell,—6th March 1877.
Captain Henry Isham Wheler,—6th March 1877.

No. 205.—The under-mentioned Officer of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Samuel Joseph Thorp, Bombay Staff Corps,—3rd March 1877.

No. 206.—BREVET—

The following promotion by Brevet is made from the date specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval:—

To be Major.

Captain Wellesley Campbell, late 71st Native Infantry,—4th March 1877.

No. 207.—PUBLIC WORKS DEPARTMENT—

To be Sub-Conductors.

Sergeant George Wilkinson, Supervisor, 1st Grade, Oudh, from 9th December 1873, *vice* Sub-Conductor S. S. Saunders, promoted.
Sergeant William James, Sub-Engineer, 1st Grade, Punjab Irrigation, from 24th March 1874, *vice* Sub-Conductor C. Montgomery, promoted.
Sergeant Robert Chalmers, Supervisor, 1st Grade, Military Works Branch, from 3rd August 1874, *vice* Sub-Conductor G. S. Beckett, promoted.
Sergeant Patrick Burke, Sub-Engineer, 3rd Grade, Punjab, from 16th September 1874, *vice* Sub-Conductor F. Robinson, deceased.
Sergeant James Keenan, Supervisor, 2nd Grade, Mysore, from 2nd October 1874, *vice* Sub-Conductor G. Stock, resigned.
Sergeant William Ramsden, Supervisor, 1st Grade, Central Provinces, from 8th January 1875, *vice* Sub-Conductor P. C. Caernarton, resigned.
Sergeant James McCauley, Sub-Engineer, 3rd Grade, on the Establishment under the Director of State Railways, from 13th July 1875, *vice* Sub-Conductor A. Buchanan, promoted.
Sergeant William Robinson, Supervisor, 2nd Grade, on the Establishment under the Director of State Railways (since deceased), from 15th July 1875, *vice* Sub-Conductor R. Bruce, promoted (since deceased).
Sergeant Adolphus Freeman, Supervisor, 2nd Grade, Bengal, from 16th July 1875, *vice* Sub-Conductor J. Brown, remanded.
Sergeant John Coupland Johnson, Overseer, 1st Grade, Mysore, from 27th December 1875, *vice* Sub-Conductor S. Peart, resigned.
Sergeant William E. Walker, Accountant, 2nd Grade, on the Establishment under the Director of State Railways, from 1st January 1876, vice Sub-Conductor R. Bruce, deceased.
Sergeant George Wallace, Clerk, Public Works Department, India Secretariat, from 1st January 1876, vice Sub-Conductor Walker, seconded.
Sergeant Robert Miller, Supervisor, 1st Grade, British Burmah, from 1st January 1876, *vice* Sub-Conductor Wallace, seconded.
Sergeant Alfred Algar, Supervisor, 2nd Grade, Military Works Branch, from 12th October 1876, *vice* Sub-Conductor W. Robinson, deceased.

No. 208.—The dates of promotion of the under-mentioned Warrant Officers are altered, *vice* Sub-Conductor Michael Shanahan, employed in the Account Branch of the Public Works Department, seconded:—

Sub-Conductor Thomas Hall, to 24th July 1873.
Sub-Conductor Philip Justin Ryan, to 12th August 1873.
Sub-Conductor John Henry O'Farrell, to 28th August 1873.
Sub-Conductor John Howlett Quilter, to 20th September 1873.

No. 209.—NATIVE ARMY—

45th (Rattray's Sikhs) Regiment of Native Infantry.

Subadar Tarra Singh is appointed Subadar-Major, *vice* Utter Sing, dismissed. Dated the 9th March 1877.

TRANSFER OF OFFICERS.

No. 210.—The services of Surgeon-Major R. T. Lyons, in medical charge, 28th (Punjab) Regiment of Native Infantry, late Officiating Civil Surgeon, Midnapore, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 211.—The services of Lieutenant W. J. MacKenzie, Royal Engineers, are placed at the disposal of the Public Works Department.

No. 212.—The services of the under-mentioned Medical Officers are placed temporarily at the disposal of the Home Department, with effect from the 21st February 1877:—

Surgeon W. E. Griffiths.
Surgeon G. Bomford, in medical charge, Right Wing, 39th (The Allygurh) Regiment of Native Infantry.
Surgeon Shibram Borah, M.B.
Surgeon P. deH. Haig.

No. 213.—The services of Lieutenant F. M. Rundall, Bengal Staff Corps, are placed temporarily at the disposal of the Foreign Department.

PENSIONS.

No. 214.—The under-mentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, from the dates they cease to receive regimental pay:—

John Webster, late 65th Foot,—one shilling per diem.
John Burke, late 1st Battalion 2nd Foot,—one shilling per diem.
William Henry Lightfoot, late 66th Foot,—one shilling per diem.
Denis McTague, late 39th Foot,—one shilling and one penny per diem.
Barrack Sergeant Joseph Walmsley, late 45th Foot,—two shillings per diem.
William Perry, late 1st Battalion 21st Foot,—eleven pence per diem.
William Ball, late 20th Brigade, Royal Artillery,—one shilling per diem.
Sergeant John Faux, late 48th Foot,—one shilling and eight pence half-penny per diem.
Shaik Tippoo, late Ceylon Gun Lascars, six rupees per mensem.
Robert Gale, late 20th Brigade Royal Artillery,—one shilling per diem.
William Francis Parks, late 2nd Battalion 19th Foot,—one shilling per diem.
George Thompson, late 5th Brigade Royal Artillery,—ten pence per diem.
William Mulley, late 1st Battalion 2nd Foot,—one shilling per diem.
2nd Corporal Henry Cousens, late Royal Engineers,—six pence per diem.

No. 215.—Hukum Kour, widow of Havildar Esar Sing, 4th Punjab Infantry, is admitted to the sepoy's rate of 3rd Class Order of Merit pension, *viz.*, Re. 1-13-4 per mensem, for three years, from the 14th September 1875, payable in the Punjab Circle.

FURLOUGH AND LEAVE.

No. 216.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Colonel Charles George Arbuthnot, C.B., Royal Artillery, Deputy Adjutant General, Royal Artillery in India,—medical certificate, for nine months, under paragraph 4 of G. G. O. No. 171 of 25th February 1874.
Colonel Ralph Young, Royal Engineers, Commissioner and Superintendent, Lahore Division, Punjab,—private affairs, for two years, under Rule IX of the Regulations of 1868.
Lieutenant-Colonel (Brevet Colonel) Philip Sydney Yorke, Infantry, Squadron Commander, 12th Bengal Cavalry,—private affairs, for one year, under Rule IX of the Regulations of 1868.
Lieutenant-Colonel Alexander Callander, Bengal Staff Corps,—private affairs, for two years, under Rule IX of the Regulations of 1868.
Lieutenant-Colonel Philip Story, Infantry, Wing Commander, 1st Goorkha Regiment (Light Infantry),—private affairs, for two years, under Rule IX of the Regulations of 1868.
Lieutenant-Colonel William Raffles Tucker, Royal Engineers, Superintending Engineer, 3rd Grade, Public Works Department,—private affairs, for twenty months, under Rule IX of the Regulations of 1868.
Deputy Surgeon-General John Nicholas Tresidder,—private affairs, to the 31st March 1877, under Rules IX and XV of the Regulations of 1868.

Major (Brevet Lieutenant-Colonel) Charles Batchelor, late 3rd European Light Cavalry, Deputy Conservator of Forests, 1st Grade, Sutlej Division, Punjab,—private affairs, for two years, under Rule IX of the Regulations of 1868.
Major George Constable Gregory, Bengal Staff Corps, Wing Commander, 3rd Goorkha (The Kamaoon) Regiment,—private affairs, for one year four months and four days, under Rule IX of the Regulations of 1868.
Major Horace Christopher Fagan, Bengal Staff Corps, District Superintendent of Police, Officiating Assistant Inspector General, Government Railway Police,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.
Major William Siddons Young, Bengal Staff Corps, Commandant, Chunar Fortress, and, European Invalid Battalion,—private affairs, for one year, under Rule IX of the Regulations of 1868.
Major Arthur Moffat Lang, Royal Engineers, Principal, Thomason Civil Engineering College, Roorkee,—private affairs, for one year, under Rule IX of the Regulations of 1868.
Major Robert Blackall Graham, Bengal Staff Corps, Squadron Commander, 5th Bengal Cavalry,—urgent private affairs, for six months, under Rule XI of the Regulations of 1868.
Captain (Brevet Major) Thomas Chadwick Graham, late 4th European Light Cavalry, Squadron Commander, 7th Bengal Cavalry,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.
Captain James Murphy Tulloch, General List, Infantry,—private affairs, for one year, under Rules IX and XV of the Regulations of 1868, with effect from the 13th February 1877, the date of his departure from Bombay per *Crocodile*.
Captain Ralph Anstruther Price, General List Infantry, Wing Officer, 9th Regiment of Native Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.
Captain Frank Barrow, Bengal Staff Corps, Assistant Commissioner, Oudh,—private affairs, for ten months and twenty-eight days, under Rule IX of the Regulations of 1868.
Lieutenant (Brevet Captain) Edwin Henry Hayter Collen, Bengal Staff Corps, 1st Assistant Secretary to the Government of India, Military Department,—private affairs, for one year, under Rule IX of the Regulations of 1868, embarking on or after the 5th May 1877.
Lieutenant Francis Mascall, Royal Engineers, Executive Engineer, 4th Grade, Public Works Department,—private affairs, for two years, under Rule IX of the Regulations of 1868.
Lieutenant (Local Captain) John Grieve Hall, Royal Engineers, Executive Engineer, 2nd Grade, Khasgunj Division, Public Works Department,—private affairs, for one year, under Rule IX of the Regulations of 1868.
Surgeon William Duncan, M.B., in medical charge, 10th Regiment of Native Infantry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

No. 217.—The privilege leave for three months, from the 1st October 1876, granted to Lieutenant-

Colonel W. Phaire, Bengal Staff Corps, Cantonment Magistrate, Fyzabad, in Notification by the Chief Commissioner, Oudh, No. 4413, dated the 20th October 1876, has been converted into leave on medical certificate by the Right Hon'ble the Secretary of State for India.

Lieutenant-Colonel Phaire has also been granted an extension for one month.

No. 218.—Lieutenant F. M. Rundall, Bengal Staff Corps, has been granted by the Right Hon'ble the Secretary of State for India, leave in England for six months on medical certificate, with effect from the 28th July 1876, the date on which he quitted India on privilege leave, under Rule IX, note 2, of the Regulations of 1868.

No. 219.—With reference to G. G. O. No. 1089 of 1874, Major R. D. Osborn, Bengal Staff Corps, has been granted by the Right Honorable the Secretary of State for India an extension of leave for one year on the English pay of his rank.

The leave will reckon as service for pension.

No. 220.—With reference to G. G. O. No. 496 of 1875, Lieutenant-Colonel W. Cabell, Bengal Staff Corps, is granted an extension of furlough to the 1st January 1877.

No. 221.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) W. D. Morgan, Bengal Staff Corps, Commandant, 32nd (Punjab) Regiment of Native Infantry (Pioneers),—Bombay, 26th February 1877.

Lieutenant-Colonel J. F. L. Fisher, Bengal Staff Corps, Senior Assistant Commissioner, Garhwál, North-Western Provinces,—Bombay, 28th February 1877.

Lieutenant-Colonel W. Playfair, Bengal Staff Corps, Wing Commander, 13th (The Shekhawattee) Regiment of Native Infantry,—Fort William, 2nd March 1877.

Major (Brevet Lieutenant-Colonel) H. H. Gough, C.B., V.C., Bengal Staff Corps, Commandant, 12th Bengal Cavalry,—Bombay, 19th February 1877.

Surgeon-Major F. Carter, in medical charge, 1st Goorkha Regiment (Light Infantry),—Fort William, 16th December 1876.

Captain C. McK. Hall, General List, Infantry, Wing Commander, 5th Punjab Infantry, Punjab Frontier Force,—Bombay, 19th February 1877.

Surgeon R. Moodie, M.B.,—Bombay, 21st February 1877.

Captain F. Knowles, Bengal Staff Corps, Squadron Commander, 2nd Bengal Cavalry,—Fort William, 3rd March 1877.

Captain N. F. Parker, General List, Infantry, Sub-Assistant Commissary General, 1st Class,—Bombay, 28th February 1877.

Captain R. Smyth-Thompson, Bengal Staff Corps, Assistant Commissioner, 3rd Class, Hyderabad Assigned Districts,—Bombay, 16th September 1876.

No. 222.—Lieutenant N. Arnott, Royal Engineers, who has been placed under orders for duty in the Bengal Presidency, reported his arrival at Bombay on the 27th February 1877.

No. 223.—REPORTS OF DEPARTURE—

Lieutenant-Colonel (Brevet Colonel) H. W. Gulliver, Royal Engineers, G. G. O. No. 1095 of 1876,—*Avoca*, 8th January 1877, from Bombay.

Captain (Brevet Major) J. S. Irvine, late 2nd European Light Cavalry, G. G. O. No. 1272 of 1876,—*Branksome Hall*, 27th February 1877, from Bombay.

Major W. W. Pemberton, Madras Staff Corps, Madras G. O. No. 160 of 1877,—*Deccan*, 22nd February 1877, from Calcutta.

Captain A. N. Phillips, late 19th Native Infantry, G. G. O. No. 167 of 1877,—*Deccan*, 22nd February 1877, from Calcutta.

Surgeon-Major T. T. Sherlock, G. G. O. No. 195 of 1877,—*Navarino*, 3rd February 1877, from Calcutta.

Captain R. J. Waller, Bengal Staff Corps, G. G. O. No. 191 of 1877,—*City of Venice*, 1st March 1877, from Calcutta.

Lieutenant F. W. Snell, Bombay Staff Corps, Bombay G. O. No. 92 of 1877,—*Crocodile*, 13th February 1877, from Bombay.

DISMISSALS AND REMOVALS.

No. 224.—The services of Native Medical Pupil Abdullah Khan, No. 746, Nagpur Medical School, admitted by G. G. O. No. 1022 of 1874, are dispensed with, with effect from the date of his suspension.

GOOD CONDUCT REWARDS.

No. 225.—With reference to G. G. O. No. 992 of 1876, declaring the provisions of the Royal Warrant of the 14th August 1875 applicable to the European non-commissioned officers and men of the Indian army and Unattached list, the following regulations are promulgated for information and guidance in supersession of all previous orders governing the issue of medals with and without gratuity for long service and good conduct:—

1. The classes eligible to receive the medal and gratuity for long service and good conduct are as follows, *viz.*:—

European non-commissioned officers and soldiers serving in the Ordnance, Commissariat, Barrack Branch of the Department Public Works, Stud, Telegraph and Clothing Departments.

Military staff clerks serving in the offices of the Adjutant General in India (including the offices of the Deputy Adjutant General, Royal Artillery in India, and the Assistant Adjutant General for Musketry, Army Head-Quarters), Quartermaster General in India, Military Secretary to His Excellency the Commander-in-Chief, Judge Advocate General, Surgeon-General, British Forces.

Embarkation, Transport and Bazar Sergeants.

Drill Instructors, Volunteer corps.

Non-commissioned staff of Hill depots.

Ditto garrisons and forts.

Provost Sergeants of garrison cells and of station and military prisons.

Non-commissioned officers and men of the Viceroy's Band.

European non-commissioned officers of native regiments, including Drummers, Fifers and Buglers of European parentage.

Royal Engineers and other European non-commissioned officers and men serving with the corps of Sappers and Miners.

Non-commissioned officers and men of the European Invalid Battalion present with their corps.

Staff Sergeants of Gymnasia.

2. Paragraphs 3 and 11 of the Royal Warrant are not applicable to India.
3. Recommendations for the medal and gratuity are to be submitted annually on the 1st April, on Bengal Form No. 376, and all men who are then entitled should be included, a separate roll being furnished in each case.
4. No soldier is, except under special circumstances, to be considered to have served with an irreproachable character unless he is in possession of, or entitled to, four good conduct badges.
5. No soldier who has been twelve times entered in the regimental defaulter book, is to be considered to have served with an exemplary character.
6. If circumstances should prevent a soldier getting the medal from the hands of his commanding officer, it will be delivered to him through the Adjutant General of the Army.
7. A warrant officer, whether in a department or public office, retains his medal granted to him before his promotion to the warrant grade, and is entitled to the gratuity on final discharge.
8. A non-commissioned officer or soldier serving in a public office or department retains the medal previously granted to him, the gratuity with accumulated interest being transferred to the Military branch of the Government Savings Bank, and is entitled to his gratuity on receiving his final discharge from the army.
9. If the soldier recommended has ever been tried by court martial, a copy of the charge, finding, sentence and confirmation, must also be attached to the application.
10. The character given to the applicant must be entered in the handwriting of his departmental commanding officer.
11. The grant of the gratuity will be notified in the general orders of the Commander-in-Chief, and republished in the garrison or station orders, where the recipient is serving, and a copy of the latter order is to be transmitted to his regiment, for the necessary entry in the soldier's record of service.
12. Men whose fathers and maternal grandfathers or whose mothers and paternal grandfathers were of pure European origin, are considered to be of European parentage, and a certificate to the effect that the individual recommended fulfils these conditions is to be inserted at the foot of the rolls of Drum, Fife or Bugle Majors, and of Drummers, Fifers and Buglers, of native corps.
13. A non-commissioned officer remanded to regimental duty for misconduct, but afterwards re-admitted to the unattached list, is to be treated in regard to these rewards as if he had been tried and reduced for the offence which entailed his remand.
14. The medal will be transmitted direct to commanding officers of corps, when the recipient is serving with a regiment; and in other cases to officers commanding at the station where the soldier may be serving, and will be delivered to him on parade by the commanding officer. Should a regiment be serving in a station or garrison where other troops are quartered, the commanding officer will report the receipt of the medal to the General or other officer commanding, so that, should he think proper, he may order a general parade of the troops to witness the presentation. The recipient's receipt for the medal to be forwarded to the office of the Adjutant General in India, Simla, as soon as practicable after presentation.

PAY AND ALLOWANCES.

No. 226.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops:"—

Article 368, Clause *a*, is re-constructed as follows:—

"If, after the expiration of his tour of foreign service, a medical officer of the British Service is detained in India with a view to his proceeding in charge of troops returning to England—up to date of embarkation."

G. O. No. 132 of 1870.

Article 1711. *Add*—"If acquitted of the charge on which he may have been placed in confinement, no forfeiture of pay or staff pay will be incurred."

G. L. No. 832—5 of 16th February 1877.

Article 60, Clause *f*, page 22.—To the foot note "†," after the word "Lahore" *add*—

"If a medical officer, who has not passed in the colloquial, be nominated to the charge of a 1st or 2nd class lock hospital in the Bengal Presidency, he will be required to pass within six months, failing which, he will forfeit the appointment and charge allowance after the expiration of that period."

G. O. Nos. 125 of 1870, and 115 of 1875, British Medical Code, VIII—IV—5.

No. 227.—The following corrections are to be made in the Pay Code for India, Volume II, "Native Troops":—

Article 404.—In the fourth line after the word "families" *insert* "(wives and children only)."

G. L. No. 187 of 5th February 1877.

Article 343.—In the *note, for* "The Bengal Sappers and Miners" *substitute* "The Bengal and Madras Sappers and Miners," &c., &c.

Madras G. O. No. 103 of 1876.

Article 636.—In Clause *c*, after the words "Bombay Army" *insert* "(except those who were not entertained originally in India)."

Bombay G. G. O. No. 744 of 1876.

Article 559, page 117.—The foot-note "(9)" to read as follows:—

"With the Aden Troop of cavalry, and native mountain artillery," and the foot-note "(*)" to read:—

"With native mountain artillery."

Bombay G. G. O. No. 809 of 1876.

Page 118.—In the fifth and sixth lines *for* "Goojerat Mountain Train" *substitute* "with native mountain artillery." Make a similar alteration in foot-note "(12)."

Bombay G. O. C. No. 276 of 1876.

Insert the following article at page 1 immediately above the word "Bengal":—

G. G. O. No. 1 of 1877, G. L. Nos. 1-4 of 1st January 1877.

5*a*. "A grant of Rs. 30 will be made on enlistment, to every recruit of Artillery, Infantry, Sappers and Miners, Madras Cavalry, and Governor General's Body Guard, to aid in the provision of the established kit. The amount should be expended as required, under the direction of commanding officers, and if, in any case, the whole amount is not found necessary, the balance should be re-credited to the State."

Insert the following articles at page 66 immediately above the words "Money Prizes":—

"HALF MOUNTING.

G. G. O. No. 1 of 1877.

"340*a*. An annual allowance of Rs. 4 will be given to every non-commissioned officer, drummer, bugler and private, of Artillery, Infantry, Sappers and Miners, Madras Cavalry, and Governor General's Body Guard, in aid of half mounting. This allowance will not be given to soldiers of less service than eighteen months."

G. L. No. 6 C.-D. of 1st and 313 of 11th January 1877.

"340*b*. The allowance authorized in article 340*a* is also admissible to men belonging to the following local corps:—

G. L. No. 5 C.-D. of 1st and 813 of 22nd January 1877.

Hyderabad Contingent, Artillery and Infantry.	Malwah Bheel Corps.
Deolee and Erinpoora Infantry.	Bhopal Battalion.
Meywar Bheel Corps.	Nepal Escort."

G. L. No. 3 of 1st January 1877.

Expunge Article 32, which is cancelled.

Insert the following article at page 4 immediately above the word "II.—Discharge."

"LOCAL AND CIVIL CORPS.

G. L. Nos. 6 C.-D. of 1st and 313 of 11th January 1877, G. L. Nos. 5 C.-D. of 1st and 813 of 22nd January 1877.

33*a*. A grant of Rs. 20 will be made on enlistment, to every recruit of the following corps, to aid in the provision of the established kit: the amount should be expended as required under the direction of commanding officers, and if, in any case, the whole amount is not found necessary, the balance should be re-credited to the State:—

Hyderabad Contingent, Artillery and Infantry.	Bhopal Battalion.
Deolee and Erinpoora Infantry.	
Meywar Bheel Corps.	Nepal Escort.
Malwah Bheel Corps.	

Article 111 is re-constructed as follows:—

G. G. O. No. 1 of 1877, G. L. Nos. 6 C.-D. of 1st and 313 of 11th January 1877, G. L. Nos. 5 C.-D. of 1st and 813 of 22nd January 1877.

"111.—Good-conduct pay is granted to all sowars, privates, drummers, buglers, &c., at the rates and under the rules following:—

ARTILLERY, VICEROY'S BODY GUARD, CAVALRY (EXCEPT THE BOMBAY CAVALRY*) INFANTRY, SAPPERS AND MINERS, CENTRAL INDIA HORSE, DEOLEE AND ERINPOORA FORCE, MEYWAR AND MALWAH BHEEL CORPS, BHOPAL BATTALION, AND NEPAL ESCORT:—

* This advantage is already enjoyed by the Bombay Cavalry, the sowars of which draw on enlistment, the highest rate of pay, inclusive of good conduct pay, attainable by sowars of the Bengal Cavalry and Punjab Frontier Force.

1st rate.—After three years' service,—one rupee monthly.

2nd rate.—After nine years' service,—two rupees monthly.

3rd rate.—After fifteen years' service,—three rupees monthly.

(NOTE.—For good-conduct pay to drivers, mahouts, muleteers, &c., see Section III, Division II.)

HYDERABAD CONTINGENT—ARTILLERY AND INFANTRY ONLY.

1st rate.—After five years' service,—one rupee monthly.

2nd rate.—After ten years' service,—two rupees monthly.

NOTE.—Men of the Hyderabad Contingent who were in receipt of extra pay for length of service prior to the 1st January 1874, retain this privilege unaffected by the rules for grant of good-conduct pay.

Article 78, Clause *a*, page 15.—The following rates of pay for Subadars and Jemadars are to be substituted for the existing rates:—

"ARTILLERY.

		Pay.			Pay including cantonment or half batta.			Extra batta when marching or in the field and not provided with carriage.		
	PUNJAB AND BOMBAY.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
G. G. O. No. 1 of 1877.	Subadar after 6 years' service ...	85	0	0	100	0	0	15	0	0
	Ditto under 6 years' service ...	65	0	0	80	0	0	15	0	0
	Jemadar after 6 years' service ...	42	8	0	50	0	0	7	8	0
	Ditto under 6 years' service ...	32	8	0	40	0	0	7	8	0

Clause *b*, page 16.

"CAVALRY.

			Consolidated pay inclusive of extra batta. Rs.	A.	P.
	VICEROY'S BODY GUARD.				
G. G. O. No. 1 of 1877.	Subadar		180	0	0
	Jemadar { One		70	0	0
	{ One		60	0	0
	GOVERNOR'S BODY GUARD, MADRAS.				
G. G. O. No. 1 of 1877.	Subadar ... } Madras Cavalry rates of pay and extra batta."				
	Jemadar ...				

Page 17.—Substitute the following table of pay for the existing one:—

			Consolidated pay. Rs.	A.	P.
	"GOVERNOR'S BODY GUARD, BOMBAY.				
G. G. O. No. 1 of 1877.	Ressaldar ...	With an addition of Rs. 10 per mensem whilst serving with the Body Guard.	250	0	0
	Ressaidar ...		135	0	0
	Jemadar ...		70	0	0
	Farrier ...		40	0	0
	Other Grades		Bombay Cavalry rates.		

The following rates of pay to be substituted for the existing rates:—
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			Pay including cantonment or half batta. Rs.	A.	P.	Extra batta when marching or in the field and not provided with carriage. Rs.	A.	P.
	MADRAS CAVALRY.							
G. G. O. No. 1 of 1877.	Subadars ...	One-half ...	150	0	0	30	0	0
		One-half ...	110	0	0	30	0	0
	Jemadars...	One-half ...	60	0	0	8	0	0
		One-half ...	50	0	0	8	0	0

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MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th March 1877

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 10th February to 9th March 1877:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
65th Foot ...	Captain C. A. Fillingham ...	1st January 1877 ...	Lucknow.		

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 5th March 1877.

No. 96.—The under-mentioned Upper Subordinates are temporarily transferred to Madras for employment on Famine Relief Works:—

From Bengal.

Mr. W. McCullagh, Sub-Engineer, 1st Grade.
„ H. E. B. Fox, Supervisor, 2nd Grade.
Corporal R. Higgins, Overseer, 1st Grade.

From North-Western Provinces—Irrigation.

Mr. T. O'Connor, Overseer, 1st Grade.
„ J. Clowsley, Overseer, 1st Grade.

No. 97.—The services of Captain W. A. J. Wallace, R.E., on special duty with the Government of India in connection with the Delhi Imperial Assemblage, are replaced at the disposal of the Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, from 23rd February 1877.

No. 98.—Mr. H. W. Stokoe, Supervisor, 2nd Grade, and Mr. W. R McKoy, Overseer, 1st Grade, Military Works Branch, are temporarily transferred to Madras for employment on Famine Relief Works.

No. 99.—Mr. W. Ball, Accountant, 3rd Grade, is transferred from the North-Western Provinces to the Military Works Branch.

No. 100.—The following changes are ordered in the posting of Officers of the Superior Account Establishment, Public Works Department:—

Major D. H. Trail, Examiner, Public Works Accounts, Punjab, to be Examiner, Public Works Accounts, Central Provinces, *vice* Mr. Moss, proceeding on furlough.

Lieutenant-Colonel A. Davidson, R.E., Examiner, Public Works Accounts, is (on return from furlough) posted to the Examinership of Public Works Accounts, Punjab.

Mr. R. G. Macdonald, Examiner of Accounts, Western Rajpootana State Railway, is placed on special duty under the orders of the Accountant General, Public Works Department, but will remain in charge of the accounts of the Punjab Northern State Railway till relieved.

Mr. P. Phillips, Examiner, Public Works Accounts, Rajpootana, to be Examiner of Accounts, Western Rajpootana State Railway.

Mr. A. R. Becher, Officiating Deputy Examiner *in Rajpootana, to be Deputy Examiner,* Public Works Accounts, Rajpootana.

Mr. F. Morrison (Temporarily), Examiner, Guaranteed Railway Accounts, Lahore, to be Deputy Examiner, Guaranteed Railway Accounts, Calcutta.

Mr. D. C. Gordon, Examiner of Accounts, Punjab Northern State Railway, *to be* Examiner, Guaranteed Railway Accounts, Lahore.

Mr. J. W. A. McNair, Assistant Examiner, Public Works Accounts, Bengal, is transferred to the Office of the Examiner, Guaranteed Railway Accounts, Calcutta.

No. 101.—Mr. (late Lance Corporal) E. J. Topple, Supervisor, 1st Grade (Supernumerary), attached to the Office of the Director of State Railways, having obtained his discharge from the Army on the 28th October 1871, is re-appointed to the Public Works Department as a civilian from that date.

The 6th March 1877.

No. 102.—Mr. J. H. DeRinzy, Assistant Engineer, 1st Grade, on the Establishment under the Director of State Railways, is promoted to the rank of Executive Engineer, 4th Grade.

The 7th March 1877.

No. 103.—Mr. H. Leonard, Accountant, 4th Grade, Punjab Northern Railway, is dismissed from his appointment and declared ineligible for future employment under Government in any capacity.

No. 104.—Deputy Assistant Commissary and Honorary Lieutenant A. Connell, Assistant Engineer, 2nd Grade, Military Works Branch, is temporarily transferred to Madras for employment on Famine Relief Works.

This cancels Public Works Department Notification No. 89, dated 28th February 1877.

No. 106.—Mr. W. H. Brand, Deputy Examiner of Public Works Accounts, North-Western Provinces, is granted six months' leave on private affairs to Europe, under Section 5, Supplement F, of the Civil Leave Code.

Mr. Brand is also granted subsidiary leave for *twenty-six days, with effect from the 5th April* 1877, or such subsequent date as he may avail himself of it.

The 8th March 1877.

No. 108.—In Notification No. 44, dated 6th February 1877, for Mr. *J. G.* Hamer, read Mr. *J. E.* Hamer.

No. 109.—Mr. W. Ogden, Accountant, 3rd Grade (temporary rank), Rajpootana State Railway, reverted to his substantive rank of 4th Grade, with effect from the 5th December 1876, in consequence of the return to duty of Mr. Davis, Accountant, 3rd Grade.

No. 110.—Lalla Tulsi Ram, Engineer Apprentice, Punjab, Public Works Department, Provincial Branch, is promoted to the rank of Assistant Engineer, 3rd Grade, with effect from 30th September 1876.

No. 112.—Sergeant J. Herbert, Supervisor, 2nd Grade, Military Works Branch, is remanded to Military duty.

The 9th March 1877.

No. 113.—With reference to Public Works Department Notification No. 36, dated 2nd February 1877, the under-mentioned Officers are confirmed in their appointments, with effect from 9th February 1877:—

Colonel C. Pollard, R.E., as Deputy Secretary to the Government of India, in the Public Works Department.

Lieutenant-Colonel J. G. Medley, R.E., as Consulting Engineer to the Government of India for Guaranteed Railways, Lahore.

Colonel Pollard joined his appointment on the forenoon of the 19th February 1877.

No. 114.—Mr. T. Moss, Examiner of Public Works Accounts, Central Provinces, is granted furlough to Europe for nine months, under Section 12 of the Civil Leave Code, and also subsidiary leave for thirty days, from such date as he may avail himself of it.

RAILWAY.

The 7th March 1877.

No. 107R.—In accordance with Section XXVI of Act XVIII of 1854 as amended by Act No. XXV of 1871, the Governor General in Council has been pleased to authorize the substitution of the following rules relating to trollies and lorries on State Railways, proposed by the Director of State Railways, for the rules which have hitherto been in force, and which were published in the *Gazette of India*, Part I, dated the 12th April 1873, page 357, (Notification No. 1 R, dated the 3rd April 1873):—

205.—Material lorries shall not be placed on a Railway, except under the charge of the Inspector of the District, or, with permission of the Inspector, of a Foreman or other efficient subordinate officer.

205A.—Before any such lorries are placed on the line, notice shall be given in writing, or by telegraph, to the Station Masters at each of the nearest stations, and the Station Masters shall advise Engine-drivers and Guards of trains that lorries are on the line.

205B.—When any such lorry is placed upon the main line, a line-clear shall be obtained whenever it is possible to do so; but when this is not possible, such lorry must be preceded and followed at intervals of 600 yards (except on a descending gradient steeper than 1 in 100, on curves, in cuttings and tunnels, or during fogs and storms, when the distance shall be 800 yards) by a man bearing a red signal, being a red flag by day and a red lamp by night.

206.—Light-riding trollies shall not be placed on the line, except under the charge of officers or subordinates who have been specially authorized to use them.

206A.—When any such trolly is placed upon the main line, a line-clear shall, if possible, be obtained. When it is not possible to obtain a line-clear, and in front, or in rear, or both in front and in rear, a clear view along the line for a distance of at least 800 yards cannot be obtained by reason of curves, cuttings, tunnels, fogs, storms, or any other cause, such trolly shall be preceded or followed, or both, as the case may be, at a distance of 800 yards, by a signal similar to that prescribed for a lorry by Rule No. 205B.

206B.—Whether otherwise protected or not, no trolly shall be placed on an open line without a red flag by day, or a red lamp by night, showing both ways, constantly and conspicuously displayed. The flag shall be placed in a socket, and the lamp so placed that it can be readily seen by approaching trains.

206C.—"Trollies when not in use must have the wheels chained and locked together, and must never be left in such a position as to allow of their being tampered with."

W. A. CROMMELIN, *Major-Genl., R. E.,*
Secretary to the Govt. of India.

BOMBAY (SILLADAR) CAVALRY.
(Including the Sind Horse.)

G. G. O. No. 1 of 1877.

			Consolidated pay. Rs. A. P.
Ressaldar-Major	...	...	300 0 0
Ressaldar	One ...	...	250 0 0
	One ...	...	200 0 0
Woordie-Major	...	...	150 0 0
Ressaidar	One ...	...	150 0 0
	One ...	...	135 0 0
	One ...	...	120 0 0
Naib-Ressaldar	Three	each	80 0 0
	Three	„	75 0 0
Jemadar	Three	„	70 0 0
	Three	„	65 0 0"

"SAPPERS AND MINERS AND INFANTRY.
BENGAL, MADRAS AND BOMBAY.

G. G. O. No. 1 of 1877.

		Pay. Rs. A. P.	Pay including cantonment or half batta. Rs. A. P.	Extra batta when marching or in the field and not provided with carriage by the State. Rs. A. P.
Subadars	One-half ...	85 0 0	100 0 0	15 0 0
	One-half ...	65 0 0	80 0 0	15 0 0
Jemadars	One-half ...	42 8 0	50 0 0	7 8 0
	One-half ...	32 8 0	40 0 0	7 8 0

NOTE.—In the Bombay Sappers and Miners two Subadars and three Jemadars will receive the higher rates, and the remaining officers the lower rates of pay."

Page 19.—"30TH (BOMBAY) NATIVE INFANTRY, OR JACOB'S RIFLES—

G. G. O. No. 1 of 1877.

			Pay including cantonment or half batta. Rs. A. P.
Subadars	One-half ...	...	100 0 0
	One-half ...	...	80 0 0
Jemadars	One-half ...	...	50 0 0
	One-half ...	...	40 0 0

"GUIDE CORPS, PUNJAB FRONTIER FORCE.

G. G. O. No. 1 of 1877.

			Pay. Rs. A. P.	Pay including cantonment or half batta. Rs. A. P.
Subadars	One-half ...	...	85 0 0	100 0 0
	One-half ...	...	65 0 0	80 0 0
Jemadars	One-half ...	...	42 8 0	50 0 0
	One-half ...	...	32 8 0	40 0 0

"DEOLEE AND ERINPOORA FORCE, AND BHOPAL BATTALION.

G. L. Nos. 5 C-D of 1st and 813 of 22nd January 1877.

			Pay. Rs. A. P.	Pay including cantonment or half batta. Rs. A. P.
Subadars	One-half	...	85 0 0	100 0 0
	One-half	...	65 0 0	80 0 0
Jemadars	One-half	...	42 8 0	50 0 0
	One-half	...	32 8 0	40 0 0"

"MALWA BHEEL CORPS.

G. L. Nos. 5 C-D of 1st and 813 of 22nd January 1877.

			Pay. Rs. A. P.	Batta per diem when in the field or marching. Rs. A. P.
Subadars	One-half	...	50 0 0	*0 4 0
	One-half	...	40 0 0	
Jemadars	One-half	...	30 0 0	0 3 0
	One-half	...	25 0 0	

* The Subadar-Major draws 8 annas a day batta."

Page 20. "MEYWAR BHEEL CORPS.

G. L. Nos. 5 C-D of 1st and 813 of 22nd January 1877.

			Pay. Rs. A. P.
Subadars	One-half	...	50 0 0
	One-half	...	40 0 0
Jemadars	One-half	...	30 0 0
	One-half	...	25 0 0"

"NEPAL ESCORT.

			Pay including full batta. Rs. A. P.
Subadar	...	...	100 0 0
Jemadar	...	...	50 0 0

The existing tables of pay for the Hyderabad Contingent are cancelled, and the following substituted:—

HYDERABAD CONTINGENT.

ARTILLERY.

G. L. Nos. 6 C-D of 1st and 313 of 11th January 1877.

			Pay including cantonment or half batta. Rs. A. P.	Extra batta when marching and not provided with carriage. Rs. A. P.
Subadars	After 5 years' service	...	90 0 0	15 0 0
	Under 5 years' service	...	70 0 0	
Jemadars	After 5 years' service	...	45 0 0	7 8 0
	Under 5 years' service	...	40 0 0	
Havildar	...	...	14 0 0	5 0 0
Naick	...	...	12 8 0	5 0 0
Bugler	...	...	10 8 0	1 8 0
Private	...	...	8 4 0	1 8 0
Farrier	...	...	9 0 0	1 8 0
Salootrie	...	...	9 0 0	1 8 0
Boy	...	...	3 8 0	...

DRIVER ESTABLISHMENT.

Havildar of Drivers	...	12 8 0	2 0 0	
Naick of Drivers	...	10 12 0	2 0 0	
Syce or Driver	After 4 years' service	...	7 8 0	1 0 0
	Under 4 years' service	...	6 12 0	

		Consolidated pay. Rs. A. P.	Entertained prior to 1st January 1854. Consolidated pay. Rs. A. P.
CAVALRY.			
Ressaldar Major	...	300 0 0	
Ressaidar	One ...	200 0 0	
	One ...	185 0 0	
	One ...	170 0 0	
	Three each	150 0 0	
Woordie Major	...	120 0 0	
Jemadar	Two each	80 0 0	
	Two „	70 0 0	
	Two „	60 0 0	
Kote Duffadar	...	49 0 0	
Duffadar, Farrier Major, and Salootrie.		41 8 0	
Trumpeter	...	30 0 0	33 0 11
Trooper	...	30 0 0	33 0 11
Camel-Gunner	...	24 0 0	24 12 8

			Pay including cantonment or half batta. Rs. A. P.	Batta when marchin and not provided with carriage. Rs. A. P.
INFANTRY.				
Subadars	Two	each	90 0 0	15 0 0
	Two	„	75 0 0	
	Four	„	65 0 0	
Jemadars	Two	each	45 0 0	7 8 0
	Two	„	40 0 0	
	Five	„	35 0 0	
Havildar		...	14 0 0	5 0 0
Naick		...	12 0 0	
Drum and Fife Major		...	12 0 0	1 8 0
Bass Drummer		...	10 0 0	
Drummer, Fifer and Bugler			8 4 0	
Private		...	7 0 0	
Boy		...	3 8 0	...

Article 98, item I, *Substitute* "Rs. 50" for "Rs. 25" as the allowance to the Subadar-Major. Make the same alteration in items XIII, XXVII, XXXVII and XLVIII. In the latter item, at page 26, instead of the words "Meywar Bheel Corps" *substitute* "Meywar and Malwah Bheel Corps." Expunge the words "Ditto-Malwah Bheel Corps,"&c.,together with the amount "Rs. 10." In item LIII, after the words "Guide Corps." *insert* "Deolee and Erinpoorah Force, Bhopal Battalion." Enter the following at bottom of page after the words "Jacob's Rifles:—"

G. G. O. No. 1 of 1877.

G. L. No. 813 of 22nd January 1877.

G. L. No. 643-4 of 13th February 1877.

	Rs.	A.	P.
"Native Adjutant, Malwah and Meywar Bheel Corps ...	12	0	0"

Article 98, Clause *g*, page 28, is reconstructed as follows:—

HYDERABAD CONTINGENT.

ARTILLERY.

			Rs.	A.	P.
"*g*					
G. L. No. 1192-3 of 22nd December 1875 and 313 of 11th January 1877.	Subadar-Major	One (the senior Subadar of all the Batteries) for the four Batteries.	40	0	0
	Havildar-Major	One of each grade per Battery.	4	0	0
	Pay Havildar ...		5	0	0
	Drill Naick ...		2	8	0
	Rough-Rider Naick ...		2	0	0

CAVALRY.

Trumpet-Major ...	One per Regiment.		8	0	0
Ditto (Entertained prior to 1st January 1854)			8	4	3
Quarter Master Duffadar ...			9.	0	0
Pay Duffadar ...	(One per troop).		6	0	0
Lance Duffadar ...	(Two per troop) each.		2	0	0

INFANTRY.

Subadar-Major ...	One of each grade per Regiment.		40	0	0
Jemadar-Adjutant ...			10	0	0
Drill-Havildar ...			5	0	0
Drill-Naick ...			2	8	0
Drum-Major ...			5	0	0
Fife-Major ...			5	0	0
Havildar-Major ...			5	0	0
Color-Havildar ...	One of each grade per Company.		2	0	0
Pay-Havildar or Company-writer ...			5	0	0

The table of pay for Native followers of the Hyderabad Contingent, at pages 118 and 119, is cancelled, and the following substituted:—

"HYDERABAD CONTINGENT.

G. L. Nos. 6C-D of 1st and 313 of 11th January 1877.

	Pay. Rs.	A.	P.	Batta when marching or in the field and not provided with carriage. Rs.	A.	P.
Armourer ...	12	6	4	...		
Barber ...	5	12	0	1	0	0
Bellowsboy or File-man ...	5	0	0	1	0	0
Bheestie ...	6	8	0	1	0	0
Bullock Driver ...	5	0	0	1	0	0
Carpenter Mistry ...	16	8	0	3	0	0
Ditto Workman ...	10	0	0	3	0	0
Chuckler ...	6	8	0	2	0	0
Chaprassie, Bazar ...	6	8	0	...		
Dhobee ...	6	8	0	1	0	0
Farrier ...	9	0	0	1	8	0
Grass-cutter ...	4	0	0	1	0	0
Hammerman ...	6	8	0	2	0	0
Hurkarah ...	5	12	0	...		
Lascar, Store ...	6	8	0	1	0	0
Ditto, Tent ...	6	8	0	1	0	0
Lascar ...	6	0	0	1	0	0
Moochee ...	7	0	0	...		
Moonshie, Moulvie or Pundit ...	12	8	0	...		
Mutsuddy, Regimental ...	30	0	0	...		
Puckallie ...	11	8	0	3	0	0
Salootrie ...	9	0	0	1	8	0
Smith Mistry ...	16	8	0	3	0	0
Smith ...	10	0	0	2	0	0
Syce, Jemadar ...	8	12	0	1	0	0
Syce ...	5	4	0	1	0	0
Sweeper ...	6	8	0	...		

Article 379, page 74.—To the words "Hyderabad Cavalry," "Hyderabad Artillery" and "Hyderabad Infantry" affix an asterisk (*) and enter the following at foot of page:—

G. L. Nos. 6 C-D of 1st and 313 of 11th January 1877.

* "Soldiers of the Hyderabad Contingent who may be admitted to the 'Order of Merit' on or after the 1st January 1877, will receive the Bengal rates."

Article 204.—In the fourth line after the word "farriers" *insert* "sowars" and after "Viceroy's Body Guard" *insert* "Cavalry."

G. G. O. No. 1 of 1877.

Article 217.—In the second line, after the word "Artillery," *insert* "Cavalry (including the three Regiments Sind Horse)." Expunge the third line and the word "horse" in the fourth line.

G. G. O. No. 1 of 1877.

Article 370.—Substitute the following for the scale of establishment of the 1st and 2nd classes of the Order of British India.

"1ST CLASS.

G. G. O. No. 2 of 1877.

Bengal ...	88	
Madras ...	53	
Bombay ...	34	
TOTAL ...	175	

2ND CLASS.

Bengal ...	88	
Madras ...	53	
Bombay ...	34	
TOTAL ...	175"	

Article 371 is re-constructed as follows:—

"371. Vacancies in the establishment of the Order of British India "will be filled up as they occur, whether caused by an effective or non-effective member of the Order."

G. G. O. No. 2 of 1877.

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

TELEGRAPHIC ABSTRACT.

Financial Statement by the Honorable Sir John Strachey, K.C.S.I., published this day.

Accounts, 1875-76: Revenue, £52,515,789; Expenditure, £55,117,536, of which £595,779 for Famine relief, and £4,270,629 for Public Works Extraordinary: Deficit, £2,601,747: Surplus, excluding Public Works Extraordinary, but not famine, £1,668,882.

Regular Estimates, 1876-77: Revenue, £51,206,700; Expenditure, £57,285,000, of which £3,800,000 for Public Works Extraordinary: Deficit, £6,078,300, or, excluding Public Works Extraordinary, £2,278,300: Estimated cost of Famine, including loss of Revenue, £3,100,000: Surplus on Ordinary Account, excluding Famine, £624,800.

Budget Estimates, 1877-78: Revenue, £52,192,700; Expenditure, £56,442,400, of which for Public Works Extraordinary, £3,628,000: Deficit, £4,249,700, reduced to £621,700 if Extraordinary Works be excluded. Estimated cost of Famine, £2,150,000, making £5,250,000 in the two years; Surplus on ordinary account, excluding famine, £928,300.

Net Amount borrowed in 1876-77, £3,724,000.

Loans in 1877-78, £6,500,000, of which £250,000 from Sindhia for Gwalior Railway: of the remaining £6,250,000, the Government of India proposes to raise £2,500,000 in India. Government of India is not authorized to pledge the Secretary of State as to loans in England, but will recommend him to ask Parliament for power to borrow £3,750,000 in England.

No fresh Imperial taxation; but Bengal and the North-Western Provinces required to guarantee £375,000 interest on money spent on Canals and local Railways, which are made over to Provincial management, and for maintenance and completion of which provincial responsibility will be enforced. This will necessitate fresh Provincial taxation, the maximum amount of which is estimated at £325,000, of which £275,000 in Bengal and £50,000 in North-Western Provinces. Measures for raising amount in Bengal not yet actually settled, but extension of existing system of Provincial taxation proposed, and no tax of novel character. For North-Western Provinces light license tax on trades; and authority given to assign for canals and railways ten per cent. of existing local rates. Large extension in Bengal, North-Western Provinces, and Oudh of system inaugurated by Lord Mayo of making over revenues and expenditure to Provincial uses and management: further development promised in other Provinces hereafter.

Programme for the future: unremunerative public works and famine to be classed as ordinary and provided from revenue; special measures for meeting famine charges under consideration; abolition of Inland Customs Lines and Sugar duties; equalisation and reduction of Salt duties; Government pledged to abolish import duties on Cotton goods with least possible delay. All measures of fiscal relief postponed this year on account of famine. Financial position considered satisfactory and future promising.

Estimated bills upon India in 1877-78, Rs. 13,85,00,000. Present intention of Secretary of State to sell bills for 26½ lakhs a week during April and May.

Estimated Balances at credit of Government of India: at end of 1876-77, £11,539,700; at end of 1877-78, £12,500,000.

FINANCIAL DEPARTMENT,
15th March 1877.

N. B.—This Abstract has been telegraphed to the Secretary of State in London.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 11.} CALCUTTA, SATURDAY, MARCH 17, 1877. {Register No. 33.

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

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PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—
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The North-Western Provinces License Bill, 1877.

SUPPLEMENT No. 11.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 13th March 1877.

No. 210.—Major-General the Honorable Sir Henry W. Norman, K.C.B., has resigned his seat as an Ordinary Member of the Council of the Governor General of India, with effect from the 18th instant.

The 16th March 1877.

No. 222.—The services of Major L. J. H. Grey, Deputy Commissioner of Ferozepore in the Punjab, are placed at the disposal of the Foreign Department.

No. 227.—Messrs. A. Boulderson and P. Wigram are permitted to resign Her Majesty's Bengal Civil Service.

ECCLESIASTICAL.

The 16th March 1877.

No. 78.—APPOINTMENT.—The Reverend G. T. Carruthers, M.A., Chaplain of Nagpur, to officiate as Chaplain of Kamptee.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Fort William, the 12th March 1877.

No. 386.—Mr. A. L. Home, Deputy Conservator of Forests, 2nd Grade, who, in Notification No. 814 of the 24th August 1876, was appointed Assistant to the Inspector General of Forests, is appointed Assistant Comptroller General, "Forests," with effect from the 1st April 1877.

Mr. J. Sykes Gamble, M.A., Assistant Conservator of Forests, 1st Grade, in Bengal, whose services have been placed at the disposal of the Government of India, is appointed Assistant to the Inspector General of Forests, as a temporary measure, *vice* Mr. Home, with effect from the 1st April 1877.

COMMERCE AND TRADE.

The 16th March 1877.

No. 1 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

Hindostan—West Coast—Kurrachee.

INTENDED ALTERATION IN MANORA POINT LIGHT-HOUSE.

The Harbour Authorities at Kurrachee have notified the following intended alteration to be made in the light-house at Manora Point.

As early as practicable after the 1st July 1877, the present light will be replaced by a *revolving* dioptric white light of the first order, elevated 150 feet above the sea-level, and in clear weather should be seen from a distance of 20 miles.

The light tower, 52 feet high, adjoining the south-west bastion of Manora Fort, will be round, and built of white stone.

Position:—Lat. 24° 47′ 51″ N.: Long. 66° 58′ 15″ E.

Further particulars and notice will be given of the date of the exhibition of the light.

JOHN HENRY ELLIS, *Staff Comdr., R.N.,*
Deputy Superintendent, Marine Survey of India.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 16th March 1877.

By Order,

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

This Notice will affect the following Admiralty Charts: Kurrachee Harbour, No. 40; Indus Tidal Channels from Manora Point to Kaha River, No. 41; Sindh and Kutch Coast, No. 42; Maskat to Kurrachee, No. 38; Kurrachee to Vingorla, No. 826; and Indian Ocean, Northern portion No. 748*b*; also Admiralty List of Lights in South Africa, East Indies, &c., 1877; the West Coast of Hindostan Pilot, page 237; the Supplement to the Persian Gulf Pilot, page 24; the Indian Marine Survey Light List, 1877, No. 10; and Taylor's Sailing Directory, Vol. I, pages 309 and 334.

If this Notice is received on boardship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

CUSTOMS—INLAND.

The 13th March 1877.

No. 43.—Mr. R. M. Adam, Deputy Commissioner of Inland Customs, is granted two years' furlough to Europe under Section 12, Chapter IV, and Section 24(*a*), Chapter VI, of the Civil Leave Code, with effect from the 1st proximo, together with fourteen days' subsidiary leave.

CUSTOMS.

The 16th March 1877.

No. 68.—In exercise of the powers vested in him by Section 6 of the Indian Tariff Act, 1875, the Governor General in Council is pleased to fix the value of Raw Silk the produce of the Tasar or other wild worm, when such silk is imported from China, at Rs. 4 per lb.

MINERALS AND GEOLOGICAL SURVEY.

The 10th March 1877.

No. 15.—Dr. Ottokar Feistmantel, Assistant of the 3rd Grade in the Geological Survey of India, is appointed to be Palœontologist to the Survey.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 12th March 1877.

No. 618*G.*—Under Section 8 of Act XV of 1872 [The Indian Christian Marriage Act, 1872], the Governor General in Council is pleased to appoint Dr. C. S. Valentine to be a Marriage Registrar in respect of all places within the territory of His Highness the Maharaja of Jeypore, and to grant him a license under Section 9 of the said Act, authorizing him to grant certificates of marriage between Native Christians.

The 15th March 1877.

No. 645*G.*—APPOINTMENTS.—Consequent on the departure to Europe, on furlough, of Surgeon-Major J. Houston, M.D., Surgeon to the Mysore Commission, the following temporary appointments are sanctioned in the Medical Department, Mysore Commission, with effect from the date of assuming charge:—

Surgeon-Major J. Henderson, M.D., Superintendent, Central Jail, Bangalore, to officiate as Surgeon to the Mysore Commission, *vice* Dr. Houston.

Surgeon-Major J. Law, M.D., Superintendent, Central Jail, Nagpore, to officiate as Superintendent, Central Jail, Bangalore, *vice* Dr. Henderson.

The 16th March 1877.

No. 647*G.*—The following Brigade Order by the Commandant, Central India Horse, dated 21st February 1877, is confirmed:—

Lieutenant E. D. H. Daly, 2nd Squadron Subaltern, and Officiating 1st Squadron Subaltern, 2nd Regiment, Central India Horse, officiated as 3rd Squadron Officer, in addition to his other duties, from the 1st October to the 5th November 1876.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 13th March 1877.

No. 1556.—Mr. G. W. Cline is appointed to be Assistant to the Accountant General, Madras.

Mr. T. G. Trevor is appointed to be Assistant Commissioner of Paper Currency, Bombay.

Mr. G. H. R. Hart is appointed to be Assistant to the Accountant General, Bombay.

No. 1558.—The following Financial Despatch from Her Majesty's Secretary of State for India, No. 38, dated the 8th February 1877, is published for general information:—

"I have to acquaint you that the rate of exchange for the adjustment of financial transactions between the Imperial and Indian Governments, for the year 1877-78, has been fixed, with the concurrence of the Lords Commissioners of the Treasury, at one shilling and nine pence halfpenny (1*s*. 9½*d*.) the rupee, and I have to request that you will give the necessary instructions for the due observance of this rate in respect of all transactions to which it is applicable."

The 16th March 1877.

No. 1598.—Mr. Godrezjee Dorabjee Pudumjee is appointed to be a Probationer in the 6th Class of this Department, and attached to the Office of the Accountant General, Bombay.

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

MILITARY DEPARTMENT.

Fort William, the 16th March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 228.—ORDNANCE COMMISSARIAT DEPARTMENT—

Captain S. Cargill, R.A., Commissary of Ordnance, 3rd Class, to officiate as Commissary of Ordnance, 2nd Class, with effect from the 1st March 1877, *vice* Captain C. Cowie, proceeding on furlough.

No. 229.—MEDICAL DEPARTMENT—

Surgeon-Major J. Jones, M.D., Civil, Azamgarh, and Officiating Civil Surgeon, Dacca, to officiate as Superintendent of the Eye-Infirmary, Calcutta, with effect from the date on which he may take up the duties of the office, *vice* Surgeon-Major H. Cayley, proceeding on furlough.

No. 230.—STAFF CORPS—

The under-mentioned Officers are admitted to the Bengal Staff Corps with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Charles John Dennys, 65th Foot, Officiating Wing Officer, 28th (Punjab) Regiment of Native Infantry,—4th January 1876.

Lieutenant Charles Campbell Whistler, 76th Foot, Wing Officer, 5th Infantry, and Officiating Adjutant, 6th Infantry, Hyderabad Contingent,—11th February 1876.

No. 231.—The following promotions are made subject to Her Majesty's approval:—

Corps.	RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.
Infantry ...	Lieutenant-Colonel (Brevet Colonel) David Scott Dodgson.	Colonel, with Colonel's allowance.	12th March 1877	Agreeably to paragraph 13 of Secretary of State's despatch, published in G. G. O. No. 869 of 1862.
	Major A. Battye (Staff Corps) ...	Lieutenant-Colonel.	12th March 1877.	Lieutenant-Colonel (Brevet-Colonel) D. S. Dodgson, promoted.
Cadre of the late 19th Native Infantry.	Captain (Major in Staff Corps) W. E. Chambers.	Major ...		
Infantry ...	Major Woodburn Francis Bartleman	Lieutenant-Colonel.	12th March 1877.	Lieutenant-Colonel (Major in Staff Corps) A. Battye, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 39th Native Infantry.	Captain W. G. Maitland (Staff Corps).	Major ...		
Infantry ...	Lieutenant-Colonel (Brevet Colonel) Folliott Walker Baugh.	Colonel, with Colonel's allowance.	12th March 1877	Agreeably to paragraph 13 of Secretary of State's despatch published in G. G. O. No. 869 of 1862.
	Major Robert Hastie Inglis	Lieutenant-Colonel.	12th March 1877.	Lieutenant-Colonel (Brevet-Colonel) F. W. Baugh, promoted.
Cadre of the late 43rd Native Infantry.	Captain A. G. Handcock (Staff Corps)	Major ...		

No. 232.—BREVET—

Lieutenant-Colonel John James Hood Gordon, Bengal Staff Corps, is promoted to the rank of Colonel by Brevet from the 23rd February 1877, under the operation of the Royal Warrant of the 31st January 1859, Clauses 8 and 9, subject to Her Majesty's approval.

No. 233.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the following casualties, the names of the under-mentioned Officers are placed on the Indian Gradation List as specified:—

Major-General H. W. Matthews, Bengal Infantry, is placed on the list of Lieutenant-Generals, and that of—
Colonel A. R. Thornhill, Madras Staff Corps, is placed on the list of Major-Generals on the Indian Gradation List.
} In consequence of the death of General W. Prescott, Madras Infantry, on the 2nd December 1876.

Colonel J. C. Brooke, Bengal Staff Corps, is placed on the list of Major-Generals on the Indian Gradation List.
} In consequence of the death of Major-General D. Hodson, C.B., Madras Staff Corps, on the 15th December 1876.

Major-General C. T. Chamberlain, C.S.I., Bengal Staff Corps, is placed on the list of Lieutenant-Generals; that of—
Colonel R. Woolley, Madras Staff Corps, is placed on the list of Major-Generals; and that of—
Captain C. A. Baylay, Bengal Staff Corps, is placed on the list of Majors, on the Indian Gradation List.
} In consequence of the death of General R. Hawkes, Bengal Cavalry, on the 18th December 1876.

Colonel F. F. Warden, Madras Infantry, is placed on the list of Major-Generals, and that of—
Major C. T. Hitchins, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.
} In consequence of the death of Colonel (Major-General on the Indian Gradation List) P. W. Luard, Bengal Staff Corps, on the 21st December 1876.

No. 234.—The following promotions and alterations of rank are made subject to Her Majesty's approval:—

PROMOTIONS.

Brevet.

Rank, Names, and Corps.	To what rank promoted.	From what date.	In succession to
Major Brydges Robinson Branfill, Bengal Cavalry	Lieut.-Colonel ...	19th Dec. 1876...	General R. Hawkes, Bengal Cavalry, deceased.
Captain Donald Christian Strachan Lindsay Carnegie, Bengal Cavalry.	Major ...	3rd „ 1876...	General W. Prescott, Madras Infantry, deceased.
Captain Robert Morris, Bengal Cavalry ...	Major ...	16th „ 1876...	Major-General D. Hodson, C.B. Madras Staff Corps, deceased.
Captain Arthur Robert Kenney-Herbert, Madras General List, Cavalry.	Major ...	22nd „ 1876...	Colonel (Major-General on the Indian Gradation List) P. W. Luard, deceased.

ALTERATIONS OF RANK.

Brevet.

Corps.	Rank and Names.	To rank from	In whose room.
Madras Cavalry...	Lieutenant-Colonel George Alexander Arbuthnot	30th Mar. 1874...	Colonel (Major-General on the Indian Gradation List) A. Wyndham, Madras Staff Corps, deceased.
Ditto ...	Lieutenant-Colonel William James Morris ...	26th Nov. 1875...	General A. Dick, Bengal Infantry, deceased.

Note.—That portion of G. G. O. No. 637 of 1874, promoting Major Henry Peter Sykes, *Bombay Cavalry*, to Brevet Lieutenant-Colonel from the 30th March 1874, is cancelled, the date assigned him in Bombay G. G. O. No. 272 of 1874, *viz.*, 3rd April 1874, will hold good.

No. 235.—Alteration of positions on the List of Lieutenant-Colonels on the Indian Gradation List—

RANK.	Names and Corps of Officers placed on the Indian Gradation List of Lieutenant-Colonels.	In whose room.
Major ...	W. Dickinson, C.S.I., half-pay, Bombay Staff Corps.	General A. Derville, Madras Infantry, deceased, 27th March 1874.
Major ...	G. F. Beville, Bombay Staff Corps ...	General H. Hall, Bengal Infantry, deceased, 22nd August 1875.
Major ...	C. J. Mead, Bengal Staff Corps (since deceased).	Major-General *Sir* H. B. Lumsden, K.C.S.I., C.B., Bengal Staff Corps, retired, 15th September 1875.
Major ...	H. H. Godwin-Austen, Bengal Staff Corps.	General *Sir* H. G. A. Taylor, G.C.B., Madras Infantry, deceased, 9th February 1876.
Major ...	A. M. Shewell, Bombay Staff Corps ...	Lieutenant-General C. Troup, Bengal Infantry, deceased, 19th March 1876.
Major ...	T. O'Neill, half-pay, Madras Staff Corps.	Colonel (Major-General on the Indian Gradation List) H. T. Vincent, Bombay Staff Corps, deceased, 11th July 1876.
Major ...	W. Tweedie, Bengal Staff Corps ...	General H. C. M. Cox, Bengal Infantry, deceased, 22nd July 1876.
Major ...	C. J. Hughes, Bengal Staff Corps ...	Major-General F. Maitland, Bengal Infantry, deceased, 3rd August 1876.
Major ...	H. A. Little, Bengal Staff Corps ...	Major-General L. S. Hough, Bombay Staff Corps, deceased, 23rd November 1876.
Major ...	C. H. S. Scott, Bengal Staff Corps ...	General W. Prescott, Madras Infantry, deceased, 2nd December 1876.
Major ...	W. H. Mackesy, Bengal Staff Corps ..	Major-General D. Hodson, C.B., Madras Staff Corps, deceased, 15th December 1876.

No. 236.—NATIVE ARMY—

35th (*The Mynpoorie*) *Regiment of Native Infantry.*—Drum Major John Norris, to be Jemadar *vice* Buldeo, invalided. Dated the 24th November 1876.

36th (*The Bareilly*) *Regiment of Native Infantry.*—Subadar Maheepal Singh is appointed Subadar Major, *vice* Dewa Sing, deceased. Dated the 1st January 1877.

3rd Goorkha (*The Kemaoon*) *Regiment.*—Jemadar Gunga Sing Bisht, to be Subadar, *vice* Kiertee Sing Thappa, invalided; Jemadar Puddum Sing Nagee, to be Subadar, *vice* Hurruk Sing Rana, invalided; Havildar Gopal Bisht, to be Jemadar, *vice* Munbeer Thappa, invalided; Havildar Bheem Sing Ghurtee, to be Jemadar, *vice* Gunga Sing Bisht, promoted; Havildar Pryag Rawut, to be Jemadar, *vice* Puddum Sing Nagee, promoted. Dated the 1st November 1876.

No. 237.—PUNJAB FRONTIER FORCE—

No. 2 Mountain Battery.

Jemadar Nuzzur Khan, to be Subadar, *vice* Nund Sing, invalided; Havildar Kishen Sing, to be Jemadar, *vice* Nuzzur Khan, *promoted*. Dated the 1st February 1877.

No. 238.—SUBORDINATE MEDICAL DEPARTMENT—

The under-mentioned Hospital Assistants who have passed their septennial professional examinations are advanced to the next higher grade, with effect from the dates specified:—

NAMES.	DATE OF COMPLETION OF 14 years' service.	DATE OF COMPLETION OF 7 years' service.	Date of passing the professional examination.	Date of promotion.
To be 1st Class Hospital Assistants.				
Shaik Abdool Guffoor, (*A*)	13th Jan. 1873.	...	16th Oct. 1876	16th Oct. 1876.
Leakut Hossain	14th April 1876	...	Ditto ...	Ditto.
Syed Oolfuth Allee	Ditto ...	...	14th Oct. 1876	Ditto.
Elham Oollah	Ditto ...	...	16th Oct. 1876	Ditto.
Nubee Bux, (*A*)	Ditto ...	...	Ditto ...	Ditto.
Baboolla Khan	23rd April 1876	...	14th Oct. 1876	24th April 1876.
Moula Bux, (*B*)	27th Aug. 1876	...	16th Oct. 1876	28th Aug. 1876.
To be 2nd Class Hospital Assistants.				
Shaik Ahmed Buksh (2nd)	...	30th March 1874	20th Oct. 1876	16th Oct. 1876.
Busheer Oodeen Ahmed	...	15th April 1875	16th Oct. 1876	Ditto.
Mohun Loll	...	16th April 1875	17th Oct. 1876	Ditto.
Bholanath	...	5th July 1875	Ditto ...	Ditto.
Indur Mun, (*A*)	...	10th Oct. 1875	16th Oct. 1876	Ditto.
Ram Loll	...	8th Feb. 1876	Ditto ...	Ditto.
Hoossein Beig	...	10th April 1876	14th Oct. 1876	11th April 1876.
Nanuck Chund, (*A*)...	...	15th April 1876	16th Oct. 1876	16th Oct. 1876.
Pundit Rulla Ram, (*C*)	...	Ditto ...	17th Oct. 1876	17th Oct. 1876.
Kurm Elahi, (*A*)	...	Ditto ...	16th Oct. 1876	16th Oct. 1876.
Shaik Nuzeer Ally	...	16th April 1876	Ditto ...	17th April 1876.
Wahed Oodeen	...	Ditto ...	Ditto ...	Ditto.
Mahomed Fakeer (1st)	...	28th April 1876	19th Oct. 1876	29th April 1876.
Meer Emdad Ally	...	Ditto ...	16th Oct. 1876	Ditto.
Shaik Aboollah (2nd)	...	Ditto ...	Ditto ...	Ditto.
Shaik Tajummul Hossain	...	Ditto ...	Ditto ...	Ditto.
B. Apparido, (*D*)	...	14th Oct. 1876	Ditto ...	Ditto.
Shaikh Raheem Buksh	...	3rd May 1876	16th Oct. 1876	4th May 1876.
Azim Hussain	...	31st July 1876	Ditto ...	1st Aug. 1876.
Shaikh Jamal Ooddeen	...	11th Oct. 1876	Ditto ...	12th Oct. 1876.
Lootff Ali, (*E*)	...	Ditto ...	20th Oct. 1876	Ditto.
Shaikh Mohummud Ibraheem ...	...	Ditto ...	16th Oct. 1876	Ditto.
Shaikh Wulee Ahmud	...	Ditto ...	Ditto ...	Ditto.
Shaikh Basut Ali	...	Ditto ...	Ditto ...	Ditto.
Sham Sarun, (*D*)	...	Ditto ...	19th Oct. 1876	Ditto.

(*A*) Passed an examination in English, *vide* G. G. O. No. 968 of 1870.
(*B*) Ditto ditto G. G. O. No. 876 of 1872.
(*C*) Ditto ditto G. G. O. No. 66 of 1874.
(*D*) Ditto ditto G. G. O. No. 389 of 1875.
(*E*) Ditto ditto G. G. O. No. 896 of 1873.

No. 239.—The under-mentioned Passed Medical Pupils are promoted to the grade of 3rd Class Hospital Assistant:—

NAMES.	Date of passing the examination in English according to the new test.
Abdul Rehman	
Mohummed Abdool Jubbur ...	
Azeez Mahamed Khan	
Syed Mahomed Soofee	
Purrum Lall	
Bhondo Lal	17th May 1873
Poorun Singh	
Sookhnundun	
Hushmut Ally	
Ruhmut Oolah	
Kureem Buksh	22nd Dec. 1873
Rohoman Bux	
Shewruttun	15th May 1872
Ashgur Alee Khan	
W. Abraham	15th May 1872
Shekh Wuheed-ood-deen	Ditto
Mohomed Abbass	21st June 1872
Ram Churun	
Wahid Buksh	
Ashan Hoossein	
Naseerooddeen Khan	
Gajadhur Pershad	21st June 1872
Dhaman Khan	
Shaik Arrung Sha	15th May 1872
Shere Singh Goorung	Ditto
Bhugwan Prusad	2nd July 1872
Hem Chunder Bannerjee	Ditto
Ameerut Hossen	3rd July 1872
Abdool Allie	15th May 1872
Bishoon Nauth	
Mohomed Askery	
Moneeram Doss	
Lall Dharee	
Ram Lal	2nd July 1872
Ezabutt Hossain	
Dhmree Lal	

No. 240.—Native Medical Pupil Ram Chundra, Campbell Medical School, is promoted to the grade of Passed Medical Pupil with effect from the 19th December 1876, and placed at the disposal of the Surgeon-General, Indian Medical Service.

TRANSFER OF OFFICERS.

No. 241.—The services of Surgeon-Major F. Odevaine, in Medical charge, 34th (The Futtehgurh) Regiment of Native Infantry, are placed temporarily at the disposal of the Foreign Department.

No. 242.—The services of Lieutenant N. Arnott, Royal Engineers, are placed at the disposal of the Public Works Department.

No. 243.—The services of Lieutenant A. L. Mein, Royal Engineers, are placed at the disposal of the Public Works Department.

No. 244.—The services of Lieutenant G. C. P. Onslow, Royal Engineers, are placed at the disposal of the Public Works Department.

No. 245.—The services of Surgeon H. Whitwell, Civil Surgeon, Amritsar, are placed temporarily at the disposal of the Government of Bengal.

No. 246.—The services of Surgeon D. J. Macdonald are placed temporarily at the disposal of the Home Department, with effect from the 8th March 1877.

No. 247.—The services of Surgeon A. H. Leapingwell are placed at the disposal of the Foreign Department.

No. 248.—The services of Surgeon S. H. Dántrá are placed temporarily at the disposal of the Government of Fort St. George.

No. 249.—The services of Surgeon-Major W. J. Moore, of the Rajpootana Political Agency, are placed temporarily at the disposal of the Government of Bombay.

RETIREMENTS.

No. 250.—Deputy Surgeon-General Charles Manners Smith is permitted to retire from the service on a pension of £550 per annum, with the additional pension of £250, under the provisions of paragraph 37 of G. G. O. No. 1060 of 1864, from the 31st March 1877.

No. 251.—The retirement from the service of Surgeon-Major T. Duka, M.D., in G. G O. No. 118 of 1877 will have effect from the 27th March 1877, instead of the date previously notified.

PENSIONS.

No. 252.—The under-mentioned Warrant Officer is admitted to pension as specified opposite to his name:—

Conductor John Curram, Assistant Overseer, Small Arm Ammunition Factory,—two shillings and six pence per diem, as Sergeant-Major, payable in Europe.

No. 253.—The under-mentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, from the dates they cease to receive regimental pay:—

Corporal Christopher Benson, late 6th Brigade, R.A.,—one shilling and four pence halfpenny per diem.

John Mahon, late 15th Hussars,—one shilling per diem.

John Connors, late 62nd Foot,—one shilling per diem.

No. 254.—The under-mentioned out-pensioner having been permitted to reside and draw his stipend in the Bombay Presidency, payment of pension is to be made and charged accordingly:—

Gunner Charles O'Brien, a pensioner from the D Brigade, Royal Artillery,—*rate of pension*, 7 pence per diem, paid up to the 31st March 1877.

No. 255.—Sepoy Hunnooman, late 35th (The Mynpoorie) Regiment of Native Infantry, is granted an injury pension in the 3rd degree of Rs. 3 per mensem, payable in the N. W. P. Circle.

No. 256.—The under-mentioned men of the Deolee Irregular Force are transferred to the Pension Establishment:—

Serial No.	Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
	Subadar	Juggurnath Tewarie.	Subadar...	18 0 0	N.W. P.
	Jemadar	Deena Ram	Jemadar...	10 0 0	Do.
	Havildar	Kassie Sing	Havildar...	6 0 0	Presidency.

No. 257.—Native Doctor Ram Rutton, attached to the Western Jumna Canal Circle, is granted a pension of Rs. 7 per mensem from the date of his discharge, payable in the Punjab Circle.

No. 258.—Bhisty Emamee, E. Battery, F Brigade, Royal Horse Artillery, is granted a pension of Rs. 3 per mensem from the date of his discharge, payable in the North-Western Provinces Circle.

FURLOUGH AND LEAVE.

No. 259.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Major-General *Sir* Henry Wylie Norman, K.C.B., Bengal Staff Corps,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Thomas Buttanshaw, Bengal Staff Corps, District Superintendent of Police, 2nd Grade, Sarun, Bengal,—private affairs, for two years, under Rule IX of the Regulations of 1868.

Surgeon-Major Edward Ambrose Fitzgerald,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Surgeon-Major David Boyes Smith, M.D., Principal and Professor of Medicine, Medical College, Calcutta,—private affairs, for twenty months, under Rule IX of the Regulations of 1868.

Major Richard Thomas Hare, Bengal Staff Corps,—for two years—one year one month and six days on private affairs, under Rules IX and XV, and the remaining period on medical certificate, under Rule XIV, Clause II, of the Regulations of 1868—with effect from the 27th February 1877, the date of his departure from Bombay per *Branksome Hall*.

Captain Kellow Charles Pye, Royal Engineers, Manager Rajpootana State Railway,—private affairs, for ten months, under Rule IX of the Regulations of 1868.

Captain Charles Allan Baylay, Bengal Staff Corps, Political Agent, 3rd Class, Assistant to the Agent, Governor General, Rajpootana, Officiating Political Agent, 3rd Class, Jeypore, Rajpootana Agency,—for twenty months—one year and nine days on private affairs, under Rules IX and XV, and the remaining period on medical certificate, under Rule XIV, Clause II, of the Regulations of 1868.

Captain Edmund Denman Smith, General List, Infantry, Wing Officer, 3rd Goorkha (The Kemaoon) Regiment,—medical certificate, for one year, under the Regulations of 1854.

Captain Arthur Irwin Iles, Bengal Staff Corps, Wing Officer, 43rd (Assam) Regiment of Native (Light) Infantry,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant Frederick Robertson Ditmas, Bengal Staff Corps, Squadron Officer, 15th Bengal (Cureton's Mooltanee) Cavalry,—private affairs, for nine months, under Rules IX and XV of the Regulations of 1868.

Sub-Conductor B. Morley, Ordnance Commissariat Department,—medical certificate, for two years, under the Regulations of 1868.

No. 260.—The following extract from List No. 4, dated the 16th February 1877, received from the India Office, is published for general information:—

Permitted to return to duty.

Colonel H. A. Browne, Bengal Infantry.
Major C. Martin, late 1st European Light Cavalry.
Surgeon-Major J. R. Jackson.
Surgeon A. Skeen.
Captain J. M. Trotter, General List, Infantry.
Major W. Phaire, S. C.

The permission to return granted to Sub-Conductor T. Radford, Commissariat Department, has been cancelled.

Granted extensions of leave.

Sub-Conductor W. Tennant, Ordnance Department,—six months, M. C.
Major W. Phaire, S. C.,—six weeks, M. C.

No. 261.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) C. C. Johnson, Bengal Staff Corps, Deputy Quartermaster General, Bombay, 8th March 1877.
Lieutenant F. M. Rundall, Bengal Staff Corps, Bombay, 27th January 1877.

MEDICAL DEPARTMENT.

No. 262.—REGULATIONS—

The following note to be added to paragraph 29 of G. G. O. No. 550 of 1868—

NOTE.—*If he has not passed the regular College course, he must have given proof of special qualifications.*

ORDNANCE.

No. 263.—STORES—

The following clauses in list of Changes in War Matériel, are made applicable to India:—

Dated 1st November 1876.

No. 2967.—Instructions for the use of implements, fuze and shell, rifled, Ordnance, Land and Sea service.
No. 2970.—Lubricators, cartridge, for B. L. guns (Mark II).
No. 2971.—Shot, case, rifled, muzzle-loading, diameters of.

Dated 1st December 1876.

No. 2977.—Tool, armourers'; facer, for bent in tumbler (Mark I).
No. 2978.—Cases, horse shoe; harness and saddlery. Addition of lay of leather over band.
No. 2981.—Bearer, shell or shot, rifled, M. L., 80-pr. (Mark I).

DISMISSALS AND REMOVALS.

No. 264.—The following order issued by the Government of the Punjab is confirmed:—

No. 27, dated 6th March 1877.—Jemadar Lal Gul, 2nd Punjab Infantry, having been sentenced to six months' rigorous imprisonment, is dismissed from the service, with effect from the date of the order of imprisonment.

ARMY CIRCULARS.

No. 265.—The following Clause 166 of Army Circulars, dated the 1st December 1876, is declared

applicable to India, and published for general information :—

Stoppages from Soldiers' pay for the benefit of their Wives and Children.

CLAUSE 166. 1.—Remittances on account of the stoppages made from the pay of soldiers, under the Mutiny Act and Articles of War, for the benefit of their wives and children, will, in all instances, be described in vouchers, pay lists, remittance rolls, &c., as "compulsory remittances."

2.—When a soldier, subject to these stoppages, is sent from the depôt to the Service Companies, or is transferred to another company, regiment, or brigade, care will be taken by his Commanding Officer to communicate to the officer in command of his future company, regiment, or brigade, the order placing the man under stoppage.

CLOTHING.

No. 266.—With advertence to G. G. Os. Nos. 780 and 837 of 1874, and No. 105 of 1877, it is hereby notified that the spurs to be supplied to the British Artillery and Cavalry in India to be worn with their knee boots, will be of the swan neck pattern, and will be provided by the Clothing Department, and not by the Ordnance Department, as heretofore.

They will be issued quinquennially in accordance with the scale laid down in G. G. O. No. 837 of 1874, and accounted for as articles of clothing.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 16th March 1877.

Statement of Deposits on account of Estates from 24th February to 16th March 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
BRITISH MILITARY SERVICE. Maximilian Bieber(a) ...	Captain ...	13th Hussars...	6th Aug. 1876	No will found	Rs. A. P. 450 5 0		
INDIAN MILITARY SERVICE. Arthur Davies Dickens, C.B.(b).	Brevet Col.	Bengal Staff Corps.	15th Oct. 1876	Will found ...	10,106 1 11	...	16th May 1877.
Martin Quigley(c) ...	Asst. Apothecary.	Sub. Medl. Dept.	20th Dec. 1876	Intestate ...	111 1 11	...	

(a) Next-of-kin—Brother, Bieber, Fullelby House, Horn'Castle, Lincolnshire.

(b) Next-of-kin—Daughter and sole legatee, Miss Katie Dickens. Executors, Major Robert Wilberforce Bird, Bengal Infantry, retired, Barton House, Warwickshire, England. Philip Myburgh, Esq., Barrister-at-Law, Queensborough Terrace, Hyde Park, London.

(c)—Next-of-kin—Father, Pensioner Quigley. Sisters, Mrs. Eliza Fuller, wife of Sergeant G. Fuller, A-A Royal Horse Artillery, Jane Quigley, Mary Ann Quigley, Lawrence Asylum, Murree.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 7th March 1877.

No. 105.—The following Officers on the establishment under the Director of State Railways are temporarily transferred to Bombay for employment on the Survey of the Dhoond and Manmar Railway :—

Mr. G. E. Moore, Executive Engineer, 4th Grade (temporary rank).
Mr. W. Johnstone, Assistant Engineer, 1st Grade.
Lieutenant C. C. C. Barlow, R.E., Assistant Engineer, 1st Grade.
Mr. B. W. Cantopher, Assistant Engineer, 2nd Grade.
Mr. A. Thuey, Assistant Engineer, 2nd Grade.
Babu Mal, Assistant Engineer, 3rd Grade.

The 12th March 1877.

No. 116.—Lieutenant C. H. P. Christie, R.E., Deputy Examiner, Public Works Accounts, Madras, is granted privilege leave for two months and twenty-nine days, with effect from such date as he may be permitted to avail himself of it.

The 13th March 1877.

No. 117.—Major J. P. Westmorland, R.E., Examiner of Accounts, is, on return from furlough, granted subsidiary leave of absence for thirty days, with effect from the 21st February 1877.

The 14th March 1877.

No. 118.—The services of Colonel J. F. Stoddard, M.S.C., Superintending Engineer, 2nd Grade (temporary rank), Bengal, Irrigation Branch, are replaced at the disposal of the Military Department, Madras, under the provisions of Public Works Department Notification No. 278 of 23rd May 1872.

No. 119.—With reference to Bengal Government Notification No. 1110A of 1st March 1877, the services of 3rd Grade Assistant Surgeon Benode Behary Doss, are placed at the disposal of the Director of State Railways.

The 15th March 1877.

No. 120.—Sergeant J. Adamson, Overseer, 1st Grade, on the establishment under the Director of State Railways, is permitted, at his own request, to revert to military duty.

No. 121.—Major J. P. Westmorland, Examiner of Accounts, is (on return from furlough) posted to the Examinership of Accounts, Punjab Northern State Railway.

The 16th March 1877.

No. 122.—Lieutenant-Colonel H. A. Brownlow, R.E., Officiating Chief Engineer and Secretary to Government, North-Western Provinces, Irrigation Branch, is appointed to officiate as Inspector General of Irrigation, and Deputy Secretary to the Government of India, Public Works Department, during the absence of Colonel J. Crofton, R.E., or until further orders.

Mr. C. C. Anderson, Temporary Superintending Engineer, 1st Grade, North-Western Provinces, Irrigation, is appointed to officiate as Chief Engineer, *vice* Lieutenant-Colonel H. A. Brownlow, R.E.

No. 123.—Baboo Debendro Nath Dutt, Accountant, 4th Grade, Bengal, is transferred to the Military Works Branch.

TELEGRAPH.

The 10th March 1877.

No. 115.—Mr. C. E. Pitman, Assistant Superintendent, 1st Grade, will have the rank of a Superintendent, 3rd Grade, with effect from 1st October 1876, until further orders.

W. A. CROMMELIN, *Major-Genl., R. E.*,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 12.] CALCUTTA, SATURDAY, MARCH 24, 1877. [Registered No. 33.

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

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PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 23rd March 1877.

His Excellency the Viceroy and Governor General will leave Calcutta on Monday, the 2nd April 1877, at 5 P. M. (Railway time).

His Excellency will visit Lucknow, Naini Tal and Ranikhet, and arrive at Simla towards the end of the month.

By Command,

G. POMEROY COLLEY, *Colonel,*
Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 19th March 1877.

No. 241.—A VACANCY having occurred in the Office of an Ordinary Member of the Council of the Governor General of India by the resignation of Major-General the Hon'ble Sir H. W. Norman, K.C.B., Her Majesty has been graciously pleased to appoint Major-General Sir Edwin Beaumont Johnson, Royal Artillery, K.C.B., to be an Ordinary Member of the Council of the Governor General of India.

Major-General Sir E. B. Johnson has this day, under the usual salute, taken his seat as an Ordinary Member of the Governor General's Council.

The 20th March 1877.

No. 246.—APPOINTMENT.—Captain W. J. Williamson, Deputy Commissioner of the 4th Grade in Assam, to officiate as Inspector General of Police in the General Police District of that Province, and also as Inspector General of Prisons, under Section 6, Act XXVI of 1870, Commissioner of Abkari Revenue, under Section 3, Act XXI of 1856, and Superintendent of Stamps in the Chief Commissionership of Assam.

No. 249.—The services of Mr. E. J. Sinkinson, C.S., are placed at the disposal of the Financial Department.

The 22nd March 1877.

No. 255.—The Honorable Sir Robert Henry Davies, K.C.S I., of the Bengal Civil Service, has obtained two years' furlough to Europe and the

usual subsidiary leave, with effect from such dat as he may avail himself of it. e

No. 262.—Under the provisions of the Act of Parliament 24 and 25 Vic., Cap. 104, section 7, the Governor General in Council has been pleased to appoint Mr. J. Pitt-Kennedy, Barrister-at-Law and Standing Counsel, to officiate as a Judge of the High Court of Judicature at Fort William in Bengal.

No. 265.—Under the provisions of the Act of Parliament, 24 and 25 Vic., Cap. 104, section 7, the Governor General in Council has been pleased to appoint Mr. H. T. Prinsep, of the Bengal Civil Service, to officiate as a Judge of the High Court of Judicature at Fort William in Bengal.

MEDICAL.

The 20th March 1877.

No. 196.—Assistant Surgeon Shib Kristo Das is dismissed from the service of Government.

PORT BLAIR.

The 20th March 1877.

No. 94.—Major-General C. A. Barwell, C.B., resumed charge of the Office of Chief Commissioner of the Andaman and Nicobar Islands, and Superintendent of Port Blair and the Nicobars, from Captain M. Protheroe, on the forenoon of the 27th ultimo.

The 21st March 1877.

No. 98.—APPOINTMENT.—Mr. Baghail Sing, Extra Assistant Superintendent and Assistant District Superintendent of Police in Port Blair and the Nicobars, to officiate as District Superintendent of Police, during the absence on furlough of Captain R. J. Wimberley, or until further orders.

No. 99.—APPOINTMENTS.—Captain W. B. Birch, 2nd Assistant Superintendent of Port Blair and the Nicobars, to officiate as 1st Assistant Superintendent, with effect from the 9th instant, during the absence on furlough of Captain R. J. Wimberley, or until further orders.

Mr. E. H. Man, 3rd Assistant Superintendent, to officiate as 2nd Assistant Superintendent, *vice* Captain Birch.

Mr. F. E. Tuson, Extra Assistant Superintendent of the 2nd Class, to officiate as 3rd Assistant Superintendent, *vice* Mr. Man.

Mr. O. H. Brookes, Extra Assistant Superintendent of the 2nd Class, to officiate as Extra Assistant Superintendent of the 1st Class, *vice* Mr. Tuson.

Mr. F. P. Goddard, to officiate as Extra Assistant Superintendent of the 2nd Class, *vice* Mr. Brookes.

PATENTS.

The 22nd March 1877.

No. 198.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India, in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India, in the Home Department, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 31 of 1876.—Mr. J. Fraser, Engineer, Carnac Iron Works, Carnac Bunder, Bombay, for "improvements in rotary engines."

No. 60 of 1876.—Mr. S. W. Clark, of London, England, Iron Merchant, for "improvements in hand signal lamps."

No. 62 of 1876.—Mr. C. E. Bowhay and Mr. Kunj Behari Lall Khanna, Mechanical Engineers and Contractors, Devonshire Iron Works, Allahabad, for "a safety permanent way railway chair and key."

No. 63 of 1876.—Mr. J. P. Collins and Mr. H. C. B. Petman, Contractors of Allahabad and Cawnpore, North-Western Provinces of India, for "improvements in burning bricks, tiles, and other light pottery wares."

No. 92 of 1876.—Babu Deb Narain Bysak, No. 3, Prosonno Coomar Tagore's Street, in the Town of Calcutta, for "working the ordinary Bengali oil mill with steam power, with an improvement in the mill itself."

No. 5 of 1877.—Mr. W. MacLellan and Mr. J. P. Smith, of Glasgow, in the County of Lanark, Scotland, Engineers, for "a new and useful improvement in the construction of railway sleeper chairs."

No. 9 of 1877.—Mr. P. J. Dussaud, Merchant, of the firm of P. & J. Dussaud Freres, and Mr. J. Duchez, Merchant, of the Firm of Duchez and Bendinger, both of Bordeaux, France, for "improvements in tanning and in apparatus connected therewith."

No. 13 of 1877.—Mr. G. W. Miltimore, of Janesville, in the County of Rock, and State of Wisconsin, United States of America, for "a new and improved car axle."

No. 15 of 1877.—Mr. F. W. Mackenzie, Engineer, of Gellahatting Tea Factory, Bisnauth, Assam, but at present of Calcutta, for "improvements in drying tea and apparatus employed therefor."

No. 16 of 1877.—Babu Sheeta Nath Ghose, son of Giridhur Ghose, Talookdar of Roygram, in Station Lohargurah, in the District of Jessore, for "a weaving machine."

No. 796.—Mr. C. Powell, late Assistant Superintendent of Police, Madras Presidency, now of Coonoor, Nilgiri Hills, has filed an amended specification supplying certain omissions in the previous specification of his invention for the manufacture of ratan, cane and bamboo vehicles, either wheeled or portable.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—CUSTOMS.

Fort William, the 21st March 1877.

No. 70.—In the exercise of the powers vested in him by Section 6, Clause *b*, of the Indian Tariff Act, 1875, the Governor-General in Council is pleased to exempt gunny bags and gunny cloth from all duties of Customs.

SURVEYS.

The 21st March 1877.

No. 196.—In Notification No. 90, dated the 14th ultimo, granting leave on medical certificate for one year to Mr. H. E. Gastrell, Assistant Superintendent of Revenue Survey, 2nd. Grade, after the word "Europe," read "or Australia."

The 23rd March 1877.

No. 205.—The under-mentioned Officers have been appointed Assistant Superintendents of the 2nd Grade, in the Marine Survey Department, with effect from the 6th of October last:—

Lieutenant W. H. Coombs, R.N.
Navigating Lieutenant T. C. Pascoe, R.N.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 22nd March 1877.

No. 27J.—Under the provisions of Section 3 of Act II of 1869, "The Justices of the Peace Act," the Governor General in Council is pleased to appoint Major A. L. Playfair to be a Justice of the Peace for the whole of British India.

POLITICAL.

The 21st March 1877.

No. 620P.—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. A. C. Gumpert as Consul for Sweden and Norway at Bombay.

No. 622P.—With reference to Notification No. 2845P, dated 24th November 1876, the recognition by the Government of India of the appointment of Monsieur Le Chevalier Charles Grondona as Acting Consul for Italy at Bombay, has been confirmed by Her Majesty's Government.

No. 624P.—With reference to Notification No. 2946P, dated 1st December 1876, the recognition by the Government of India of the appointment of Mr. Robert McCraken as Acting Vice-Consul for Denmark at Rangoon, has been confirmed by Her Majesty's Government.

No. 626P.—With reference to Notification No. 2948P, dated 1st December 1876, the recognition by the Government of India of the appointment of Mr. Robert McCraken as Acting Consul for the Netherlands at Rangoon has been confirmed by Her Majesty's Government.

The 22nd March 1877.

No. 640P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. G. Diefenbach to act as Consul for Sweden and Norway at Calcutta, during the absence of Mr. S. E. Voigt.

No. 642P.—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. P. F. Eisenlohr as Consul for the German Empire at Calcutta.

The 23rd March 1877.

No. 647P.—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of M. deColons as Consul for Denmark at Madras.

No. 649P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Bernard Leumann as Consular Agent for Italy at Moulmein.

No. 651P.—His Excellency the Viceroy and Governor General has been pleased to confer upon Sheikh Mahomed Azim, Riding Master in the Mayo College, Ajmere, late Duffadar, 3rd Bengal Cavalry, the honorary rank of Jemadar.

GENERAL.

The 17th March 1877.

No. 663G.—PROMOTIONS.—The following promotions are made in the Infantry Branch of the Deoli Irregular Force, with effect from the 25th February 1877:—

Jemadar Jalim, to be Subadar, *vice* Juggurnauth Tewarie, invalided.

Havildar-Major Dewa, to be Jemadar, *vice* Deena Ram, invalided.

Color Havildar Ooma Ram, to be Jemadar, *vice* Jalim, promoted.

No. 664G.—Mr. R. H. Pilcher, C.S., Assistant Resident at Mandalay, has passed the examination in Burmese, prescribed by Foreign Department Resolution No. 2809P, dated 15th October 1875.

The 20th March 1877.

No. 670G.—Colonel Sir R. J. Meade, K.C.S.I., Resident at Hyderabad, is granted three months' privilege leave, from the date after the 12th March 1877, on which he may avail himself of the same.

No. 671G.—Captain C. B. Euan Smith, 1st Assistant Resident at Hyderabad, to be in charge of the current duties of the Residency, during the absence on privilege leave of Colonel Sir R. J. Meade, K.C.S.I.

The 21st March 1877.

No. 676G.—Colonel W. Nembhard, Commissioner, Hyderabad Assigned Districts, to be in charge of the duties of Judicial Commissioner, in addition to his own duties, with effect from 8th March 1877, *vice* Lieutenant-Colonel Allardyce.

The 22nd March 1877.

No. 691G.—Major V. E. Law, Officiating Political Assistant, 1st Class, and Superintendent of the Rajputana (State) Railway Police, took temporary charge of the current duties of the Office of Political Agent, Jeypore and Kishengurh, in addition to his own duties, from Captain C. A. Baylay, on the afternoon of the 20th February 1877.

No. 692G.—APPOINTMENTS.—The following temporary appointments, with effect from the date of assuming charge, are made in the Mysore Commission consequent on the death of Major Gompertz, Deputy Inspector General of Police:—

Captain J. S. F. Mackenzie, Officiating Assistant Commissioner, 1st Class, to officiate as Deputy Inspector General of Police, *vice* Major Gompertz.

Major C. S. Blair, Assistant Commissioner, 2nd Class, to officiate as Assistant Commissioner, 1st Class, *vice* Captain Mackenzie.

Mr. J. Lacey, B L., Officiating Assistant Commissioner, 3rd Class, to officiate as Assistant Commissioner, 2nd Class, *vice* Major Blair.

The 23rd March 1877.

No. 699*G.*—PROMOTION.—Captain H. DeP. Rennick, Assistant Commissioner, 3rd Class, Hyderabad Assigned Districts, to officiate as Assistant Commissioner, 2nd Class, with effect from the 29th January 1877, *vice* Mr. Knowlys.

No. 705*G.*—APPOINTMENT.—Mr. T. T. Cooper is appointed to officiate as Political Agent of the 3rd Class and is posted to Bhamo.

No. 709*G.*—LEAVE.—Colonel M. Thomson, Officiating Political Agent, 1st Class, and Agent to the Governor General with the King of Oudh, and Superintendent of Political Pensions, is granted privilege leave for two months and twenty-seven days, with effect from 2nd April 1877.

No. 710*G.*—APPOINTMENT.—Colonel A. Elderton, Bengal Staff Corps, at present doing duty at Fort William, to officiate as Political Agent, 1st Class, as a temporary arrangement.

No. 711*G.*—POSTING.—With reference to Notification No. 710G, dated 23rd March 1877, Colonel A. Elderton, Officiating Political Agent, 1st Class, is posted as Agent to the Governor General with the King of Oudh, and Superintendent of Political Pensions, with effect from 2nd April 1877, *vice* Colonel M. Thomson, on leave.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 22nd March 1877.

No. 1665.—Mr. W. Waterfield, B.C.S., made over charge of the Offices of Accountant General, North-Western Provinces, and Deputy Commissioner of Paper Currency, Allahabad Circle, to Mr. A. Anthony, after noon, on the 23rd February 1877, and received charge of the Offices of Comptroller General and Head Commissioner of Paper Currency from Mr. E. F. Harrison, after noon, on the 14th March 1877.

No. 1684.—Mr. T. W. Rawlins, B.C.S., received charge of the Offices of Accountant General, Punjab, and Deputy Commissioner of Paper Currency, Lahore Circle, from Mr. T. W. Biss, before noon, on the 14th March 1877.

ACCOUNTS, &c.

The 22nd March 1877.

No. 1709.—The following Resolution is published for general information:—

Read again—

Resolution No. 3334, dated 14th December 1870.

Read—

The Financial Statement made by the Hon'ble Sir John Strachey to the Legislative Council of the Government of India on the 15th March 1877, and the Abstracts of the Accounts and Estimates therewith presented.

RESOLUTION.—Subject to the approval of the Secretary of State in Council, the Governor General in Council has resolved to re-incorporate in the Imperial Estimates and Accounts, in the manner described in this Statement by the Hon'ble Sir John Strachey, the transactions of the Local Governments, which have, since 1871-72, been represented by a single net entry in the Imperial Estimates and Accounts under the Head *Allotments for Provincial Services.*

2. Additional Revenues have been already surrendered to the provincial uses of the Governments of *Bengal*, the *North-Western Provinces* and *Oudh*, and additional Services transferred to their management and responsibility: it is the intention of the Governor General in Council, after consultation with the other Local Governments, to propose similar expansions of the measure of December 1870 in respect to the Revenues and Services of the other Provinces.

3. In consequence of the arrangements thus completed or contemplated, it is necessary to revise the conditions under which the Local Governments administer the Revenues and Services entrusted to their particular use and management.

4. In supersession, therefore, of all existing regulations upon the subject, the Governor General in Council is pleased to decide that, till further orders, the following shall be the

Rules and Conditions which apply to the administration by the Local Governments of all Revenues and Services surrendered to provincial uses and management.

I.—Without the previous sanction of the Government of India—

(1) No additional taxation may be imposed, and no change made in any existing system of Revenue management;

(2) No new general service or duty may be undertaken: whenever a Local Government proposes to undertake any such new service or duty, it must satisfy the Government of India that it can provide the funds for it, temporarily, if the service or duty is temporary, and permanently, if it is permanent;

(3) No appointment may be created with a pay of more than Rs. 250 a month; and no addition may be made to the pay and allowances of any officer if they exceed, or would, after the addition, exceed, Rs. 250 a month;

(4) No appointment of which the pay and allowances are more than Rs. 250 a month may be abolished; and the pay and allowances of no such appointment may be reduced;

(5) No class or grade of officers may be created or abolished; and the pay of no class or grade of officers may be raised or reduced;

(6) The rates of discount upon the retail of stamps and court-fee labels, and the local duty on spirit and drugs, must not be altered: the Governor General in Council reserves the right of forbidding any such alterations as are likely to injure the Revenues of neighbouring Provinces or prove otherwise inconvenient;

(7) No addition may be made to the pay or allowances of any individual officer, or class of officers, that may lead to increase in the emoluments of any public servants doing duty in the same Province, whose pay and allowances are not charged under one of the transferred Heads of Service. The Government of India reserves the right to forbid alterations in rates of pay or allowances, which, in its opinion, would produce inconvenience in other Provinces;

(8) No money may be removed from the Public Treasury for investment, or deposit elsewhere: the Government of India, which is responsible for the provision of ways and means for the public service in all Departments, must, always, retain, as at present, in its own hands, absolute and unconditional control over all money in the Public Treasury: a Local Government may not withdraw such money except for expenditure upon the public service;

(9) No alteration must be made in the form or procedure of the Public Accounts;

(10) No services previously rendered to other Departments at the charge of the Departments made over to the control of the Local Governments may be diminished, and no services previously rendered to these Departments at the charge of other Departments may be increased;

(11) No line of through communication may be abandoned, or allowed to fall out of repair.

II.—Returns are to be made quarterly, through the several Administrative Departments of the Government of India, to the Financial Department, showing every change made in the pay of any officer, every new office created, and every existing office abolished; also any unusual or extraordinary charge incurred, and any expenditure discontinued.

III.—All Standing Orders and Rules of the Supreme Government are to be observed, including, in particular, the Rules in the Codes of the Financial and Public Works Departments, Travelling Allowance Rules and the Rules and Circular Orders of the Comptroller General.

IV.—Returns, Accounts, and Estimates are to be submitted to the Supreme Government in such forms, and at such times, as may be prescribed.

V.—The Local Governments must keep the Governor General in Council, in the several Departments, fully informed of their executive and financial proceedings; the Governor General in Council will not relinquish his general powers of supervision and control in any Department: but His Excellency in Council will, as far as possible, avoid interference with the details of the administration of the transferred revenues and services, and any embarrassment of the provincial finances.

VI.—A Local Government must accept, without remonstrance, any charge which would, under the system in force before 1871-72, have been recorded, under any of the transferred Heads of Account, in the Accounts of its Presidency or Province; and must not raise objections on such grounds as that the charge has originated outside the Presidency or Province, or that the Presidency or Province is not interested in it, or the like: if any doubt arises at any time, whether any charge should or should not be entered under any particular Head in the Accounts of any Presidency or Province, such doubt must be solved by one test only, *viz.*: "How would it have been entered if it had occurred before 1871-72, when the powers and responsibilities of Local Governments were first enlarged?" Thus, for example, the pay or leave allowances of an officer belonging to another Administration on duty or on leave in the North-Western Provinces, and drawn there, must be charged in the Accounts of the North-Western Provinces: the Governor General in Council did not intend by the measure of 1870, and does not, now, intend, to introduce, or authorise, any change of practice in such matters, or any inter-provincial, inter-presidential or inter-departmental adjustments, not theretofore allowed: in regard to all such transactions, the arrangements made with the Local Governments were calculated upon the basis of the system which existed before the year 1871-72.

VII.—The grant made to a Local Government for all the services entrusted to its administration is a consolidated grant: no claim will lie against the Imperial Treasury on the ground that the cost of any service exceeds the amount at which it was estimated in the calculation of the consolidated grant.

VIII.—In the management of its finances, a Local Government must never absolutely exhaust its Balance in the Imperial Treasury: the Government of India will not accept any estimates, or allow any transactions, by a Local Government, which involve the expenditure of more money than is at its credit in the Imperial Treasury: it is the duty of every Accountant General to take care that this condition is never infringed, and promptly to report to the Governor General in Council any transgression of it which is not, upon his representation, immediately rectified by the Local Government addressed.

IX.—A Local Government may not lend money from the Balance at its credit in the Imperial Treasury: the Government of India will always pay every attention to any recommendation for the loan of public money in excess of the powers which are entrusted to a Local Government by law or rule; but all loans alike must be from the Imperial Balances; such operations must not be mixed up with the arrangements between the Imperial and the Local Government for the collection and appropriation of the Public Revenues or the administration of the Public Services.

X.—It is a general condition precedent to the delegation of all authority to disburse public money that it shall be *bonâ fide* for a public object; nothing must be carried out by means of the public funds for the advantage of any individual or body of private persons, unless, in accordance with some declared or established rule or principle, recognised by the Government of India: it is the duty of every Audit Officer, at all times, to challenge any infringement of this principle; and every Local Government must submit, for the orders of the Government of India, any representation made to it by any Audit Officer in accordance with this Rule which it does not promptly accept.

XI.—On or before the 31st January of each year, each Local Government must forward to the Government of India in the Financial and Public Works Departments and publish in the Local Government Gazette, in detail of Major Heads, with such explanations as may be necessary for the due understanding of its financial administration—

(1) An Account showing—
  (*a*) The balance of the Local Government in the Imperial Treasury at the beginning of the last complete financial year;
  (*b*) The revenues appropriated during that year to provincial uses, and the supplementary assignment from the Imperial Treasury;
  (*c*) The expenditure under provincial responsibility during that year;
  (*d*) The balance of the Local Government in the Imperial Treasury at the end of that year;
(2) Revised Estimates in the same detail for the current financial year;
(3) Estimates in the same detail for the coming financial year.

XII.—The Governor General in Council reserves power to modify, add to, or repeal these Rules and Conditions at any time.

MINT AND CURRENCY.

The 23rd March 1877.

No. 1754.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year 1877.*

	Bullion or Coin received.		Coined and examined.
	From Government.	From Merchants.	
	Rs.	Rs.	Rs.
In the month of February 1877—			
Calcutta	32,78,196	...	27,55,741
Bombay	7,800	68,67,608	35,33,848
Total ...	32,85,996	68,67,608	62,89,589
First two months of 1877—			
Calcutta	32,78,720	10,66,911	53,94,928
Bombay	7,800	1,83,39,922	75,32,848
Total ...	32,86,520	1,94,06,833	1,29,27,776

Imports and Exports of Gold and Silver during the calendar year 1877.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of February 1877 ...	36,10,880	3,500	36,07,380	1,20,89,071	8,95,621	1,11,93,450	1,56,99,951	8,99,121	1,48,00,830
First 2 months	49,97,677	51,726	49,45,951	2,43,80,432	30,50,098	2,12,50,334	2,92,98,109	31,01,824	2,61,96,285

PENSIONS, &c.

The 23rd March 1877.

No. 1687.—The Governor General in Council directs that the following be substituted for case (*f*) under Section 29 of the Civil Pension Code:—

(*f*)—Second writers and darogahs on Jail establishments in the Bombay Presidency.

SEPARATE REVENUE—POST OFFICE.

The 23rd March 1877.

No. 1766.—Consequent upon the admission of the countries mentioned below into the General Postal Union, the following revised postage rates and conditions will have effect from the dates mentioned opposite each, *viz.* :—

For full detail of this heading see Indian Postal Guide of October 1876.

Prepayment is compulsory for Newspapers and Packets and for letters also when marked with a "c".

	COUNTRIES, &c.		Each Letter. Per ½ oz.	Each Letter. Registration fee.	Each Newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
BRITISH COLONIES WITH EFFECT FROM 1ST APRIL 1877.	CEYLON—		Ans.	Ans.	Ans.	Ans.	
	Via Calcutta, Madras or Bombay, or from Aden, by *British Packet*	I	4	4	1	1½	
	Via Calcutta, Madras, or from Aden, by *French Packet*	I	4	4	1	1½	
	By *Land Post*	I	*c* 2	4	1	1½	
	By *Indian Packet*	I	*c* 2	4	1	1½	
	By *Private Vessel*	IV	*c* 2	...	1	1½	
	STRAITS SETTLEMENTS—						
	Via Bombay or from Aden, by *British Packet*, through *Singapore* or *Penang*	I	4	4	1	1½	
	Via Calcutta or Madras and Moulmein, by *Indian Packet*, through *Singapore* or *Penang* ...	I	4	4	1	1½	
	Via Calcutta, by *Indian Packet* (Opium Steamer), through *Singapore*	I	4	4	1	1½	
	Via Calcutta or Madras, or from Aden, by *French Packet*, through *Singapore*	I	4	4	1	1½	
	By *Private Vessel*	IV	*c* 4	...	1	1½	
	LABUAN (NEAR BORNEO)—						
	Via Bombay or from Aden, by *British Packet*, through *Singapore* ...	I	4	4	1	1½	
	Via Calcutta or Madras and Moulmein, by *Indian Packet*, through *Singapore*	I	4	4	1	1½	
	Via Calcutta, by *Indian Packet* (Opium Steamer), through *Singapore*	I	4	4	1	1½	
	MAURITIUS AND ITS DEPENDENCIES, *viz.*, SEYCHELLES, RODRIGUES AND THE AMIRANTE ISLANDS—						
	Via Calcutta or Madras or from Aden, by *French Packet* ...	I	4	4	1	1½	
	Via Bombay to Aden and thence by *French Packet*	I	4	4	1	1½	
	TRINIDAD ... BRITISH GUIANA ... BERMUDA ... JAMAICA ... *Via* Brindisi through the *United Kingdom*	I	*c* 6	4	2	2½	
	TRINIDAD ... BRITISH GUIANA ... BERMUDA ... JAMAICA ... *Via* Brindisi through *Italy*	I	5	4	1	1½	
	HONG-KONG—						
	Via Bombay or from Aden, by *British Packet*	I	*c* 4	4	1	1½	
	Via Calcutta, by *Indian Packet* (Opium Steamer)	I	*c* 4	4	1	1½	
	Via Calcutta or Madras or from Aden, by *French Packet*, through *Agent on board*	I	*c* 4	4	1	1½	
	By *Private Vessel*	IV	*c* 4	4	1	1½	

For full detail of this heading see Indian Postal Guide of October 1876.

Prepayment is compulsory for Newspapers and Packets and for Letters also when marked with a "c."

	COUNTRIES, &c.		Each Letter. Per ½ oz.	Each Letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
SPANISH COLONIES WITH EFFECT FROM 1ST APRIL 1877.	CUBA ... PORTO RICO ... *Via* Brindisi through the *United Kingdom*	I	Ans. *c* 6	Ans. 4	Ans. 2	Ans. 2½	
	CUBA ... PORTO RICO ... *Via* Brindisi through *Italy*	I	5	4	1	1½	
	PHILLIPPINE ISLANDS—						
	Via Bombay or from Aden, by *British Packet*, through *Singapore*...	I	4	4	1	1½	
	Via Calcutta or Madras and Moulmein, by *Indian Packet*, through *Singapore*	I	4	4	1	1½	
	Via Calcutta, by *Indian Packet* (Opium Steamer), through *Singapore*	I	4	4	1	1½	
DUTCH COLONIES WITH EFFECT FROM 1ST MAY 1877.	NETHERLANDS INDIA OR DUTCH EAST INDIES—						
	Via Bombay or from Aden, by *British Packet*, through *Singapore*...	I	4	4	1	1½	
	Via Calcutta or Madras and Rangoon or Moulmein, by *Indian Packet* through *Singapore* ...	I	4	4	1	1½	
	Via Calcutta, by *Indian Packet* (Opium Steamer), through *Singapore*	I	4	4	1	1½	
	Via Calcutta or Madras or from Aden, by *French Packet*, through *Agent on Board*	I	4	4	1	1½	
	DUTCH GUIANA—						
	Via Brindisi through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi through *Italy* ...	I	5	4	1	1½	
	DUTCH WEST INDIES INCLUDING CURACAO, BONAIRE, AMBA, DUTCH PORTION OF ST. MARTIN, ST. EUSTATIUS AND SABA—						
	Via Brindisi through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi through *Italy* ..	I	5	4	1	1½	
JAPAN WITH EFFECT FROM 1ST JUNE 1877.	JAPAN—						
	Via Bombay or from Aden, by *British Packet*, through *Hong-Kong*	I	*c* 4	4	1	1½	
	Via Calcutta or Madras or from Aden, by *French Packet*, through *Agent on board*	I	4	4	1	1½	
BRAZIL WITH EFFECT FROM 1ST JULY 1877.	BRAZIL (EMPIRE OF)—						
	Via Brindisi through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi through *Italy* ...	I	5	4	1	1½	
PORTUGUESE COLONIES WITH EFFECT FROM 1ST JULY 1877.	MACAO—						
	Via Bombay or from Aden, by *British Packet*, through *Hong-Kong*	I	*c* 4	4	1	1½	
	Via Calcutta, by *Indian Packet*, (Opium Steamer), through *Hong-Kong*	I	*c* 4	4	1	1½	
	Via Calcutta or Madras or from Aden, by *French Packet*, through *Agent on board*	I	4	4	1	1½	

For full detail of this heading see Indian Postal Guide of October 1876.
Prepayment is compulsory for Newspapers and Packets and for Letters also when marked with a "c."

	COUNTRIES, &c.		Each Letter. Per ½ oz.	Each Letter. Registration fee.	Each newspaper. Per 4 ozs.	Each packet of newspapers, printed papers, &c. Per 2 ozs.	REMARKS.
			Ans.	Ans.	Ans.	Ans.	
PORTUGUESE COLONIES WITH EFFECT FROM 1ST JULY 1877 — *contd.*	CAPE DE VERDE AND ITS DEPENDENCIES, (BISSAU AND CACHEU)—						
	Via Brindisi, through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi, through *Italy* ...	I	5	4	1	1½	
	ST. THOMAS AND PRINCE ISLANDS (GUINEA—AFRICA), WITH THE ESTABLISHMENT OF AJUDA—						
	Via Brindisi, through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi, through *Italy* ...	I	5	4	1	1½	
	ANGOLA (GUINEA—AFRICA)—						
	Via Brindisi through the *United Kingdom*	I	*c* 6	4	2	2½	
	Via Brindisi through *Italy* ...	I	5	4	1	1½	
	MOZAMBIQUE—						
	Via Bombay to Aden or from Aden and thence by *Zanzibar line* ...	I	4	4	1	1½	
	TIMOR (OCEANIA)—						
	Via Bombay or from Aden, by *British Packet*, through *Singapore*	I	4	4	1	1½	
	Via Calcutta or Madras and Moulmein, by *Indian Packet*, through *Singapore*	I	4	4	1	1½	
	Via Calcutta, by *Indian Packet*, (Opium Steamer) through *Singapore*	I	4	4	1	1½	

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

MILITARY DEPARTMENT.

Fort William, the 23rd March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 267.—DIVISIONAL STAFF—

The following Military letter from the Right Hon'ble the Secretary of State for India is published for general information :—

MILITARY. INDIA OFFICE,
No. 67. *London, 15th February 1877.*

To His Excellency the Right Hon'ble the Governor General of India in Council.

MY LORD,—I have to inform you that Her Majesty has been pleased to approve of Major-General J. A. Ewart, C.B., being placed on the Staff of the Army in India, with a view to his commanding a Division in Bengal, *vice* Major-General A. Macdonnell, C.B., whose period of service is about to expire.

I have, &c.,
SALISBURY.

No. 268.—PUNJAB FRONTIER FORCE—

4th Punjab Cavalry.

Major T. O. Underwood, Squadron Commander (on furlough), to be 2nd in Command, *vice* Major J. Gillespie, deceased.

Captain T. Shepherd, 3rd Squadron Commander (on furlough), to be 2nd Squadron Commander, *vice* Major Underwood.

Captain E. A. Money, Squadron Officer and Adjutant, to be 3rd Squadron Commander, *vice* Captain Shepherd.

Lieutenant E. Lloyd, Squadron Officer, to be Adjutant, *vice* Captain Money.

4th Punjab Infantry.

Major A. FitzHugh, Wing Commander, 5th Goorkha Regiment (The Hazara Goorkha Battalion), and Officiating Commandant, 4th Sikh Infantry, to officiate as Commandant, with effect from the date on which he may take up the duties of the Office, *vice* Lieutenant-Colonel H. P. Close, proceeding on furlough.

No. 269.—GOVERNOR GENERAL'S BODYGUARD—

Havildar Gunput Singh, to be Jemadar, *vice* Futteh Khan, invalided. Dated the 1st May 1876.

No. 270.—LONDON GAZETTE—

The following extracts are published for general information :—

"London Gazette," 16th February 1877, pages 751 and 752, India Office, 14th February 1877.

Her Majesty has been pleased to approve of the following promotions and resignation amongst the Officers of the Staff Corps, and of Her Majesty's Indian Military Forces made by the Governments in India :—

BREVET.

To be Captain.

Lieutenant Cecil Coles Dyce, Bengal Staff Corps. Dated 23rd December 1876.

Major Henry Phipson Peacock, Bengal Cavalry, to rank from 23rd July 1876, in succession to General H. C. M. Cox, Bengal Infantry, deceased.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major George Charles Deprce. Dated 9th December 1876.

Major Henry Roche Osborn. Dated 9th December 1876.

Major Edward Henry Cassan Simpson. Dated 9th December 1876.

Major George Bowan Cassan Simpson. Dated 9th December 1876.

Major (Brevet Lieutenant-Colonel) John Hadow Jenkins. Dated 10th December 1876.

Major Eugene Clutterbuck Impey. Dated 10th December 1876.

Major William Cavendish Bentinck Ryan. Dated 10th December 1876.

Major Lawrence Henry Williams. Dated 10th December 1876.

Major Gilbert James Pasley. Dated 20th December 1876.

Major James Vere Hunt. Dated 20th December 1876.

Major Charles Ferguson Sharpe. Dated 20th December 1876.

Major Philip Henry Farrell Harris. Dated 20th December 1876.

Major Thomas Edward Vander Gucht. Dated 20th December 1876.

Major Brooke Rynd Chambers. Dated 20th December 1876.

To be Majors.

Captain Arthur Donald Butter. Dated 12th December 1876.

Captain Lionel Smith. Dated 13th December 1876.

Captain Robert Cecil Richard Clifford. Dated 13th December 1876.

Captain Henry Sullivan Jarrett. Dated 13th December 1876.

Captain Leopold John Herbert Grey. Dated 13th December 1876.

Captain Edmund Swetenham. Dated 13th December 1876.

Captain Wardlaw Cortlandt Anderson. Dated 13th December 1876.

Captain Henry Marsh Pratt. Dated 13th December 1876.

Captain Charles Henry Cantor. Dated 13th December 1876.

Captain Henry Bristow Sanderson. Dated 20th December 1876.

Captain Connel O'Donel. Dated 20th December 1876.

Captain Horace Christopher Fagan. Dated 20th December 1876.

Captain George Farquhar Irving Graham. Dated 20th December 1876.

Captain Charles James Garstin. Dated 20th December 1876.

Captain Alan Murray. Dated 20th December 1876.

Captain George Atkins. Dated 20th December 1876.

BENGAL ARMY.

Late 1st European Cavalry.

Captain (Brevet Major) Alfred Robert Davidson Mackenzie, to be Major. Dated 6th September 1876.

PAGE 752.

Resignation.

Captain Edmond Hughes, Bengal Infantry. Dated 15th November 1876.

Her Majesty has been pleased to approve of the removal of the name of the under-mentioned Officer from the list of the Army :—

Captain Charles Boswell Norman, Bengal Staff Corps.

No. 271.—HYDERABAD CONTINGENT—

The following *provisional* promotions are sanctioned in the Ordnance Department of the Hyderabad Contingent :—

Quartermaster Thomas Gannon, No. 3 Horse Light Field Battery, to be Deputy Assistant Commissary, from 5th December 1876, *vice* Honorary Lieutenant and Deputy Assistant Commissary J. O'Grady, deceased.

Sub-Conductor Henry Forde, to be Conductor, from 25th November 1876, *vice* Conductor T. S. Ranson, pensioned.

Staff Sergeant Cornelius Ryan, No. 2 Horse Light Field Battery, to be Sub-Conductor, from 25th November 1876, *vice* Sub-Conductor Forde, promoted.

Staff Sergeant Henry Smith, No. 3 Horse Light Field Battery, to be Sub-Conductor, from 5th December 1876, *vice* Quartermaster Gannon, promoted.

No. 272.—NATIVE ARMY—

Jemadar Luchmun Singh appointed on probation to the 4th Bengal Cavalry in G. G. Os. Nos. 946 and 1048 of 1874, is confirmed in that rank, with effect from the 1st November 1874.

TRANSFER OF OFFICERS.

No. 273.—The services of the under-mentioned Officers have been placed temporarily at the disposal of the Government of Fort Saint George :—

Lieutenant-Colonel W. Howey, Infantry.

Captain A. P. Broome, General List, Infantry, Officiating Squadron Commander, 18th Bengal Cavalry.

Captain W. R. Hamilton, General List, Infantry, Squadron Officer, 4th Bengal Cavalry.

Captain W. W. Biscoe, General List, Cavalry, Squadron Commander, 19th Bengal Lancers.

Lieutenant C. Hackett, 5th Foot.

Lieutenant C. A. Mercer, Bengal Staff Corps, Wing Officer, 4th Goorkha Regiment.

Lieutenant R. C. D. Wilson, 2nd Battalion 60th Rifles.

Lieutenant G. E. Money, Bengal Staff Corps, Squadron Officer, 1st Regiment, Central India Horse.

HONORS AND REWARDS.

No. 274.—GOOD SERVICE PENSIONS—

It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer good service pensions on the under-mentioned Officers, with effect from the dates specified :—

Colonel CHARLES PATTON KEYES, C.B., *Madras Staff Corps, Brigadier General Commanding Punjab Frontier Force.*

DATES OF COMMISSIONS.

Ensign	4th April 1843.
Lieutenant	30th November 1848.
Brevet Captain	4th April 1858.
Captain	2nd February 1860.
Brevet-Major	16th April 1861.
Major	4th April 1863.
Brevet Lieutenant-Colonel	5th August 1864.
Lieutenant-Colonel	4th April 1869.
Brevet Colonel	11th August 1869.

APPOINTMENTS.

Adjutant, 1st Punjab Infantry...	18th May 1849.
2nd in Command, 1st Punjab Infantry	6th June 1850.
Commandant, Kemidi Rifle Corps	8th July 1854.
Commandant, 1st Infantry Punjab Irregular Force ...	9th May 1860.
Officiating Commandant, Corps of Guides, Punjab Frontier Force	19th March 1869.
Commandant, Corps of Guides, Punjab Frontier Force...	23rd June 1869.
Brigadier-General, Commandant, Punjab Frontier Force	19th April 1870.

WAR SERVICES.

In February 1850.—*Present as* 2nd in Command of the 1st Punjab Infantry, with the Force which accompanied His Excellency the late Sir C. Napier, G.C.B., Commander-in-Chief in India, into the Kohat Pass—received the thanks of His Excellency and of the local Government.

March 1850—Present with the regiment in the relief of a body of Mooltanees in a town on the Kohat-kotul which was surrounded by the Pass Afqeedees, on which occasion the regiment was unaided and sustained heavy loss—received the thanks of Government. October 1851—On field service as 2nd in command of the regiment. May 1852—On field service when the regiment, owing to treachery in transmission of orders, made a forced march of seventy miles into action, present at Prangghar, Tsha-Kote, Errosha, and several other minor affairs, in the Eusufzie and Ranazi valleys—received the thanks of Government. December 1852—On field service in command of two companies of the regiment in a secret expedition against the Omerzie Wuezerees in the Kafir-kote hills—Services acknowledged by Government. March 1853.—In command of a wing of the regiment on field service against the mountain tribes in the Salimanee range—services acknowledged by Government. December 1853—On field service with the 1st Punjab Infantry. 1854—On field service in command of Scinde Rifle corps. 1855.—On field service in the Meranzie valley in command of the Scinde Rifle corps. In April 1860, commanded 1st Punjab Infantry in the expedition against the Wuzeerees, marched through their hills to their head-quarters at Kanagoorum—received the special thanks of Supreme and Local Governments and of the Secretary of State for India, and Brevet Majority. August 1863—On field service in command of the 1st Punjab Infantry and Hazara Mountain Battery to watch the Hindustani Fanatics at Satana. Joined Kinteyla Field Force in October, and served throughout the Umbeyla Campaign—severely wounded. Received the special thanks of His Excellency the Commander-in-Chief and of the Supreme and Local Governments, Brevet Lieutenant-Colonelcy and the Order of the Bath. February 1869—Organized and commanded a secret expedition against the Bezoties, a turbulent tribe on the Kohil border—received the special thanks of the Supreme and Local Governments and of the Secretary of State for India, and Brevet Colonelcy. April 1869—Commanded a field force against the Cabul Kheyl and Taza Kheyl Wuzeerees—received the thanks of the Supreme and Local Governments, medal and two clasps. Organized and commanded an expedition against certain villages in the Lower Dour valley—received the hearty thanks of the Local and Supreme Governments.

From the 23rd September 1876, in room of Colonel A. Stewart, R.A., deceased.

Colonel EDWARD JAMES LAWDER, *Madras Staff Corps, Commandant, 1st Native Infantry.*

DATES OF COMMISSIONS.

Ensign	18th June 1839.
Lieutenant	17th August 1844.
Captain	1st May 1854.
Brevet-Major	20th July 1858.
Major	18th February 1861.
Lieutenant-Colonel	18th June 1865.
Brevet-Colonel	18th June 1870.

APPOINTMENTS.

Quartermaster, 44th Regiment, Native Infantry ...	21st April 1843.
Adjutant, 44th Regiment, Native Infantry ...	15th October 1844.

From the 1st Dec. 1876, in room of Col. J. E. Mayne, retired.

Deputy Assistant Quartermaster-General of the Army ...	9th October 1849.
Assistant Quartermaster-General	6th December 1851.
Deputy Quartermaster-General	17th February 1863.
Officiating 2nd in Command and Wing Officer, 28th Native Infantry	27th ,, 1866.
2nd in Command and Wing Officer, 24th Native Infantry...	1st April 1867.
Officiating Commandant, 14th Native Infantry ...	24th July 1868.
Officiating Commandant, 24th Native Infantry ...	6th June 1871.
Commandant, 24th Native Infantry	18th February 1873.
Commandant, 1st Native Infantry	15th ,, 1875.

WAR SERVICES.

Served as Acting Deputy Quartermaster-General of the Army with the Saugor Field Division, the whole time it was in the field in 1858-59; was present at the attack on Jheeghum, 10th April 1858; the affair of Kubraie, 17th April; the battle of Banda, 19th April; the relief of Kirwee, 25th December, when Division Head Quarters with the Horse Artillery and Cavalry marched 84 miles in 37 hours; storming of the heights of Punwarree, 29th December 1858—Brevet-Major, Medal and Clasp.

From the 1st December 1876, in room of Colonel J. E. Mayne, retired.

Colonel THOMAS CRAUFURD LONGCROFT, *Madras Staff Corps.*

DATES OF COMMISSIONS.

Ensign	20th August 1839.
Lieutenant	16th August 1842.
Brevet-Captain	20th August 1854.
Captain	28th November 1854.
Major	18th February 1861.
Lieutenant-Colonel	20th August 1865.
Brevet-Colonel	20th August 1870.

APPOINTMENTS.

Acting Adjutant, 16th Regiment Native Infantry ...	23rd August 1844.
Acting Paymaster, Southern Division, Bombay Army ...	5th January 1845.
Acting Quartermaster and Interpreter, 16th Regiment Native Infantry	15th December 1845.
Quartermaster and Interpreter, 16th Regiment Native Infantry	18th February 1851.
Adjutant, 16th Regiment Native Infantry	7th May 1851.
Assistant Engineer, Public Works Department ...	4th August 1856.
Brigade-Major Thayetmo	30th November 1856.
Assistant Adjutant-General, British Burma Division ...	11th April 1862.
Assistant Adjutant-General, Head Quarters	28th September 1866.
Officiating Deputy Adjutant-General	16th December 1868.
Officiating Adjutant-General	9th November 1869.
Deputy Adjutant-General	29th September 1871.
Officiating Adjutant-General	16th August 1872.

From the 12th December 1876, in room of Major-General *Sir* A. T. Wilde, K.C.B., C.S.I., succeeded to the Colonel's Allowance.

No. 275.—ORDER OF BRITISH INDIA—

In continuation of G. G. O. No. 164 of 1877, His Excellency the Governor General in Council is pleased to admit the following Native Officers to the 1st and 2nd Classes, respectively, of the Order of British India, with effect from the 1st January 1877 :—

MADRAS.

To the 1st Class, with the title of "Sirdar Bahadur."

Subadar Major Mherwan Sing, "Bahadur," 40th Regiment Native Infantry.

To the 2nd Class, with the title of "Bahadur."

Subadar Major Mahomed Ismail, 1st Regiment Light Cavalry.

Subadar Major Appavoo, 36th Regiment Native Infantry.

Subadar Sheik Ibrahim, 10th Regiment Native Infantry.

Subadar Major Ballagoovoo, 7th Regiment Native Infantry.

No. 276.—ERRATUM—

In G. G. O. No. 2 of 1877, admitting certain Native Officers of the Madras Army to the 2nd Class of the Order of British India, for "Subadar Homed Beg, 9th Regiment Native Infantry," read Subadar Major *Furreed* Beg, 9th Regiment Native Infantry.

PENSIONS.

No. 277.—Ressaldar Buldeo Singh, 16th Bengal Cavalry, having served 40 years with unblemished character, is granted a pension of Rs. 40 per mensem, from the date of his discharge, payable in the N. W. P. Circle.

No. 278.—Gowra, widow of the late Sunkur, pensioned Sirdar of Ordnance Drivers, 3-23rd Royal Artillery, is granted the 3rd Class Order of Merit pension, *viz.*, Rs. 1-12 per mensem, for three years, from the 1st September 1876, payable in the N. W. P. Circle.

FURLOUGH AND LEAVE.

No. 279.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave :—

Brigadier-General Sir Charles Henry Brownlow, K.C.B., Bengal Staff Corps (Aide-de-Camp to the Queen),—private affairs, for one year five months and twenty-four days, under Rule IX of the Regulations of 1868.

Colonel Henry Drummond, Royal Engineers, Chief Engineer, 2nd Class, Deputy Secretary, Railway Branch, Public Works Department,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Robert Stannus Graves, Bengal Staff Corps, Deputy Assistant Commissary General, 2nd Class,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

Surgeon-Major George Barnard, in medical charge, 6th Bengal Cavalry,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Captain William Shepherd, Royal Engineers, Executive Engineer, 1st Grade, Public Works Department, Engineer-in-Chief of Light Railways, and Assistant Secretary, Railway Branch, Government, N. W. P., Allahabad,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Captain Walter Elliot Rutherfurd, Bengal Staff Corps,—for twenty months—one year on private affairs, under Rules IX and XV, and the remaining period on medical certificate, under Rule XIV, Clause II of the Regulations of 1868.

Captain Linley Blathwayt, Bengal Staff Corps, Assistant Commissioner, 1st Grade, Hazaribagh, Bengal,—medical certificate, for one year, under Rule XIV, Clause I of the Regulations of 1868.

Surgeon Geoffrey Craythorne Hall,—urgent private affairs, for six months, under Rule XI of the Regulations of 1868.

Honorary Surgeon-Major John Richard Deane,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Conductor William Adolphus Armstrong, Army Commissariat Department,—medical certificate, for two years, under the Regulations of 1868.

No. 280.—Captain Alfred Allen Stokes, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence to proceed to England for ten months from the 9th April 1877.

No. 281.—Lieutenant-Colonel (Brevet Colonel) C. C. Drury, Bengal Staff Corps, has been permitted by the Secretary of State to reside in England under the terms of G. G. O. No. 797 of 1872

No. 282.—ERRATUM—

In G. G. O. No. 216 of 1877, granting Major W. S. Young, Bengal Staff Corps, furlough to Europe, omit the words "Commandant, Chunar Fortress and European Invalid Battalion."

No. 283.—REPORTS OF ARRIVAL—

Mr. G. W. Kellner, C.S.I., Accountant General, Military Department, reported his arrival at Bombay on return from furlough on the 14th March 1877, and the resumption of his duties as Accountant General on the 19th March 1877.

No. 284.—REPORTS OF DEPARTURE—

Major-General *Sir* H. W. Norman, K.C.B., Bengal Staff Corps, G. G. O. No. 259 of 1877,—*Japan*, 19th March 1877, from Calcutta.

Colonel C. G. Arbuthnot, C.B., R.A., G. G. O. No. 216 of 1877,—*Cathay*, 26th February 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) R. A. Napper, Bengal Staff Corps, G. G. O. No. 1288 of 1876,—*Viceroy*, 19th March 1877, from Calcutta.

Major H. McD. DeW. Douglas, Bengal Staff Corps, G. G. O. No. 51 of 1877.—*Viceroy*, 19th March 1877, from Calcutta.

Captain F. F. Cotton, R.E., G. G. O. No. 191 of 1877,—*Pekin*, 12th March 1877, from Bombay.

Captain H. M. Evans, Bengal Staff Corps, G. G. O. No. 22 of 1877,—*Viceroy*, 19th March 1877, from Calcutta.

ORDNANCE.

No. 285.—STORES—

The following clauses in List of Changes in War Matériel are made applicable to India:—

Dated 1st August 1872.

2309. Clasp knife.

Dated 1st December 1875.

2812. Cord, drum, side, brass.

Dated 1st June 1876.

2916. Carriage, iron, wrought, travelling, complete, field, rifled M.L. 9-pounder (mark I strengthened).

2917. Carriage, iron, wrought, travelling, complete, field, rifled M.L. 9-pounder (mark II), addition of tensile stays, &c.

Introduction of wheels with 3-inch tires, phosphor-bronze pipes, and clearance of ·05 inch.

2923. Plate, range, brass, rifled M.L. gun, 9-pounder, 6 cwt., charge 1lb. 12 oz., (mark I).

MEDALS.

No. 286.—It is notified that in future War Medal Ribbons may be obtained on payment from the Army Clothing Department, Alipore, for British and Native Troops, on half-yearly indents to be submitted by Commanding Officers on 1st April and 1st October.

For the present a uniform rate of twelve annas per yard will be charged for the ribbons marginally noted. Nine inches will be the minimum quantity of Medal Ribbon which may be indented for.

Crimean.	Punjar.
Indian Mutiny.	China.
Turkish.	Abyssinia.
Good Conduct.	North-West Frontier, Persia & Burmah.
New Zealand.	I.—Punjab War.
Afghanistan.	II.—Ditto.
Scinde.	Order of Merit.
Maharajpore.	

This order cancels that portion of G. G. O. No. 1080 of 1864 which refers to Medal Ribbons for British Corps.

PAY AND ALLOWANCES.

No. 287.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops:"—

Article 1074 is re-constructed as follows:—

"1074. A monthly allowance of Rs. 100 is authorized in aid of the maintenance of a band in each regiment of native infantry in which one is established." G. G. O. No. 4 of 1877.

Article 1039*a*.—Add the following additional Clause:—

"Furlough granted under this article, for a period not exceeding three months, is not to be considered as furlough requiring an interval of three years' service between two furloughs. Such furlough will, however, be excluded from the three years' service required between two furloughs." G. G. O. No. 24 of 1877.

Article 292 is re-constructed as follows:—

"292. An officer of the staff corps or Indian army, who may be permitted to serve on the personal staff out of India, will receive, at the charge of the Indian revenues, the English furlough pay of his rank for a period of three years only, in addition to the allowances that may be assigned to him from other sources; the tenure of such appointment is limited to five years, subject to the liability of recall should his services be required in India. The whole of the time so passed will count towards Indian pension." G. G. O. No. 43 of 1877, paras. 8—9.

Insert the following articles:—

"381*a*. An officer who may be permitted to serve beyond the limits of India, shall, while so serving, receive, at the charge of Indian revenues, the English furlough pay of his rank in addition to the allowances that may be assigned to him from other sources—but see article 292." G. G. O. No. 43 of 1877.

"556*a*. The pay of an officer who may be permitted to serve beyond Indian limits will be regulated by article 381*a*." G. G. O. No. 43 of 1877.

Article 2135 is re-constructed as follows:—

"2135. When an officer of the staff corps or Indian army is called for to serve on the personal staff out of India, the whole of his service under such circumstances, shall count towards Indian pension; but to secure this privilege in the case of an officer whose services are lent for other than imperial purposes, either in England, or in a British colony, or to a foreign State, he must contribute to the Indian exchequer a proportion, not exceeding one-fifth, of the emoluments which he may receive during such transfer of his services." G. G. O. No. 43 of 1877.

Article 1667*a*.—*Add*—After the word "employment" the words "or on leaving his corps or battery to proceed to England as an invalid, or for discharge." G. G. O. No. 78 of 1877.

Article 997, third line, and article 2129, clause (*e*), second line.—Expunge the word "permanent," which was inserted under the authority of G. G. O. No. 560 of 1876, now cancelled. G. G. O. No. 103 of 1877.

Article 892, third line.—Expunge the parenthetical sentence "(reckoning from date of first permanent commission)" which was inserted under the authority of G. G. O. No. 560 of 1876, now cancelled. G. G. O. No. 103 of 1877.

Article 1043*b*, second line.—Expunge the parenthetical sentence "(counting from date of first permanent commission)" which was inserted under the authority of G. G. O. No. 560 of 1876, now cancelled. G. G. O. No. 103 of 1877.

Insert the following articles:—

"373*a*. For all purposes under the staff corps warrant, except for the calculation of service qualifying for admission to the staff corps, and for furlough and pension, an officer's service will be considered as commencing from the date of his first permanent commission." G. G. O. No. 103 of 1877.

"322*a*. An officer of the staff corps or Indian army selected for admission to the staff college, Sandhurst (article 314*a*), who may hold an appointment with a native regiment, will be seconded for the whole period of his absence from regimental duty." G. G. O. No. 104 of 1877.

Article 921*a*.—*Add*—"This article does not apply to a general officer on the divisional or brigade staff." G. G. O. No. 127 of 1877.

Articles 1005 and 1006 are cancelled, and the following substituted:—

"1005. Leave granted under these rules without furlough pay, will not reckon as furlough already taken in calculating the balance at an officer's credit, or as part of the total of eight years allowed, as shewn in article 1022; but all furlough with furlough pay, whether on private affairs or on medical certificate, taken under these rules, will so reckon." G. G. O. No. 197 of 1877.

"1006. Furlough and leave previously taken, under the rules of 1796 or 1854 will count, as respects officers who have elected these rules, as follows:—

Furlough on private affairs, with pay, taken under the rules of 1796 or 1854, counts in all respects as furlough.

Leave on sick certificate under the rules of 1796 does not count in any respect as furlough.

Leave on sick certificate, with pay, under the rules of 1854, counts as part of the maximum of eight years allowed under these rules, but until the maximum thus made up be reached, this leave will not count as furlough already taken in determining the amount of furlough to which an officer is entitled.

Leave without pay under the rules either of 1796 or 1854, does not count in any respect as furlough." G. G. O. No. 197 of 1877.

Article 971.—The last sentence commencing "this rule," &c., is cancelled, and the following substituted:—

"This restriction does not apply to short leaves to sea, *i. e.*, three months, nor does it apply to a general officer of the staff corps or of the local service who may be unemployed." G. O. C. C. of 2nd June 1856. G. G. O. No. 1244 of 1869.

Article 1009.—*Add*—"A colonel of the Indian army who may be desirous of proceeding on furlough on the expiration of his term of brigade command, may, if he has furlough at his credit, avail himself of it without reference G. G. O. No. 198 of 1877.

to the restriction of having served three years from the date of his last return to duty."

Article 1595, page 299.—After "Transport Sergeant-Major" *insert* "(Bengal)," and in the columns of *staff pay* and *remarks* enter:—

G. L. 217-18 of 5th March 1877.

Rs.	A.	P.	
10	0	0	After three years' approved staff service as transport sergeant.
20	0	0	After seven years' approved staff service as transport sergeant.

Article 344, clause *d*.—The following rates of pay for quarter-masters are to be substituted for the existing rates:—

ROYAL HORSE ARTILLERY.

G. L. No. 933-6 of 19th February 1877.

	"Daily. £	s.	d.	Daily. Rs.	A.	P.
Quarter-master on first appointment ...	0	12	6	6	2	0
After 10 years' service, &c.	0	13	2	6	7	2
After 15 years' service, &c.	0	13	8	6	11	1
After 32 years' service, &c.	0	15	2	7	6	10

ROYAL ARTILLERY.

Quarter-master on first appointment ...	0	9	6	4	10	5
After 10 years' service, &c. ...	0	11	0	5	6	2
After 15 years' service, &c. ...	0	11	8	5	11	5
After 32 years' service, &c. ...	0	13	2	6	7	2

CAVALRY.

Quarter-master on first appointment ...	0	10	2	4	15	8
After 10 years' service, &c. ...	0	12	2	5	15	4
After 15 years' service, &c. ...	0	13	8	6	11	1
After 32 years' service, &c. ...	0	15	2	7	6	10

INFANTRY.

Quarter-master on first appointment ...	0	8	2	4	0	0
After 10 years' service, &c. ...	0	10	2	4	15	8
After 15 years' service, &c. ...	0	11	8	5	11	5
After 32 years' service, &c. ...	0	13	2	6	7	2"

Page 78.—"In the sixth line, *for* the word "and" *substitute* "or."

Article 533.—The concluding sentence "nor when on leave" &c., to be expunged, and the following substituted:—

G. L. No. 933-6 of 19th February, 1877.

"but when on leave from regiments on the Indian establishment and not entitled to pay and Indian allowances, they will draw the same rates of English regimental pay as quarter-masters serving at home—Article 344, clause *d*."

Insert the following additional article at page 70:—

G. L. No. 77-8 of 1st March 1877.

"315 *a*. An officer who may be unavoidably retained in command of a native regiment, after attaining colonel's allowance, will draw pay and allowances as follows, until relieved:—

I.—If a staff corps officer—staff corps pay of lieutenant-colonel, *plus* command allowance, *plus* colonel's allowance.

II.—If not a staff corps officer—regimental pay and allowances of colonel (*minus* horse allowance) *plus* command allowance, *plus* colonel's allowance."

Article 1253.—After the words "court-martial" *insert* "or removal from the service."

G. L. No. 409-12 of 7th March 1877.

G. L. Nos. 582 of 22nd May 1876 and 101-4 of 8th January 1877.

Article 60, clause *b*, page 19.—Immediately below "Examiners, Medical Accounts ... Rs. A. P. 400 0 0" *insert*.

"Ditto additional for the management of Fund Offices ... { Bengal ... 300 0 0 / Madras ... 150 0 0 / Bombay ... 150 0 0"

Article 1636 is re-constructed as follows:—

G. O. No. 310 of 1875.

G. L. No. 1242 of 29th January 1877.

"1636. Hospital apprentices are entitled to pay, rations, quarters or compensation in lieu, from the date of passing the entrance examination, but no payment on this account will be made until they have been attested, which will be carried out immediately on their being posted."

Article 1288, clause *f*, page 244.—Expunge the concluding sentence "if in receipt of British pay only during such leave."

G. L. No. 1413-16 of 31st January 1877.

Article 62, clause *b*, page 28.—*Substitute* "Rs. 500" for "Rs. 400" as the staff pay of the 2nd-in-Command, Central India Horse.

G. L. No. 1292-3 of 24th April 1874.

Article 134, clause *h*, page 45.—Expunge the words "Bengal and Punjab" after "Butts and Targets."—Instead of the words "Repairs of arms" in the fourth line *substitute* "ditto."

Bombay G. O. C. No. 436 of 1876.

Article 412.—Expunge the parenthetical sentence, after the words "troop of Cavalry."

G. G. O. No. 1278 of 1876.

Article 441, clause *b*, page 162, is re-constructed as follows:—

G. G. O. No. 1278 of 1876.

"*b* CAVALRY.

		Rs.	A.	P.
Petty stores and repairs, for camp equipage, each regiment.	Drawn by the quarter-master.	1	8	0
Butts and targets, each regiment.		4	0	0
Shoeing, each horse (payable to troop farriers) ...		0	12	0
Stationery, each troop ...		10	0	0
Repairs of arms and accoutrements, each troop ...		10	0	0
An allowance of 1½ annas per maund for grinding gram, barley or other grain issued to the horses, will be given to cover all petty charges incurred in preparing the food.				
Riding house expenses, each regiment, (drawn by the riding-master) ...		34	4	7"

Article 1733.—After the rates of pay *insert*

G. G. O. No. 1278 of 1876.

"These rates of pay will also be issued, to one private per squadron, in British cavalry regiments, while employed as assistant to the farriers."

Insert the following note at foot of page 316:—

"NOTE.—The following is the establishment of lance ranks to be paid in India:—

G. G. O. No. 78 of 1877.

	Lance Sergeants.	Lance Corporals.	Acting Bombardiers.
Cavalry, each regiment including depôt ...	4	12	...
Infantry, each regiment including depôt ...	5	15	...
Horse and field artillery, per battery ...	...	...	4
Garrison, mountain and heavy artillery, per battery ...	...	...	3"

No. 288.—The following corrections are to be made in the Pay Code for India, Volume II, "Native Troops":—

Article 191.—In the third line after the words "field service" *insert* the words "including camps of exercise."

G. L. No. 219-20B. of 5th March 1877.

Article 19.—*Add*—"When any portion of the journey can be performed by rail or steamer, free passages for such portions, and travelling allowance for the remainder of the journey, will be granted."

Madras G. G. O. No. 141 of 1877.

Article 343, page 66.—In the foot-note (*) *for* "Bengal regiments" substitute "Bengal and Bombay regiments."

Bombay G. O. C. No. 436 of 1876.

Page 67.—In the foot-note (*) *for* "Bengal cavalry" substitute "Bengal and Bombay cavalry."

Bombay G. O. C. No. 436 of 1876.

Article 559, page 114.—Opposite "Farrier," in the columns of "Pay" under "Madras" *insert* "Rs. 14" and under "Bombay" "Rs. 15."

G. G. O. No. 1278 of 1876.

To the foot-note, *o*, after the words "field artillery" *insert* "and one grass-cutter or syce per troop in each regiment of British Cavalry."

G. G. O. No. 1278 of 1876.

Page 115.—To the foot-note *u* add the words "see note *o*."

To the words "ditto, after 3 years" and "ditto, under ditto" in the second and third lines, affix the letter *o* and enter the following in the proper place at foot of page:—

"*o*. A monthly allowance of **Rs. 2** each is granted for two syces per troop of British cavalry employed in the repair of line gear."

G. G. O. No. 1278 of 1876.

Article 78, clause *b*, page 18.—To the word "Naib-Ressaldar" affix a dagger †, and enter the following note at foot of table, under the word "Sowar":—

† The rank of naib-ressaldar is abolished, all men being promoted to the grade of ressaldar but restricted to the pay and pension of the former rank until they would otherwise be promoted; the supernumeraries in the grade of ressaldar being absorbed by the promotion of two jemadars for every three vacancies in the rank of ressaldar, the men thus promoted drawing the present pay of naib-ressaldar until they become a part of the fixed establishment of three ressaldars.

G. L. No. 1308 of 26th February 1877.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd March 1877.

Statement of Deposits on account of Estates from 17th to 23rd March 1877.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Indian Military Services.					Rs. A. P.		
Dean Philip Palmer, M.D. (*a*).	Surgeon ...	Bengal Medical Establishment.	Sept. 4, 1876	Will found	3,091 1 6		
George Nicholson Saunders (*b*).	Major ...	Bengal Staff Corps.	Nov. 11, 1875	Testate ...	212 0 0		

(*a*) Next-of-kin—Dr. — Palmer, Merrion Square, N. Dublin.
Legatees—
Brother—James Dodwell Palmer, Esq., Ceylon, administering.
Sister—Miss Charlotte Elizabeth Palmer, Dublin.

(*b*) Widow—Mrs. Frances Rachel Saunders.
Children—Annie Isabella, Frances Mary, George Frederick Cullen, Administrator General administering.

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

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 23rd March 1877.

DISMISSALS AND REMOVALS.

No. 2.—The services of Mr. J. S. J. Kortright, 1st Officer of the Indian Government Ship "Czarewitch," and Mr. W. H. H. Cox, 2nd Officer of the Indian Government Steamer "Enterprize," being no longer required, are dispensed with from this date.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 19th March 1877.

No. 124.—Mr. E. Lumsden, Accountant, 4th Grade, Assam, is transferred to the Military Works Branch.

No. 125.—The following Royal Engineer Soldiers are appointed to the Public Works Department as Overseers, 1st Grade, and posted as follows:—

To State Railways under Director.

Corporal J. M. Browne.
" W. Martin.
" J. Tudball.

To Military Works Branch.

Corporal S. Chambers.
„ J. Franklin.
„ M. Meara.

Bengal Irrigation.

Corporal G. Trusler.

The 20th March 1877.

No. 126.—Lieutenant G. C. P. Onslow, R.E., is appointed to the Public Works Department as an Assistant Engineer, 2nd Grade, and posted to the Establishment under the Director of State Railways.

No. 127.—Mr. F. Finch, Probationary Storekeeper, 2nd Grade, on the Establishment under the Director of State Railways, is confirmed in his appointment.

No. 128.—Mr. G. Read, Accountant, 4th Grade, Office of the Accountant General, Public Works Department, is granted privilege leave for two weeks, with effect from the 9th March 1877.

No. 129.—The following *temporary* promotions are made, with effect from the 1st January 1877, in the Establishment of Accountants in the State Railway Branch, consequent on the departure of Mr. Davis, Accountant, 3rd Grade, on sick leave:—

From 4th to 3rd Grade.

Mr. W. Ogden, Rajpootana State Railway.
Baboo Dwarka Nath Roy, Indus Valley State Railway.

No. 130.—The services of 2nd Class Apothecary H. J. Finnamore, attached to the Establishment under the Director of State Railways, are replaced at the disposal of the Military Department at his own request.

The 21st March 1877.

No. 131.—The Government of India has no further need of the services of Mr. F. S. Meik, Assistant Engineer, 2nd Grade, Central India.

No. 132.—Lieutenant W. J. Mackenzie, R.E., is appointed to the Public Works Department as an Assistant Engineer, 2nd Grade, and posted to North-Western Provinces, Irrigation Branch.

The 22nd March 1877.

No. 134.—The services of Mr. T. Martin, Executive Engineer, 1st Grade (Temporary Superintending Engineer), are replaced at the disposal of the Punjab Government in the Public Works Department, Irrigation Branch.

No. 135.—Mr. W. B. Macrone, Executive Engineer, 1st Grade, British Burmah, is granted twelve months' leave on medical certificate under Section 14 of the Civil Leave Code, and the usual subsidiary leave, with effect from 31st December 1876.

No. 136.—Baboo Baroda Prosada Basu, Assistant Engineer, 3rd Grade, Military Works Branch, having passed the prescribed examination, is promoted to Assistant Engineer, 2nd Grade, with effect from 3rd February 1877.

The 23rd March 1877.

No. 137.—The services of Lieutenant M. H. Gregson, R.E., 2nd Assistant Principal, Thomason College, Roorkee, are replaced at the disposal of the Military Department at his own request.

No. 138.—B. S Rungia Naidoo, Accountant, 4th Grade, Bengal, is transferred to Mysore.

TELEGRAPH.

The 21st March 1877.

No. 133.—The following officiating promotions are made, with effect from the afternoon of the 19th February 1877, *vice* Major H. Malloch, B.S.C., Director of Construction, on privilege leave:—

Major J. Eckford, R.E., Officiating Superintendent, 1st Grade, to be Director of Construction.
Mr. C. B. P. Gordon, Superintendent, 2nd Grade, to be Superintendent, 1st Grade.
Mr. R. B. Flindell, Superintendent, 3rd Grade, to be Superintendent, 2nd Grade.

W. A. CROMMELIN, *Major-Genl., R. E.,*
Secretary to the Govt. of India.

The Gazette of India

PUBLISHED BY AUTHORITY.

No. 13.] CALCUTTA, SATURDAY, MARCH 31, 1877. [Register No. 33.

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

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SUPPLEMENT No. 13.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 29th March 1877.

His Excellency the Viceroy and Governor General will leave Calcutta, at 5-33 P. M., Calcutta time, on Monday next, the 2nd April.

A Guard of Honor with Band and Colour will be drawn up in front of the main entrance, Government House, at 5 P. M., and a Vice-regal salute fired from Fort William as His Excellency leaves Government House.

The Commissioner of Police for the Town of Calcutta and Commissioner and Magistrate of Howrah will meet His Excellency at the Howrah Railway Station. No other Officers of Government are required to attend.

By Command,

G. POMEROY COLLEY, *Colonel,*
Mily. Secy. to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 29th March 1877.

No. [illegible].—During the absence of the Governor General in Council from Calcutta, the Officiating Secretary to the Government of India in the Military Department, Lieutenant-Colonel W. M. Lees, will have charge of that portion of the Home Department which is left at the Presidency.

ESTABLISHMENTS.

The 27th March 1877.

No. 276.—Mr. H. C. Richardson is permitted to resign Her Majesty's Bengal Civil Service.

No. 282.—The services of Mr. W. B. Jones, C.S., Secretary to the Chief Commissioner of the Central Provinces, are placed at the disposal of the Foreign Department.

The 28th March 1877.

No. 285.—Mr. E. S. Robertson is permitted to resign Her Majesty's Bengal Civil Service.

No. 289.—Mr. V. H. Schalch, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service.

No. 294.—Mr. W. M. Low is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 31st instant.

The 29th March 1877.

No. 298.—Mr. D. C. Halkett is permitted to resign Her Majesty's Bengal Civil Service.

No. 302.—APPOINTMENT.—Mr. J. D. Bell, Barrister-at-law, to officiate as Standing Counsel for the Presidency of Fort William in Bengal during the absence on deputation of Mr. J. Pitt Kennedy, or until further orders.

No. 304.—APPOINTMENTS.—Mr. J. W. Neill, C.S., Assistant Secretary to the Chief Commissioner of the Central Provinces, to be Secretary to the Chief Commissioner, *vice* Mr. W. B. Jones.

Mr. L. Neill, C.S., Supernumerary Assistant Commissioner of the 3rd Class, to be Assistant Secretary to the Chief Commissioner, *vice* Mr. J. W. Neill, but to continue to officiate as Under Secretary to the Government of India in the Home Department until further orders.

No. 306.—Under the authority conveyed by the 46th Section of the Act 24 and 25 Vic., Cap. 67, the Governor General of India is pleased to appoint, subject to the approbation of Her Majesty the Queen, Empress of India, the Honourable Robert Eyles Egerton, C.S.I., of the Bengal Civil Service, to be Lieutenant-Governor of the Punjab and its Dependencies.

The 30th March 1877.

No. 309.—APPOINTMENTS.—Lieutenant-Colonel T. E. Vandergucht, District Superintendent of Police, II Class, in the Central Provinces, to officiate as District Superintendent, I Class, during the absence on furlough of Lieutenant-Colonel W. J. Morris:

Mr. J. M. Berrill, District Superintendent, III Class, to officiate as District Superintendent, II Class, *vice* Lieutenant-Colonel Vandergucht:

Mr. M. P. Hankin, District Superintendent, IV Class, to officiate as District Superintendent, III Class, *vice* Mr. Berrill:

Mr. S. Ismay, C.S., Supernumerary Assistant Commissioner, and Officiating District Superintendent, V Class, to officiate as District Superintendent, IV Class, *vice* Mr. Hankin.

MEDICAL.

The 28th March 1877.

No. 212.—APPOINTMENT.—Surgeon-Major W. F. deFabeck, M.D., is confirmed in his appointment of Civil Surgeon of the Town of Moulmein in British Burma.

The 30th March 1877.

No. 234.—The services of Surgeon A Crombie, M.D., Junior Civil Surgeon of Rangoon in British Burma, are placed at the disposal of the Government of Bengal.

No. 236.—APPOINTMENT.—Surgeon G. A. Dundas, additional Medical Officer at Port Blair, to officiate as Junior Civil Surgeon of Rangoon, *vice* Dr. Crombie.

SANITARY.

The 27th March 1877.

No. 63.—APPOINTMENT.—Surgeon-Major J. Brake, to officiate as Sanitary Commissioner and Superintendent of Vaccination in the Central Provinces, during the absence of Surgeon-Major S. C. Townsend, or until further orders.

JUDICIAL.

The 28th March 1877.

No. 569.—APPOINTMENT.—Mr. F. E. Cunningham, Barrister-at-law, to be Government Advocate at Rangoon in British Burma.

EDUCATION.

The 30th March 1877.

No. 84.—His Excellency the Governor General in Council is pleased to appoint the Hon'ble W. Markby to be Vice-Chancellor of the University of Calcutta in succession to the Hon'ble Sir Arthur Hobhouse, Q.C., K.C.S.I.

ECCLESIASTICAL.

The 27th March 1877.

No. 98.—Special leave for six months with the usual subsidiary leave is granted to the Venerable J. Baly, Archdeacon of Calcutta, with effect from the 3rd proximo, or any subsequent date on which he may avail himself of it.

The 28th March 1877.

No. 100.—The Rev. M. S. Laing, Chaplain of Murree, has obtained two years' furlough to Europe and the usual subsidiary leave, with effect from the 15th instant or from any subsequent date on which he may avail himself of it.

The 29th March 1877.

No. 103.—The Rev. W. H. Gale, B.A., having reported his return from furlough on the 7th instant, is appointed to be Chaplain of Kamptee in the Central Provinces.

The 30th March 1877.

No. 107.—The Rev. G. W. Manson, Assistant Chaplain of the Church of Scotland, having reported his return from leave on the 14th instant, is posted to Sitapur in Oudh, in order to minister to Her Majesty's 92nd Highlanders.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—AGRICULTURE AND HORTICULTURE.—FAMINE.

Fort William, the 28th March 1877.

No. 332.—The services of Surgeon R. Harvey, M.B., which had been pl[illegible] temporarily at the disposal of Sir R. Temple, [illegible]pecial mission, by

Notification of this Department, No. 34, dated the 12th January last, are re-transferred to the Home Department.

T. C. HOPE,
Addl. Secy. to the Govt. of India.

FORESTS.

The 29th March 1877.

No. 438.—The following Officers, who were appointed to officiate as Assistant Conservators of Forests of the 3rd Grade, in the Notification of this Department, No. 893, dated the 8th September 1876, reverted to their substantive appointments of Sub-Assistant Conservators of Forests, on the return of Officers from leave, from the dates mentioned opposite their names:—

Mr. A. Stewart (Fores Survey Branch), 7th November 1876.

Mr. C. E. Fendall (Punjab), 15th November 1876.

Mr. E. Dobbs, B.A. (Central Provinces), 14th December 1876.

No. 442.—Mr. J. McKee, Assistant Conservator of Forests, 2nd Grade, and officiating as Assistant Conservator, 1st Grade, Central Provinces, is promoted to the 1st Grade of Assistant Conservators, *vice* Mr. N. Daly, deceased, with effect from the 9th February 1877.

Mr. J. S. Mackay, Sub-Assistant Conservator of Forests, Punjab, is appointed to officiate as Assistant Conservator, 3rd Grade, from the 27th November 1876, and is promoted to the 3rd Grade of Assistant Conservators, *vice* Mr. J. McKee, with effect from the 9th February 1877.

Mr. E. A. Dobbs, B.A., Sub-Assistant Conservator of Forests, Central Provinces, is appointed to officiate as an Assistant Conservator of the 3rd Grade, *vice* Mr. D. E. Hutchins, on leave, with effect from the 9th February 1877.

T. C. HOPE,
for *Offg. Secy. to the Govt. of India.*

SALT.

The 28th March 1877.

No. 59.—Mr. R. J. Whitten, Collector of Customs, Agra, is appointed to officiate as Deputy Commissioner of Inland Customs, during the absence of Mr. R. M. Adam on the furlough granted to him in the Notification No. 43, dated the 13th instant.

CHAS. JAS. LYALL,
for *Offg. Secy. to the Govt. of India.*

GENERAL.

The 29th March 1877.

No. 274.—During the absence from Calcutta of the Governor General in Council, Colonel W. M. Lees, Deputy Secretary to the Government of India, Military Department, will remain in charge of that portion of the Office of the Department of Revenue, Agriculture and Commerce which is left in Calcutta.

T. C. HOPE,
fo[illegible]*g. Secy. to the Govt. of India.*

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 27th March 1877.

No. 683*P.*—With reference to Notification No. 1088P, dated 5th May 1876, Mr. A. C. Litchfield, Consul General for the United States of America at Calcutta, resumed charge of his office on 12th March 1877.

GENERAL.

The 27th March 1877.

No. 749*G.*—APPOINTMENT.—Surgeon-Major F. Odevaine, 34th N. I., to officiate as Medical Officer of the Bhopal Battalion and Political Agency, with effect from the date of assuming charge, *vice* Surgeon-Major W. E. Allen, on furlough.

No. 750*G.*—Consequent on the return from furlough of Mr. C. Hordern, Deputy Commissioner, 3rd Class, in the Hyderabad Assigned Districts, the following changes are made in the Berar Commission, with effect from the 5th January 1877:—

Captain R. Bullock, Officiating Deputy Commissioner, 3rd Class, to revert to his substantive appointment of Assistant Commissioner, 1st Class.

Bymanji Jamasji, Officiating Assistant Commissioner, 1st Class, to revert to his substantive appointment of Assistant Commissioner, 2nd Class.

Mr. A. Elliott, Officiating Assistant Commissioner, 2nd Class, to revert to his substantive appointment of Assistant Commissioner, 3rd Class.

No. 751*G.*—Captain F. H. Jackson, Assistant Agent to the Governor General at Baroda, held charge of the current duties of the Office of the Agent to the Governor General, Baroda, in addition to his own duties, from the afternoon of the 7th December 1876 to the forenoon of the 5th February 1877, inclusive.

The 28th March 1877.

No. 771*G.*—Abdul Kadir, Assistant Commissioner, 3rd Grade, and Officiating Town Magistrate, Mysore, to act as Civil Pension Paymaster at that station, with effect from the 17th October 1876, *vice* Colonel R. Renton.

The 29th March 1877.

No. 777*G.*—LEAVE.—Mr. P. S. Melvill, C.S.I., Resident, 1st Class, and Agent to the Governor General, Baroda, is granted three months' privilege leave from the 20th May 1877.

No. 778*G.*—Captain F. H. Jackson, Assistant to the Agent to the Governor General, Baroda, to be in charge of the current duties of the Agency during the absence on privilege leave of Mr. P. S. Melvill, C.S.I.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 27th March 1877.

No. 1838.—Privilege leave for fifteen days is granted to Mr. E. S. Byrne, Deputy Accountant General, Assam, in continuation of the privilege leave for two months granted to him by the orders contained in the Notification of this Department No. 2750, dated 23rd November 1876.

Mr. Byrne resumed charge of the Office of Deputy Accountant General, Assam, before noon on the 30th January 1877.

No. 1904.—Mr. W. Wells is appointed to officiate as Assistant Commissioner of Paper Currency, Bombay.

ACCOUNTS.

The 25th March 1877.

No. 1807.—The following Resolution is published for general information :—

Read—

Letter to the Government of the North-Western Provinces, No. 852, dated 10th February 1877, and reply from that Government, No. 278, dated 28th February 1877.

Letter to the Chief Commissioner of Oudh, No. 1445, dated 8th March 1877.

Read also—

Resolution No. 1709, dated 22nd March 1877, defining the rules and conditions under which Local Governments are henceforth to administer the Revenues and Services surrendered to their particular use and management.

OBSERVATIONS.—In letter No. 852, dated 10th February 1877, the Governor General in Council proposed, upon certain conditions, to make over certain Revenues and Services to the particular management of the Government of the North-Western Provinces. The Government of the North-Western Provinces has now cordially accepted these proposals. With the anticipated concurrence of the Chief Commissioner of Oudh, certain Revenues and Services have also, by letter No. 1445, dated 8th instant, been made over to his use and management for the year 1877-78.

2. It has been since ascertained that the expenditure for stationery in the North-Western Provinces and Oudh has, including the Accountant General's Office, been as follows :—

	STATIONERY.			STAMPS.			GRAND TOTAL.
	N.-W. Provinces.	Oudh.	Total.	N.-W. Provinces.	Oudh.	Total.	
1871-72 ...	49,967	17,016	66,983				
1872-73 ...	64,855	20,239	85,094	Earlier figures include bi-color stamps for Court-fees.			
1873-74 ...	67,776	12,965	80,741				
1874-75 ...	43,920	12,380	56,300	29,576	4,577		
1875-76 ...	69,806	21,098	90,904	24,254	5,556		
	2,96,324	83,698	3,80,022	53,830	10,133	63,963	
Average ...	59,265	16,739	76,004	26,915	5,067	31,982	1,07,986

3. The Governor General in Council will, therefore, make over to the Local Governments the duty of providing stationery and stamps for the public service in the North-Western Provinces and Oudh, with grants for these Services of Rs. 86,000 for the North-Western Provinces and Rs. 22,000 for Oudh.

RESOLUTION.—Subject to the conditions stated in Resolution No. 1709, dated 22nd March 1877, the following Revenues will for the year 1877-78 belong to the Governments of the North-Western Provinces and of Oudh :—

Under I—*Land Revenue* :—Collections from the Terai and Bhabar Estates* and the Dudhi Estate* in Mirzapore and from Stone Quarries.

* Whenever hereafter the special management of these estates may cease, the arrangement now made about them will be reconsidered.

The whole of the following heads :—

IV.—Excise.

IX.—Stamps.

XIII.—Law and Justice.

XIV.—Police.

XVI.—Education.

XX.—Miscellaneous, excepting "Gain by Exchange," "Premium on Bills," "Unclaimed Bills," and any item exceeding Rs. 10,000 which cannot be classed under one of the sub-divisions of this head now existing in the public accounts of the North-Western Provinces and Oudh.

Public Works Receipts appertaining to the Public Works charges for which the Government of the North-Western Provinces and Oudh are responsible as detailed below.

2. The Governments of the North-Western Provinces and of Oudh will be responsible during 1877-78 for all charges recorded in the public accounts under the following heads :—

3.—Refunds of all the assigned revenues.

4.—Land Revenue, excepting Settlements, allowances to district and village officers, and special temporary compensation to Covenanted Civil Servants in the North-Western Provinces.

6.—Excise.

10.—Stamps.

14.—Administration (excepting Account and Currency Offices).

16.—Law and Justice, excepting special temporary compensation to Covenanted Civil Servants in the North-Western Provinces.

17.—Police.

19.—Education.

21.—Medical (excepting the pay of Medical Officers in charge of civil stations).

22.—Stationery and Printing.

28.—Miscellaneous, excepting Remittance of Treasure and any item exceeding Rs. 10,000 which cannot be classified under any sub-division of this head now existing in the public accounts of the North-Western Provinces and Oudh.

Under *Public Works Ordinary ;—Roads and Miscellaneous Public Improvements, Civil Buildings* (except Opium and Post Office and Telegraph Buildings) and *Tools and Plant ;*—also the whole Public Works Establishment of the Public Works Department excepting that in the Military Works and Irrigation Branches ;—the Imperial Government paying towards their cost 20 per cent. on the outlay from imperial funds on works and repairs executed by the establishment.

3. The Governments of the North-Western Provinces and Oudh must surrender to the Imperial Treasury half of any sum by which the net revenue from *Excise*, *Stamps*, and *Law and Justice* (omitting *Jails* and *Registration*), deducting *Refunds* under these heads, and Charges under 6—*Excise*, and 10—*Stamps*, exceeds Rs. 83,75,000 ; and the Government of India will, on its part, bear half of any deficiency in the revenue below that sum. Half of any such excess will accordingly be deducted from, and half of any such deficiency will be added to, the balances of the Governments of the North-Western Provinces and Oudh in the Imperial Treasury.

4. If the expenditure in the North-Western Provinces and Oudh upon the Services thus enumerated exceeds the enumerated revenues plus any provincial contributions in support of the enumerated Services which the Government of the North-Western Provinces or Oudh may direct by less than Rs. 83,66,000,* the difference will be added to, and if such excess expenditure is more than Rs. 83,66,000 the difference will be deducted from, the balances of the Governments of the North-Western Provinces and Oudh in the Imperial Treasuries.

	Rs.
* *Oudh* ...	18,30,000
North-Western Provinces ...	65,36,000
	83,66,000

5. The net amount due from the reserved Imperial revenues will be subject to reconsideration if there should be any new legislation intended to increase or reduce any of the assigned revenues.

6. As the North-Western Provinces and Oudh are now administered by one Government, it is deemed convenient thus to combine the arrangements

respecting the two Provinces herein ordered. The separate arrangements with the North-Western Provinces described in letter No. 852, dated 10th February, will endure for the time stated in that letter. The arrangements in regard to Oudh can, as yet, be made for one year only; but, in the revision of these arrangements next year, the arrangements, in respect to the North-Western Provinces, will not be disturbed.

The 28th March 1877.

No. 1896.—*Cash Balances in the Government Treasuries in India on the last day of the month of February 1877, compared with those on the same date in 1876 and 1875:—*

	1875.	1876.	1877.
	Rs.	Rs.	Rs.
Govt. of India	2,56,09,437	2,26,18,456	1,37,19,164
Bengal	2,29,45,994	1,75,25,775	97,16,196
Assam	26,37,204	35,39,209	27,63,523
British Burmah	30,00,507	30,57,832	41,35,102
N. W. Provinces	2,24,20,592	2,66,09,576	1,99,30,435
Oudh	60,61,856	76,56,529	59,80,291
Punjab	1,40,64,371	1,12,58,919	1,02,70,907
Bombay	2,38,31,459	2,70,40,630	2,36,43,760
Central Provinces	46,41,541	44,05,960	44,11,472
Madras	2,47,93,987	2,35,47,921	2,54,56,445
TOTAL ...	15,00,06,948	14,72,60,807	12,00,27,295

The 29th March 1877.

No. 1899.—The following letter is published for general information:—

From—The Secretary to the Government of India, Financial Department,
To—The Secretary to the Government of Bengal.

SIR,—**By the Resolution of the Government of India in this Department No. 3334, dated 14th December 1870, and subsequent supplementary orders, the particular administration of certain Services was entrusted to the several Local Governments with fixed Consolidated Allotments from the Imperial Revenues for their support. The Departmental Receipts connected with these Services were also surrendered to the Local Governments, who were allowed to appropriate to provincial uses any surplus, while they were bound to make good from provincial resources any deficit, which might result from their management of the delegated Services.**

2. After consideration and consultation with the Hon'ble the Lieutenant-Governor, the Governor General in Council has now resolved, upon certain conditions stated in this dispatch, to surrender and entrust the following additional Revenues and Services to the use, management and responsibility of the Government of Bengal.

3. The gross *Excise* Revenue of Bengal has been as follows:

	Rs.	
1872-73	57,19,000	
1873-74	58,08,000	
1874-75	56,34,000	(Year of Scarcity).
1875-76	60,88,000	
1876-77	63,00,000	

4. It is a reasonable expectation that, for some time to come, this revenue will, without any more particular attention than it now receives, increase by at least a lakh of rupees (net) a year: accordingly, the Governor General in Council will surrender this revenue to the Local Government on condition that an annual increment of Rs. 1,00,000 is contributed to the Imperial Treasury: thus the amount due to the Imperial Treasury from the *Excise on Spirits and Drugs* in Bengal will be as follows:

	Rs.
1877-78	64,00,000
1878-79	65,00,000
1879-80	66,00,000
1880-81	67,00,000
1881-82	68,00,000

5. The revenue from *Sea Customs*, *Imports* and *Exports* will remain Imperial: but there are certain minor items shown as "*Sea Customs Miscellaneous*," and "*Warehouse and Wharf Rents*" which have yielded revenue as follows:

	Rs.
1872-73	37,000
1873-74	34,000
1874-75	47,000
1875-76	36,000
1876-77 Regular Estimate	36,000
1877-78 First Estimate	36,000

the Governor General in Council will transfer these items of revenue for an annual payment of Rs. 36,000.

6. *Salt.*—The *Customs* and *Excise Duty* on *Salt* must continue Imperial Revenue: but the Governor General in Council will transfer the minor items "*Rents of Warehouses*," "*Fines and Forfeitures*" and "*Miscellaneous*" for a yearly payment of Rs. 2,20,000: the past yield of these items is as follows:

	Rs.
1872-73	1,56,000
1873-74	1,62,000
1874-75	1,16,000
1875-76	1,94,000
1876-77 Regular Estimate	2,23,000
1877-78 First Estimate	2,20,000

7. *Stamps* and *Law and Justice* have produced revenue as follows:

	Rs.
1872-73	88,91,000
1873-74	91,49,000
1874-75	96,87,000
1875-76	1,00,33,000
1876-77 Regular Estimate	1,03 00,000

Clearly, $2\frac{3}{4}$ lakhs a year is a moderate estimate of the normal growth of these items of revenue: accordingly the Governor General in Council will surrender these revenues to provincial uses for the following annual payments:

	Rs.
To be paid in 1877-78	1,05,75,000
1878-79	1,08,50,000
1879-80	1,11,25,000
1880-81	1,14,00,000
1881-82	1,16,75,000

8. The revenue from *Excise*, *Stamps* and *Law and Justice* will be thus surrendered for the next five years: thereafter, the whole arrangement will be subject to revision; and the Governor General in Council must, then, probably claim for the Imperial Revenues a share of any improvement which may ensue under the management of the Local Government in excess of the stipulated annual increments belonging to the Imperial Treasury. While the Government of India is most desirous that the Local Government should benefit largely by any increase of revenue to which improved administration may lead, it is evidently reasonable and necessary that the Imperial Revenues should eventually share in such increases. But, inasmuch as a considerable burden is being now imposed upon the Province of Bengal, in order to guarantee to the Imperial Revenues the interest on the capital spent in Bengal on the construction of canals and railways, the Government of India has consented, for the present, to abstain from claiming any part of the further increase which may be expected to these revenues in consequence of the greater attention that they will now doubtless receive from the Local Government.

9. Of the *Marine* Receipts, the Governor General in Council proposes to surrender to the Local Government the following items:

Pilotage Receipts.
Registration and other Fees.
Port Receipts.
Other Miscellaneous Receipts, exclusive of any item [illegible] in character and exceeding Rs. 10,000.

These Receipts have aggregated the following sums:

	Rs.
1872-73	10,84,000
1873-74	10,18,000
1874-75	10,42,000
1875-76	11,01,000
1876-77 Regular Estimate	10,91,000
1877-78 First Estimate...	10,84,000

The Governor General in Council will make them over for an annual payment of Rs. 10,84,000.

10. Of the revenue recorded under *XVIII, Miscellaneous*, the Governor General in Council desires to retain as Imperial only the items "*Premium on Bills*," "*Unclaimed Bills of Exchange*," "*Sale of Durbar Presents*," and any *item exceeding Rs. 10,000 which cannot be classified under some sub-division of this Head now existing in the Public Accounts of Bengal.* The remainder of the revenue under this Head has been as follows:—

	Rs.
1872-73	8,41,000
1873-74	10,27,000
1874-75	7,12,000
1875-76	7,73,000
1876-77 Regular Estimate	7,71,000
1877-78	7,92,000

The Governor General in Council will assess the revenue transferred under this Head at Rs. 7,92,000.

11. If there should be any new legislation intended to increase or reduce any of the Assigned Revenues, the amount due to the Imperial Revenues will be subject to reconsideration. Subject to this proviso, the following Revenues will be surrendered to the Government of Bengal, for five years, for provincial uses, on its undertaking to make good to the Imperial Revenues in—

	Rs.
1877-78	1,91,07,000
1878-79	1,94,82,000
1879-80	1,98,57,000
1880-81	2,02,32,000
1881-82	2,06,07,000

Revenues to be surrendered to the Government of Bengal for Provincial uses, 1877-78.

IV.—Excise on Spirits and Drugs.
VI.—Customs ("Sea Customs Miscellaneous," and "Warehouses and Wharf Rents").
VII.—Salt: "Rents of Warehouses," "Fines and Forfeitures," and "Miscellaneous".
IX.—Stamps.
XIII.—Law and Justice.
XIV.—Marine: "Pilotage Receipts," "Registration and other Fees," and "Miscellaneous".
XVI.—Miscellaneous (all except "Premium on Bills," "Unclaimed Bills," and any item exceeding Rs. 10,000 which cannot be classified under any subdivision of this Head now existing in the Public Accounts in Bengal).

12. As regards EXPENDITURE, the Governor General in Council will, for the future, reserve as Imperial only those Grants which, for some particular reason, it seems inconvenient to transfer to provincial management and responsibility. The following Services with the Grants as at present settled for 1877-78, are accordingly made over to the management and responsibility of the Government of Bengal.

13. *Refunds of all the Assigned Revenues.*—The actual expenditure has been as follows:

	Rs.
1872-73	4,91,000
1873-74	4,97,000
1874-75	5,52,000
1875-76	5,12,000
1876-77	4,63,000

The Grant for 1877-78 is, the average of the five years, Rs. 4,91,000.

14. *Land Revenue.*—The Governor General in Council will make over the expenditure which is recorded under this Head in the Accounts for "*Collectors' and Deputy Commissioners' &c., Establishments*" and "*Charges on account of Land Revenue Collections.*" The expenditure on these Services in the past has been as follows:

	Rs.
1872-73	21,79,000
1873-74	22,04,000
1874-75	22,89,000
1875-76	22,42,000
1876-77 Regular Estimate	22,68,000

The Grant for 1877-78 is Rs. 22,62,000.

15. The expenditure in managing the *Excise* Revenue has been—

	Rs.
1872-73	2,94,000
1873-74	2,90,000
1874-75	2,93,000
1875-76	2,90,000
1876-77 Regular Estimate	2,93,000

The Grant is Rs. 2,92,000 and this sum will be made over for this service.

16. The expenditure on *Customs* Establishments has been—

	Rs.
1872-73	6,52,000
1873-74	6,65,000
1874-75	6,52,000
1875-76	6,69,000
1876-77 Regular Estimate	6,80,000

The Grant is Rs. 6,93,000 which will be made over for this service.

17. Of the *Salt* expenditure the "*Inland Customs Establishment, Behar,*" will be reserved as Imperial, and the expenditure now recorded under the Head of "*Salaries, Establishments and Contingencies*" transferred: past figures are as follows:

	Rs.
1872-73	39,000
1873-74	37,000
1874-75	34,000
1875-76	37,000
1876-77 Regular Estimate	39,000

The Grant is Rs. 39,000.

18. The expenditure on the collection of the *Stamp* Revenue has been—

	Rs.
1872-73	2,93,000
1873-74	2,25,000
1874-75	2,16,000
1875-76	2,39,000
1876-77 Regular Estimate	2,35,000

The Grant is Rs. 2,38,000.

19. The Government of India will make the whole of the expenditure under *Administration* provincial, excepting the Charges for—

The Account Office,
The Allowance to Bank of Bengal,
The Stationery Office,
Stationery purchased in the Country.

Deducting these items, the past expenditure has been as follows:

	Rs.
1872-73	12,69,000
1873-74	12,99,000
1874-75	13,09,000
1875 76	12,54,000
1876-77	12,62,000

The Grant is Rs. 12,61,000.

20. The Government of India wish to reserve as Imperial from the expenditure under 16, *Minor Departments*, only the *Meteorological and Archæological Departments, Census and Gazetteers.* The Grant made for the remainder of the Services recorded under this Head is Rs. 1,68,000, including a large and abnormal Grant of Rs. 1,31,000 for *Cinchona Plantations.*

21. The only item to be reserved as Imperial under *Law and Justice* is the Charge for "*Law Officers,*" the actual expenditure for this Service being too unsettled as yet to be the subject of any arrangement. Apart from this item, the expenditure under this Head has been as follows:

	Rs.
1872-73	62,25,000
1873-74	62,97,000
1874-75	64,62,000
1875-76	63,34,000
1876-77 Regular Estimate	63,56,000

The Grant is Rs. 63,97,000.

22. It is proposed to make over the *Marine* Charges shown in the following Statement with a Grant of Rs. 10,92,000:

Details of Marine Charges to be transferred.

	Marine Court.	Shipping Master.	Shipping Fees, Towing Fees and Sundries.	Lieutenant-Governor's State Yacht.	Pilotage, Pilot Establishment, and Pilot Vessels.	Victuals, exclusive of Seagoing Vessels, Inland Steamers and Flats, Famine Vessels and G. G.'s State Yacht.	Coal for Lieut.-Governor's State Yacht, Pilot, Survey, and Light Vessels, and Steamer *Celerity.*	Building and repairs of Lieutenant-Governor's Yacht, Pilot, Survey and Light Vessels.	Light Houses and Ships.	Calcutta Port Approaches.	Outports.	Other Miscellaneous Charges.	TOTAL.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1872-73	3,529	16,235	9,177	4,475	6,68,380	34,849	15,278	88,467	7,639	2,11,538	27,656	1,771	10,88,994
1873-74	3,346	17,604	6,005	4,320	6,71,344	38,037	23,439	79,435	7,519	1,85,368	28,786	10,489	10,75,692
1874-75	3,404	18,274	11,390	3,850	6,39,530	35,128	27,337	88,201	7,528	1,89,219	30,985	26,886	10,81,732
1875-76	3,300	15,441	1,749	4,961	6,33,899	33,167	31,373	59,238	7,495	1,84,502	33,658	3,534	10,12,317
1876-77	3,300	16,400	10,700	4,376	6,72,000	37,000	20,000	1,06,525	7,000	1,96,000	25,000	3,800	11,02,101
1877-78	3,500	16,738	10,569	4,376	6,50,463	32,500	20,000	1,35,236	7,540	1,96,000	15,000	60	10,91,98

The reduction in the Grant for 1877-78 under Outports is owing to the transfer of False Point to a Port Trust.

23. The cost of *Stationery* including stationery used in the Accountant General's office and Stamps has been—

	Stationery. Rs.	Stamps. Rs.
1872-73	3,71,954	...
1873-74	4,20,007	...
1874-75	3,91,997	98,156*
1875-76	4,30,122	91,444
Average ...	4,03,520	94,650

The Government of India will allow for this item Rs. 4,98,000.

24. The cost of the Police guard on duty at the Government Houses, Calcutta and Barrackpore, is at present charged to the Government of India under the Head as follows:—

	Rs.
For five months during the residence of His Excellency the Governor General at the Presidency, at Rs. 651 a month	3,255
For seven months during His Excellency's absence from Calcutta, at Rs. 336 a month	2,352
During journies to Barrackpore, &c.	1,080
TOTAL ...	6,687

The grant for this service is Rs. 7,000.

25. It is proposed to make over the whole *Miscellaneous* Grant, excepting only the item "*Charges for Remittance of Treasure.*" The Imperial Re-

* Judicial Bicolour Stamps included in previous years.

venues will, however, continue responsible for any charge which may occur under any sub-division of this Grant not now enumerated, and which exceeds Rs. 10,000. The past expenditure has been—

	Rs.
1872-73	18,000
1873-74	18,000
1874-75	31,000
1875-76	22,000

The Grant is Rs. 25,000.

25. The repairs of the offices of the Superintendent of Stamps and Stationery, of the obelisks (navigation marks) on the bank of the River Hooghly and of the Bishop's Palace, which are now Imperial charges have cost in the last five years Rs. 35,000 in all: it is proposed that the responsibility for these buildings and obelisks should hereafter be Provincial, a sum of Rs. 7,000 being assigned for the purpose.

26. The Grants, as now settled for all the expenditure which it is thus proposed henceforth to entrust to Provincial management and responsibility, amount, as shown in the following Statement, to Rs. 2,45,29,000. It is understood, however, that the Local Government will be able and willing to undertake these Services with a Consolidated Grant of somewhat less than Rs. 2,45,29,000. The existing *Provincial Allotment* is Rs. 1,10,59,000: the provision made for the further Services to be now transferred is, thus, Rs. 1,34,70,000, of which Rs. 4,91,000 is for *Refunds.* Five per cent. upon the remainder is Rs. 6,48,950, the Governor General in Council proposes to deduct the sum of Rs. 5,90,000 from the Consolidated Assignment now offered, as follows:

Statement of Expenditure to be transferred to the management of the Government of Bengal.

	Grant for 1877-78 as now settled.	Retrenchment.	Proposed Net Consolidated Grant.
	Rs.	*Rs.*	*Rs.*
3.—Refunds of Revenue from Excise, Stamps and Law and Justice, and of Deposits ...	*4,91,000*	...	*4,91,000*
4.—Land Revenue ("Collectors', Deputy Commissioners', &c., Establishments" and "Charges on account of Land Revenue Collections") ...	*22,62,000*	...	*22,62,000*
6.—Excise on Spirits and Drugs	*2,92,000*	...	*2,92,000*
8.—Customs	*6,93,000*	...	*6,93,000*
9.—Salt	*39,000*	...	*39,000*
11.—Stamps	*2,38,000*	...	*2,38,000*
15.—Administration (excepting "Account Office," "Allowances to Presidency Banks," "Stationery Office at Presidency" and "Stationery purchased in the Country")	*12,61,000*	...	*12,61,000*
16.—Minor Departments (excepting Meteorological and Archæological Departments, Census and Gazetteers)	*1,68,000*	...	*1,68,000*
17.—Law and Justice (excepting "Law Officers")	*63,97,000*	*1,00,000*	*62,97,000*
18.—Marine (for the Services enumerated in para. 23)	*10,92,000*	...	*10,92,000*
23.—Political (Government-House Police Guard)*	*7,000*	...	*7,000*
26.—Miscellaneous (excepting "Remittance of Treasure")	*25,000*	...	*25,000*
Stationery and Stamps	*4,98,000*	*50,000*	*4,48,000*
27.—Provincial Allotment as now existing ...	*1,10,59,000*	*4,40,000*	*1,06,19,000*
Maintenance of Bishop's Palace, Stamps and Stationery Buildings, and River Obelisks ...	*7,000*	...	*7,000*
Total ...	*2,45,29,000*	*5,90,000*	*2,39,39,000*

27. A further sum will be added for *Stores bought in England,* as soon as the past expenditure for these items on behalf of Bengal can be ascertained, and eventually, the responsibility for Furlough Allowances and Pensions will, if possible, also be placed upon the Government of Bengal. Meanwhile, the Government of Bengal will be entitled to appropriate to provincial uses any surplus, and will be bound to make good from provincial sources any deficit, which may accrue upon all the Revenues and Services which will be henceforth under its particular management. The Revenues

* Should henceforth be shown under Police.

made over being in 1877-78 Rs. 1,91,07,000, and the Net Consolidated Allotment Rs. 2,39,39,000, the net expenditure from the reserved Imperial Revenues will be Rs. 48,32,000. If less than the following sum in each year is spent, the difference will be added to the *Balance of the Government of Bengal in the Imperial Treasury*; if more, the difference will be taken from that *Balance*.

To be provided from the Reserved Imperial Revenue.

In	Rs.
1877-78	48,32,000
1878-79	44,57,000
1879-80	40,82,000
1880-81	37,07,000
1881-82	33,32,000

28. The conditions under which the Government of Bengal will administer the extended trust thus committed to it are defined in the Resolution of the Governor General in Council in this Department, No. 1709, dated 22nd March 1877.

29. It will be necessary for the Government of Bengal to revise the estimates received with your letter No. 568, dated 22nd February 1877.

The 28th March 1877.

No. 1911.—*Bills drawn upon India by the Secretary of State, 1876-77.*

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
			s. d.	
Estimated for the whole year	13,660,000	15,99,20,000	1 8·5	2,33,20,000
In the month of March	614,318	70,00,000	1 8·68	8,56,820
In the whole year	12,732,704	14,90,05,501	1 8·51	2,16,78,461

Estimated expenditure in excess of the cost at 2s. the rupee in raising	...	£12,732,704 at 1s. 8·5d.	Rs. 2,17,36,944
Actual ditto ditto ditto	...	„ „ 1s. 8·51d.	„ 2,16,78,461
Expenditure less than estimate			„ 58,483

MINT AND CURRENCY.

The 29th March 1877.

No. 1909.—In exercise of the powers conferred by the Indian Coinage Act, 1870, the Governor General in Council is pleased to authorise the Mint Masters to act under Section 16 of the said Act in respect to all coins tendered to them.

No. 1910.—The Governor General in Council is pleased to authorise the Mint Masters to receive, in parcels of not less than one thousand tolas each, silver coins coined and issued under the authority of the Government of India which have lost by reasonable wearing more than two per cent. in weight or have been called in by proclamation, or are from any other reason no longer a legal tender in payment or on account, and to pay for the same by order on the Presidency Bank of Bengal or Bombay, as the case may be, at the rate of one rupee per tola.

PAY AND ALLOWANCES.

The 29th March 1877.

No. 1905.—The Governor General in Council is pleased to rule that, when a Civil Surgeon is required to proceed beyond the limits of his charge in order to appear as a witness in any judicial proceedings, he shall, in addition to the salary of his office, continue to draw the local allowances attached thereto without prejudice to the claim of his *locum tenens* to draw these allowances.

SEPARATE REVENUE—STAMPS.

The 29th March 1877.

No. 1897.—In exercise of the power conferred by Section 35 of the Court Fees Act, 1870, the Governor General in Council is pleased to reduce as follows the Court Fee payable under Schedule II, Number 1 (*b*), of the said Act for a petition of objection under the North-Western Provinces License Act, 1877; that is to say—

	Court Fee.
When the petitioner has been charged under the second class	... 4 annas.
When the petitioner has been charged under the third class	... 1 anna.

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

MILITARY DEPARTMENT.

Fort William, the 29th March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 289.—MILITARY SECRETARIAT—

His Excellency the Governor General in Council is pleased to notify that the following arrangements for the conduct of business in the Military Department will have effect during the absence this season of His Excellency and the Council from the Presidency :—

Lieutenant-Colonel W. M. Lees, Deputy Secretary, will officiate as Secretary to the Government of India, in the Military Department, at the Presidency.

Captain A. C. W. Crookshank, 2nd Assistant Secretary, will officiate as 1st Assistant Secretary, *vice* Captain E. H. H. Collen, proceeding on furlough, and also as Deputy Secretary.

Reports and correspondence on the subjects hereafter specified should be addressed by all Governments and Departments to the Officiating Secretary at Calcutta, *viz* :—

*1.—Applications for furlough, save for furlough on urgent private affairs, which should be sent to the Secretary to Government with the Governor General. Also all questions relating to the Furlough Regulations.

2.—Reports of departure on furlough and of return to duty, with certificates of permission to return, &c.

3.—Grant of sick leave to Europe to Officers of the Bengal Presidency when such leave is given from another Presidency.

*4.—Applications to retire from the service.

5.—Estates of deceased Officers and Soldiers.

6.—Claims to medals, or applications for medals, or for decorations to replace those lost or stolen.

7.—All ordinary returns and periodical or other documents which are required for mere record, except such as the Secretary to Government with the Governor General may specially intimate, are to be sent to him.

* Through the prescribed channel of the Adjutant General.

No. 290.—ORDNANCE MANUFACTURING ESTABLISHMENT—

Lieutenant (Local Captain) A. F. Fletcher, R. A., Assistant Superintendent of Factories, officiated as Superintendent of the Gun Carriage Factory at Fatehgarh, from the 18th December 1876 to the 28th February 1877 inclusive, *vice* Colonel R. G. F. Henegan, deceased.

No. 291.—ARMY COMMISSARIAT DEPARTMENT—

Temporary.

Lieutenant-Colonel J. A. M. Biggs, Deputy Assistant Commissary General, 2nd Class, to officiate as Deputy Assistant Commissary General, 1st Class, with effect from 20th February 1877, *vice* Colonel R. S. Graves, proceeding on furlough.

Captain N. F. Parker, Sub-Assistant Commissary General, 1st Class, to officiate as Deputy Assistant Commissary General, 2nd Class, with effect from 11th March 1877, junior Officers acting in the higher grades reverting to their proper places in the Department.

No. 292.—STAFF CORPS—

The under-mentioned Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Michael King Martin, 1st Battalion, 3rd Foot, Officiating Squadron Officer, 2nd Bengal Cavalry,—3rd March 1876.

No. 293.—The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Lieutenant Joseph Seymour Biscoe, Bengal Staff Corps,—24th March 1877.

No. 294.—MEDICAL DEPARTMENT—

Deputy Surgeon-General, with temporary rank, J. A. C. Hutchinson, M.D., to have permanent rank, with effect from the 31st March 1877, *vice* Deputy Surgeon-General J. N. Tresidder, who retires.

No. 295.—Surgeon-Major A. Christison, M.D., (on furlough), to be a Deputy Surgeon-General, with permanent rank, *vice* Deputy Surgeon-General C. M. Smith, who retires, 31st March 1877.

No. 296.—Supernumerary Surgeons-Major George Henderson, M.D., Peter Cullen, M.D., James Richard Johnson, Isaac Newton and George William Jameson, are brought on the establishment of Surgeons-Major to fill existing vacancies.

No. 297.—The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India, No. 65, dated the 15th February 1877, are published for general information :—

Para. 1. The under-mentioned candidates having completed the course of instruction at the Army Medical School, and having been reported qualified, have been appointed Surgeons on the Bengal Establishment, their commissions as such dating from the 30th September 1876 :—

James Moorhead, M.D.
Charles Henry Beatson.
Charles William Owen.
Gilbert Saunders Griffiths.
Peter Macpherson Grant.

2. They will be allowed to count as service for full pay pension the period of their residence at Netley from the 30th of September 1876, to the 5th February 1877, inclusive.

No. 298.—WARRANT OFFICERS—

Sub-Conductor Michael O'Connor, to be Conductor, *vice* Conductor D. Cordwell, pensioned.

Serjeant Joseph Pollott, to be Sub-Conductor, *vice* Sub-Conductor O'Connor.

No. 299.—NATIVE ARMY—

1st Goorkha Regiment (Light Infantry).

Subadar Runbeer, Karkie, "Sirdar Bahadur," is appointed Subadar Major, *vice* Nain Sing, Khuttrie, "Bahadur," invalided; Jemadar Bheemia, Khuttrie, to be Subadar, *vice* Nain Sing, Khuttrie, "Bahadur," invalided; Jemadar Munbeer, Goorung, to be Subadar *vice* Gungaram, Bist, invalided; Havildar Tickaram, Goorung, to be Jemadar, *vice* Bheemia, Khuttrie, promoted; Havildar Jeetbeer, Khawas, to be Jemadar, *vice* Munbeer, Goorung, promoted. Dated the 1st November 1876.

TRANSFER OF OFFICERS.

No. 300.—The services of Lieutenant-Colonel (Brevet Colonel) A. Elderton, Bengal Staff Corps, are placed at the disposal of the Foreign Department.

No. 301.—The services of Major (Brevet Lieutenant Colonel) C. A. deKantzow, Bengal Staff Corps, Superintendent, Sudder Bazar, Delhi, are placed temporarily at the disposal of the Foreign Department.

No. 302.—The services of Surgeon-Major W. H. Kirton, Civil, Muzaffarnagar, are, with reference to the Notification by the Government, North-Western Provinces, No. 121A, dated the 22nd March 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 1st April 1877.

No. 303.—The services of Lieutenant M. H. Gregson, R.E., 2nd Assistant Principal, Thomason College, Roorkee, are, with reference to Notification by the Public Works Department, No. 137, dated the 23rd March 1877, replaced at the disposal of His Excellency the Commander-in-Chief.

No. 304.—The services of Surgeon A. Tomes, on special duty, Backergunge, are replaced at the disposal of His Excellency the Commander-in-Chief with effect from the 31st March 1877.

No. 305.—The services of 2nd Class Apothecary H. J. Finnamore, attached to the establishment under the Director of State Railways, are, with reference to the Notification by the Public Works Department, No. 130, dated the 20th March 1877, replaced at the disposal of His Excellency the Commander-in-Chief.

FURLOUGH AND LEAVE.

No. 306.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Major-General Reynell George Taylor, C.B., C.S.I., Bengal Staff Corps, Commissioner and Superintendent, Amritsar Division, Punjab,—private affairs, for one year eleven months and five days, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) Erskine Nimmo Sandilands, Bengal Staff Corps, Executive Engineer, 1st Grade, Public Works Department,—private affairs, for eighteen month, under Rule IX of the Regulations of 1868, embarking on or after the 3rd April 1877.

Lieutenant-Colonel Raoul deBourbel, Royal Engineers, Superintending Engineer, 1st Grade, Consulting Engineer to Government of India for Guaranteed Railways, Lucknow, Public Works Department,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Major George Scott Hills, Royal Engineers, Executive Engineer, 1st Grade, Public Works Department,—medical certificate, for twenty months, under Rule XIV, clause I, of the Regulations of 1868.

Major (Brevet Lieutenant-Colonel) Frederick Macdonald Birch, Bengal Staff Corps, Deputy Commissioner, 3rd Class, Mooltan, Punjab,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

Surgeon-Major Charles Egbert Wimond Bensley, M.D.,—private affairs, for thirteen months, under Rule IX of the Regulations of 1868.

Captain Francis Henry Hinde, General List, Infantry, Wing Officer, 22nd (Punjab) Regiment of Native Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 307.—Quartermaster Henry William Hallett, Calcutta Volunteer Rifle Corps, is granted leave of absence to proceed to England for one year on private affairs, from the 28th March 1877.

No. 308.—Major Nablett St. Leger Carter, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence to proceed to England for three months, from the 7th April 1877.

No. 309.—Captain Charley Henry Denham, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence to proceed to England for sixteen months, from the 12th April 1877.

No. 310.—With reference to G. G. O. No. 463 of 1874, Major J. Bartleman, Bengal Staff Corps, Wing Commander, 20th (Punjab) Regiment of Native Infantry, is granted an extension of furlough to the 2nd February 1877.

No. 311.—The grant of furlough on private affairs to Captain C. H. T. Marshall, Bengal Staff Corps, in G. G. O. No. 167 of 1877, is cancelled.

No. 312.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) H. F. M. Boisragon, Bengal Staff Corps, Commandant, 4th Sikh Infantry, Punjab Frontier Force,—Bombay, 14th March 1877.

Lieutenant-Colonel (Brevet Colonel) H. A. Browne, Infantry, Commissioner of Pegu Division, British Burmah,—Fort William, 18th March 1877.

Lieutenant-Colonel T. W. R. Boisragon, Bengal Staff Corps, Commandant, 30th (Punjab) Regiment of Native Infantry,—Bombay, 14th March 1877.

Major R. E. Boyle, Bengal Staff Corps, Commandant, 11th (Prince of Wales'own) Bengal Lancers,—Bombay, 22nd March 1877.

Major J. Bartleman, Bengal Staff Corps, Wing Commander, 20th (Punjab) Regiment of Native Infantry,—Bombay, 2nd February 1877.

Surgeon-Major J. R. Jackson, M. D.,—Bombay, 8th March 1877. (Date of departure on furlough, 7th February 1876).

Captain F. Coddington, Bengal Staff Corps, Deputy Superintendent, 3rd Grade, Revenue Survey Department,—Fort William, 18th March 1877.

Captain T. St. Q. Clutterbuck, General List, Infantry,—Bombay, 26th February 1877. (Date of departure on furlough, 6th September 1876.)

Conductor F. Edmonds, Ordnance Commissariat Department,—Bombay, 27th February 1877.

Sub-Conductor R. Orr, Assistant Overseer, Small Arm Ammunition Factory,—Bombay, 27th February 1877.

PENSIONS.

No. 313.—Corporal Charles Stewart, late 9th Brigade, R.A., an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to Imperial revenue) in India, *viz.*, one shilling per diem, from the date he ceases to receive regimental pay.

DISMISSALS AND REMOVALS.

No. 314.—Native Medical Pupils Anait Allee Khan, No. 691, and Ganesha Ram, No. 878, admitted by G. G. Os. Nos. 1022 of 1874 and 1046 of 1875, are dismissed the service.

No. 315.—The services of Native Medical Pupils Bhawanee Dass, No. 693, and Ibrahim, No. 855, admitted by G. G. Os. Nos. 1022 of 1874 and 1046 of 1875, are dispensed with.

PAY AND ALLOWANCES.

No. 316.—FURLOUGH—

In continuation of G. G. O. No. 126 of 1877, the following Resolution by the Financial Department, No. 789, dated the 15th February 1877, is republished for general information:—

No. 789.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Fort William, the 15th February 1877.

Read—

Endorsement of the Military Department, No. 1068 (Accounts—Remittances), dated 20th December 1876, on a despatch from Her Majesty's Secretary of State for India, giving retrospective effect to the privilege of drawing furlough pay at the rate of exchange of 2 shillings the rupee granted to those officers who elected the furlough rules of 1868 before the 1st July 1871.

Read also—

Communication from the Military Department, No. 646 (Accounts—Remittances), dated 17th January 1877, forwarding a memorandum from the Accountant General, Military Department, on a reference from the Controller of Military Accounts, Bombay, regarding the rate of exchange at which the difference claimed by officers under the ruling cited above is to be paid.

RESOLUTION.—The Governor General in Council is pleased to decide that the difference due to any Officer shall be paid to him in England in sterling money if he desires it. If paid in India, the difference shall be disbursed at its equivalent in Indian currency at the rate of exchange fixed for the year on account of which the difference is due.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 29th March 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 10th to 29th March 1877:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Bengal Staff Corps ...	Lieut. Col. F. J. Craigie ...	22nd March 1877 ...	Benares ...	Will found unattested.	

Statement of Deposits on account of Estates from 24th to 29th March 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
BRITISH MILITARY SERVICE.					Rs. A. P.		
Edward Dean Fisher(a) ...	Captain ...	4th Hussars ...	8th Aug. 1876	Intestate (b) ...	836 15 11		

(a).—Widow—Mrs. Agnes Fisher, 25, Addison Gardens, London W.
Child—Frederic Edward.
(b).—A will found, dated before marriage.

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

MARINE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 29th March 1877.

APPOINTMENTS AND PROMOTIONS.

No. 3.—Mr. Edmund Good, 2nd Officer of the Indian Government Ship *Czarewitch*, to be 2nd Officer of the Indian Government Steamer *Enterprize, vice* Cox, whose services have been dispensed with.

Mr. G. R. C. Smythe, 2nd Officer of the Indian Government Steamer *Tenasserim*, to be 2nd Officer of the Indian Government Ship *Czarewitch, vice* Good.

Lieutenant George Wilson, Royal Navy, to be 2nd Officer of the Indian Government Steamer *Tenasserim, vice* Smythe, and to officiate as 1st Officer in that vessel in the place of Mr. Pryce, on furlough.

Mr. J. Clarke, 3rd Officer of the Indian Government Steamer *Tenasserim*, to officiate as 2nd Officer, *vice* Wilson.

The above appointments to have effect from the 26th March 1877.

RESIGNATIONS.

No. 4.—Mr. R. A. C. Hepworth, late 3rd Officer of the Indian Government Steamer *Enterprize*, at present attached to the Steamer *Ava*, is permitted to resign the service.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 26th March 1877.

No. 139.—Mr. A. Percy, Accountant, 3rd Grade, is (on return from leave) re-posted to Assam.

No. 140.—The following changes are ordered in the Establishment of Superintending Engineers attached to the Military Works Branch, with effect from the dates specified :—

Lieutenant-Colonel C. M. Browne, R.E., to revert to temporary Superintending Engineer, 2nd Grade, from the afternoon of the 19th January 1877, *vice* Colonel L. Russell, reverted to Superintending Engineer, 1st Grade.

Mr. R. Tyndall to revert to Temporary Superintending Engineer, 3rd Grade, from the afternoon of the 19th January 1877, the date from which Lieutenant-Colonel Browne reverted to 2nd Grade, to the 7th February 1877, the date of Lieutenant-Colonel Browne's transfer to the Punjab.

The 27th March 1877.

No. 141.—The following Officers on the Establishment under the Director of State Railways are transferred to the Presidencies specified for employment on the Bellary and Hubli Railway :—

To Bombay.

Mr. W. L. Buyers, Executive Engineer, 3rd Grade.
Major K. A. Jopp, R.E., Executive Engineer, 3rd Grade.
Mr. E. B. Medley, Executive Engineer, 4th Grade.
Mr. W. S. Haig, Assistant Engineer, 2nd Grade.
Mr. T. Concannon, Assistant Engineer, 3rd Grade.
Mr. A. T. Chiodetti, Assistant Engineer, 3rd Grade.

To Madras.

Mr. W. G. Allen, Assistant Engineer, 1st Grade.
Mr. C. H. C. Bickerton, Assistant Engineer, 2nd Grade.

No. 142.—Lieutenant N. Arnott, R.E., is re-appointed to the Public Works Department as an Assistant Engineer, 1st Grade, and posted to the Military Works Branch.

No. 143.—The following changes are ordered in the grading of Superior Officers of the Accounts Branch, with effect from the dates specified, in consequence of the return from furlough of Lieutenant-Colonel Davidson, Major Westmorland, and Mr. Bayly :—

NAME.	From temporary rank of	To	With effect from
Mr. F. R. Boyce	Examiner, 1st Class, 1st Grade.	Examiner, 1st Class, 2nd Grade ...	Mar. 5, 1877
Lieut.-Col. G. J. Melliss ...	Examiner, 1st Class, 2nd Grade.	„ 2nd Class, 1st Grade (temporary rank.)	Mar. 5, 1877
Major C. M. Moberly ...	Examiner, 2nd Class, 1st Grade.	„ 2nd Class, 2nd Grade ...	Mar. 20, 1877
Capt. R. A. Sargeaunt, R. E. ...	Examiner, 2nd Class, 2nd Grade.	„ 3rd Class, 1st Grade ...	Mar. 5, 1877
Mr. W. Palmer	Examiner, 2nd Class, 2nd Grade.	„ „ „ ...	Mar. 20, 1877
Major P. Lambert, R.E. ...	Examiner, 3rd Class, 1st Grade.	Substantive rank of Executive Engineer, 2nd Grade, but to officiate as Examiner.	Mar. 5, 1877
Mr. F. Morrison	Examiner, 3rd Class, 1st Grade.	Deputy Examiner	Mar. 20, 1877
Mr. R. N. Burn	Deputy Examiner ...	Assistant Examiner, 1st Grade ...	Mar. 20, 1877
„ J. Douglas	Ditto ...	„ „ (temporary rank) ...	Feb. 22, 1877
„ W. H. Marten ...	Assistant Examiner, 1st Grade.	„ „ 2nd Grade (temporary rank.)	Feb. 22, 1877
„ F. F. Hensley ...	Assistant Examiner, 2nd Grade.	Substantive rank of Assistant Superintendent, 2nd Grade, Telegraph Department, but to officiate as Assistant Examiner.	Feb. 22, 1877

No. 144.—Major C. H. Luard, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, is appointed to officiate as Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, during the absence on furlough of Lieutenant-Colonel R. deBourbel, R.E., or until further orders.

The 28th March 1877.

No. 145.—The following changes are ordered in the postings of Superior Officers of the Accounts Branch, Public Works Department :—

Mr. E. Claxton, Deputy Examiner, temporarily attached to the Office of the Accountant General, Public Works Department, is re-transferred to the North-Western Provinces.

Mr. F. Morrison, Deputy Examiner, Guaranteed Railway Accounts, Calcutta, to be Deputy Examiner in the Office of the Accountant General, Public Works Department.

Mr. W. G. Bayly, B.A., is posted to the Deputy Examinership of Guaranteed Railway Accounts, Calcutta, but will continue to officiate as Examiner, Public Works Accounts, Mysore, during the absence of Captain Begbie, or until further orders.

No. 146.—Mr. H. Rainier, Assistant Examiner, 2nd Grade, on probation, Accountant General's Office, Public Works Department, is confirmed in his appointment.

No. 147.—Lieutenant M. C. Brackenbury, R.E., Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on the 19th March 1877.

The 29th March 1877.

No. 148.—Mr. J. W. McNair, Assistant Examiner, 2nd Grade, on probation, in the Office of the Examiner, Guaranteed Railway Accounts, Calcutta, is confirmed in his appointment.

No. 149.—Lieutenant A. L. Mein, R.E., is appointed to the Public Works Department as Assistant Engineer, 2nd Grade, and posted to the Establishment under the Director of State Railways.

No. 150.—The following permanent promotions are made consequent on the permanent appointment of Colonel C. Pollard, R.E., as Deputy Secretary to the Government of India in the Public Works Department, with effect from the 9th February 1877 :—

From Chief Engineer, 3rd Class, to Chief Engineer, 2nd Class.

Lieutenant-Colonel F. S. Taylor, R.E., Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta.

From Superintending Engineer, 1st Grade, to Chief Engineer, 3rd Class.

Lieutenant-Colonel J. G. Medley, R.E., Consulting Engineer to the Government of India for Guaranteed Railways, Lahore.

No. 151.—Lieutenant-Colonel C. M. Browne, R.E., Executive Engineer, 1st Grade, with temporary rank of Superintending Engineer, 2nd Grade, Military Works Branch, is permanently transferred in that rank to the Punjab, *vice* Lieutenant-Colonel Medley.

No. 154.—With the consent of the Government, North-Western Provinces, Mr. E. Claxton, Deputy Examiner, is granted privilege leave for three weeks, with effect from such date as he may be relieved of his present duties in the Office of the Accountant General, Public Works Department, on being re-transferred to the North-Western Provinces.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secretary to the Govt. of India.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further Notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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E. J. DEAN,
Publisher, Gazette of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 14. CALCUTTA, SATURDAY, APRIL 7, 1877. Register No. 33.

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

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PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 31st March 1877.

No. 767.—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Simla in the jurisdiction of the Lieutenant-Governor of the Punjab.

ESTABLISHMENTS.

The 31st March 1877.

No. 312.—Under Section 2 of Act IV of 1866, and Section 1 of Act XVI of 1867, the Governor General in Council is pleased to appoint Mr. D. FitzPatrick, of the Bengal Civil Service and Barrister-at-Law, to officiate as a Judge of the Chief Court of the Punjab during the absence of Mr. J. S. Campbell, or until further orders.

No. 318.—The Governor General in Council is pleased to permit Mr. R. Simson to resign Her Majesty's Bengal Civil Service.

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

No. 328.—APPOINTMENTS.—Babu Rámkumar Dé to officiate as Extra Assistant Commissioner of the 5th Grade in Assam, *vice* Babu Chandra Nath Nandi, with effect from the date of assuming charge.

Babu Haliram Baruah to officiate as Extra Assistant Commissioner of the 5th Grade in Assam, *vice* Mr. R. A. Fisher, with effect from the date of assuming charge.

Babu Guruprasad Dás to officiate as Extra Assistant Commissioner of the 5th Grade in Assam, *vice* Babu Rámkumar Dé, on leave, with effect from the date of assuming charge.

Moulvie Hamid Bukht Mazumdar, Extra Assistant Commissioner of the 6th Grade in Assam, to be Extra Assistant Commissioner of the 5th Grade, *vice* Babu Gunga Govind Phukan, resigned, with effect from the 20th September 1876.

Babu Jogesh Chandra Chatterjee, M. A., B. L., to be Extra Assistant Commissioner of the 6th Grade, *vice* Moulvie Hamid Bukht Mazumdar, with effect from the 29th July 1876.

L. NEILL,
for *Offg. Secy. to the Govt. of India.*

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 3rd April 1877.

No. 733*P*.—The following Notification, which appeared in the *London Gazette Extraordinary* of

the 1st January 1877, is re-published for general information:—

"*War Office, January 1st, 1877.*

The Queen has been graciously pleased, on the occasion of the Proclamation this day at Delhi of the addition of Empress of India to Her Majesty's Royal Style and Titles, to give orders for the appointment of General His Highness Jioji Rao Sindia, Maharaja of Gwalior, G. C. S. I., to be an Honorary Member of the Military Division of the 1st Class, or Knights Grand Cross of the Most Honorable Order of the Bath.'

GENERAL.

The 3rd April 1877.

No. 805*G.*—With reference to Notification of this Department, No. 2509G., dated 24th November 1876, the services of Captain R. H. Grant, R.A., Deputy Assistant Quartermaster General, are replaced at the disposal of the Military Department, with effect from the 15th April 1877.

No. 806*G.*—During the absence of the Governor General in Council from Calcutta, the Officiating Secretary to the Government of India in the Military Department, Lieutenant-Colonel W. M. Lees, will have charge of that portion of the Foreign Department which is left at the Presidency.

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

The 4th April 1877.

No. 823*G.*—APPOINTMENT.—Dr. K. Burr, Surgeon of the Meywar Agency, to officiate as Surgeon of the Marwar Agency, with effect from the date of assuming charge, *vice* Surgeon T. H. Newman, M.D., on furlough.

No. 824*G.*—APPOINTMENT.—Surgeon W. Beatson, in medical charge of the Erinpoora Irregular Force, to officiate as Surgeon of the Meywar Agency, with effect from the date of assuming charge, *vice* Dr. Burr.

No. 826*G.*—APPOINTMENTS.—Surgeon D. F. Keegan, 2nd Regiment, Central India Horse, to officiate as Residency Surgeon, Indore, and to be in charge of the Jail, with effect from the date of assuming charge, *vice* Surgeon-Major T. Beaumont, on privilege leave.

Surgeon A. Barclay to continue in medical charge of the 2nd Regiment, Central India Horse, during the time Surgeon D. F. Keegan officiates as Residency Surgeon, Indore.

No. 827*G.*—Major H. W. Harris, Assistant Cantonment Magistrate, Mhow, held charge of the current duties of the office of Cantonment Magistrate, Mhow, in addition to his own duties, from the forenoon of 12th December 1876 to the forenoon of 14th January 1877, during the absence of Major Temple on special duty.

W. M. LEES, *Lieut.-Col.*,
for *Offg. Secy. to the Govt. of India.*

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Fort William, the 4th April 1877.

No. 1939.—Mr. E. W. Kellner is appointed to be Deputy Accountant General, Bengal, substantive *pro tempore*. Mr. Kellner will, however, continue to officiate as Deputy Comptroller General until further orders.

Mr. C. J. O. Mayne is appointed to be Assistant Accountant General, North-Western Provinces.

Mr. R. E. Hamilton is appointed to be Assistant to the Comptroller General. Mr. Hamilton will, however, continue to officiate as Assistant Commissioner of Paper Currency, Calcutta, until further orders.

Mr. H. G. Cowie, B.A., is appointed to be Assistant to the Comptroller General.

Mr. E. M. Palmer is appointed to be Assistant to the Accountant General, Bombay.

MINT AND CURRENCY.

The 6th April 1877.

No. 1997.—*Statement of the Amount of Government Currency Notes in circulation, of the Amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.*

DATE.	Circles of Issue.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	TOTAL RESERVE.
		Rs.	Rs.	Rs.	Rs.	Rs.
31st March 1877 ...	Calcutta	5,45,36,800	53,18,141	36,88,966	2,84,80,903	3,74,88,010
Ditto	Madras	1,19,80,045	62,17,290	...	60,00,000	1,22,17,290
Ditto	Bombay	3,23,06,615	1,61,17,074	1,60,44,346	1,58,00,000	4,79,61,420
Ditto	Allahabad	44,66,130	30,81,360	...	31,00,000	61,81,360
Ditto	Lahore	55,05,855	21,26,880	...	33,00,000	54,26,880
Ditto	Calicut	16,11,355	2,18,925	...	7,00,000	9,18,925
Ditto	Coconada	25,25,415	19,33,070	...	5,00,000	24,33,070
Ditto	Nagpore	9,80,995	4,65,590	...	6,00,000	10,65,590
Ditto	Kurrachee	17,09,125	4,03,320	...	12,00,000	16,03,320
Ditto	Akola	5,55,780	5,82,250	...	3,00,000	8,82,250
	TOTAL ...	11,61,78,115	3,64,63,900	1,97,33,312	5,99,80,903	11,61,78,115

R. H. HOLLINGBERY,
for *Secy. to the Govt. of India.*

MILITARY DEPARTMENT.

Fort William, the 2nd April 1877.

APPOINTMENTS AND PROMOTIONS.

No. 317.—BRIGADE STAFF—

Captain W. J. Boyes, 2nd Battalion, 12th Foot, to be a Brigade Major on the establishment, in succession to Major F. S. Brind, whose tour of staff service will expire on the 15th April 1877.

No. 318.—MILITARY SECRETARIAT—

Captain T. Deane, 3rd Assistant Secretary, to officiate as 2nd Assistant Secretary, *vice* Captain A. C. W. Crookshank, appointed to officiate as 1st Assistant Secretary, G. G. O. No. 289 of the 29th March 1877.

Lieutenant H. A. Sawyer, Bengal Staff Corps, Assistant Garrison Instructor, to officiate as 3rd Assistant Secretary, *vice* Captain Deane.

No. 319.—MILITARY ACCOUNTS DEPARTMENT—

Colonel J. G. Touch, Military Accountant, 1st Class, 1st Grade, Examiner of Commissariat and Stud Accounts, Bengal, to officiate as Controller of Military Accounts, Madras, with effect from the date on which he may take up the duties of the office, *vice* Colonel T. Gillilan, proceeding on furlough.

This cancels the appointment of Colonel J. W. Rideout, notified in G. G. O. No. 174, dated 1st March 1877, that officer being unable at present to return to duty.

No. 320.—ORDNANCE COMMISSARIAT DEPARTMENT—

In accordance with the provisions of G. G. O. No. 370 of 1863, paragraph 10, Sub-Conductor Edward Austin, who was appointed on probation in the Ordnance Commissariat Department in G. G. O. No. 1259 of 1876, is confirmed in his present grade of Sub-Conductor, 8th September 1876.

No. 321.—ARMY COMMISSARIAT DEPARTMENT—

Captain R. J. H. Wyllie, Bengal Staff Corps, who was appointed on probation as Sub-Assistant Commissary General, 3rd class, by G. G. O. No. 395 of 1876, having passed the prescribed departmental tests, is permanently attached to the Army Commissariat Department.

No. 322.—PUNJAB FRONTIER FORCE—

1st Punjab Cavalry.

Captain H. Dela M. Hervey, Adjutant, to be 3rd Squadron Commander, *vice* Captain H. Wylie, seconded, and to officiate as 2nd Squadron Commander during the period Captain J. R. B. Atkinson may officiate as 2nd in Command.

Lieutenant D. S. Cuninghame, 1st Squadron Officer, to be Adjutant, *vice* Captain Hervey.

Lieutenant A. M. Muir, 2nd Squadron Officer, to be 1st Squadron Officer, *vice* Lieutenant Cuninghame, and to officiate as 3rd Squadron Commander in addition to his other duties.

Lieutenant W. F. Hennell, Officiating 2nd Squadron Officer, to be 2nd Squadron Officer.

4th Punjab Cavalry.

Major A. Vivian, Squadron Commander, 3rd Punjab Cavalry, to officiate as Commandant, with effect from the date on which he may take up the duties of the office, *vice* Colonel C. J. Godby, proceeding on leave.

Major R. C. R. Clifford, Squadron Commander, 2nd Punjab Cavalry, to officiate as 2nd in Command, *vice* Major T. O. Underwood, on furlough.

Lieutenant W. Lambert, 70th Foot, a candidate for the Bengal Staff Corps, to officiate as 1st Squadron Officer, on probation.

Lieutenant H. A. Deane, 54th Foot, Officiating Wing Officer, 5th Regiment of Native (Light) Infantry, on probation, to officiate as 2nd Squadron Officer, on probation.

5th Goorkha Regiment (the Hazara Goorkha Battalion).

Lieutenant A. R. Martin, 34th Foot, a candidate for the Bengal Staff Corps, to officiate as Wing Officer, on probation.

No. 323.—HYDERABAD CONTINGENT—

5th Infantry.

Lieutenant A. Adye, 1st Battalion, 2nd Foot, a candidate for the Bengal Staff Corps, to officiate as Wing Officer, on probation, *vice* Lieutenant C. C. Whistler.

No. 324.—BREVET—

Lieutenant-Colonel Thomas Edward Gordon, C.S.I., Bengal Staff Corps, is promoted to the rank of Colonel by Brevet from the 21st January 1877, under the operation of the Royal Warrant of the 31st January 1859, clauses 8 and 9, subject to Her Majesty's approval.

No. 325.—STAFF CORPS—

The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Henry Affleck Graves, Royal Artillery, Assistant Engineer, 2nd Grade, Public Works Department,—30th April 1875.

No. 326.—MEDICAL DEPARTMENT—

The under-mentioned Officers having completed twelve years' service, are promoted to the rank of Surgeon-Major from the date specified, under the provisions of the Royal Warrant of the 10th May 1873, subject to Her Majesty's approval:—

G. G. O. No. 673 of 1873.

Surgeon Kenneth McLeod, M.D.	31st Mar. 1877.
,, James Cleghorn, M.D.	
,, John Bennett, M.D.	
,, Edward Barton Gardner	
,, James Kelly, M.D.	
,, Lionel Dixon Spencer, M.D.	

No. 327.—LONDON GAZETTE—

The following extracts are published for general information:—

"*London Gazette*," *dated 23rd February 1877, page 923.*

Brevet.

* * * *

The under-mentioned officers to be Colonels:—

Lieutenant-Colonel Frederick Charles John Brownlow, Bengal Staff Corps. Dated 1st October 1876.

Lieutenant-Colonel Augustus Kirkwood Comber, Bengal Staff Corps. Dated 12th December 1876.

Lieutenant-Colonel William Robert Gordon, Bengal Staff Corps. Dated 12th December 1876.

Lieutenant-Colonel James Burn, Bengal Staff Corps. Dated 12th December 1876.

Lieutenant-Colonel James Dowell Swayne, Bengal Staff Corps. Dated 12th December 1876.

Lieutenant-Colonel James Creighton Wood, Bengal Staff Corps. Dated 12th December 1876.

Lieutenant-Colonel Thomas Francis Forster, Bengal Staff Corps. Dated 13th December 1876.

Lieutenant-Colonel Frederick Courtlandt Anderson, Bengal Staff Corps. Dated 13th December 1876.

Lieutenant-Colonel Montgomery Hunter, Bengal Staff Corps. Dated 13th December 1876.

Lieutenant-Colonel Alexander James Bruce, Madras Staff Corps. Dated 20th December 1876.

Lieutenant-Colonel Thomas Branfill Harrison, Bengal Staff Corps. Dated 20th December 1876.

Lieutenant-Colonel Walter Henry Smith, Bengal Staff Corps. Dated 20th December 1876.

Lieutenant-Colonel Arthur Francis, Madras Staff Corps. Dated 27th December 1876.

The under-mentioned officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement :—

To be Surgeons-General.

Deputy Surgeon-General Gilbert George William Maitland, Bombay Army. Dated 24th February 1877.

Deputy Surgeon-General Thomas Blackadder Johnstone, Bombay Army. Dated 24th February 1877.

Deputy Surgeon-General George Banister, Bengal Army. Dated 24th February 1877.

To be Deputy Surgeon-General.

Surgeon-Major David Young, Bengal Army. Dated 24th February 1877.

RETIREMENTS.

No. 328.—*The under-mentioned Officers are permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 8 of the 1st January 1877.*

No.	Rank and Names.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
1	Lieutenant-Colonel (Brevet-Colonel) Henry Finch ...	Bengal Infantry	456 5 0	...	5,358 0 0	1st April 1877	England.
2	Lieutenant-Colonel (Brevet-Colonel) William Dunn Bishop	Ditto ...	456 5 0	531 7 0	...	Ditto ...	Ditto.
3	Lieutenant-Colonel (Brevet-Colonel) James Snow Davies	Staff Corps ...	456 5 0	668 12 0	...	Ditto ...	Ditto.
4	Lieutenant-Colonel (Brevet-Colonel) John Smith ...	Ditto ...	456 5 0	528 7 0	...	Ditto ...	Ditto.
5	Lieutenant-Colonel (Brevet-Colonel) George Bruce Malleson, C.S.I. ...	Ditto ...	456 5 0	468 6 0	...	Ditto ...	Ditto.
6	Lieutenant-Colonel (Brevet-Colonel) Jeffery Edward Lake Willows ...	Ditto ...	456 5 0	...	5,143 0 0	Ditto ...	Ditto.
7	Lieutenant-Colonel (Brevet-Colonel) John Edward Cracroft	Ditto ...	456 5 0	473 11 0	...	Ditto ...	Ditto.
8	Lieutenant-Colonel Alexander Ross Bayly ...	Ditto ...	365 0 0	...	3,145 0 0	Ditto ...	Ordinary pension in England, capitalized value in Calcutta.
9	Lieutenant-Colonel Arthur Hill Millett ...	Ditto ...	292 0 0	232 18 0	...	Ditto ...	England.
10	Lieutenant-Colonel James Andrews Mouat Biggs ...	Ditto ...	292 0 0	229 8 0	...	Ditto ...	Ditto.

No. 329.—The under-mentioned Officer in Civil employ is permitted to retire from the service on a pension of £456-5-0 per annum, with an additional annuity of £417-1-0, with effect from the 31st March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) Alexander Ross Elliot Hutchinson, Bengal Staff Corps, Resident, 2nd class, Political Agent, Gwalior, Central India Agency.

No. 330.—The under-mentioned Officer in Civil employ is permitted to retire from the service on a pension of £456-5-0 per annum, with an additional annuity of £470-10-0, with effect from the 31st March 1877, under the terms of the Secretary of State's despatch in the Home Department, No. 81, dated the 13th July 1876.

The pension and annuity are payable in England.

Lieutenant-Colonel (Brevet Colonel) Thomas Warren Mercer, Bengal Staff Corps, Deputy Commissioner, Jhelum, Punjab.

No. 331.—Surgeon-Major Frederic Carter is permitted to retire from the service on a pension of £220 per annum from the 25th April 1877.

No. 332.—Farrier Serjeant William Hodgson Gray, late Royal Horse Artillery, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to imperial revenue) in India, *viz.*, two shillings and one penny per diem, from the 6th February 1877.

No. 333.—Sepoy Hukum Singh, 19th Regiment, Punjab Native Infantry, is granted a pension of Rs. 4 per mensem from the date of his discharge, payable in the Punjab Circle.

No. 334.—Rudeah, widow of the late Havildar Bhowany Deen, Sappers and Miners, is granted a pension of Rs. 4 per mensem for life, with effect from the 21st April 1876, payable in the North-Western Provinces Circle.

No. 335.—The under-mentioned men of the Hyderabad Contingent are transferred to the Pension Establishment, with effect from the 1st April 1877:—

No.	Rank and Names.		Amount of stipend.	Where permitted to reside and draw stipend.
		No. 1 Battery.	Rs. A. P.	
1	Gunner ...	Aununtsing ...	3 11 6	Umballa.
2	Do. ...	Mahomed Cassim 1st ...	3 11 6	Bolarum.
3	Do. ...	Nursoo ...	3 11 6	Do.
1	Syce driver ...	Yenkettee ...	3 4 11	Do.
		No. 2 Battery.		
28	Gunner ...	Mugdoombux ...	3 11 6	Hindustan.
58	Do. ...	Sheik Mahomed Beecun ...	3 11 6	With No. 2 Battery, H. C.
		No. 4 Battery.		
32	Gunner ...	Dirgujsing ...	3 11 6	Ellichpur.
71	Do. ...	Sheik Furreed ...	3 11 6	Aurangabad.
72	Do. ...	Lallah ...	3 11 6	Futtapur, Allahabad circle.
73	Do. ...	Pultoo ...	3 11 6	Allahabad.
41	Naique of Syce drivers.	Gool Mahomed ...	4 2 2	Ellichpur.
69	Syce driver ...	Sheik Kadur ...	3 4 11	Aurangabad.
		1st Cavalry.		
146	Trooper ...	Abdool Guffoor Khan ...	3 8 0	Mominabad.
81	Do. ...	Mahomed Cassim ...	*5 0 0	With 1st Cavalry, H. C.
79	Do. ...	Goolam Mohiedeen Khan ...	*5 0 0	Shajehanpur.
		2nd Cavalry.		
1	Duffadar ...	Sheik Mohamed Ally ...	*10 0 0	With 2nd Cavalry, H. C.
2	Trooper ...	Hoossain Khan ...	3 8 0	Do.
3	Do. ...	Wahid Khan ...	*5 0 0	Mominabad.
		3rd Cavalry.		
47	Trooper ...	Meer Ahymud Ally ...	3 8 0	Aurangabad.
56	Do. ...	Myboob Khan ...	3 8 0	Hingoli.
59	Do. ...	Meer Walayet Ally ...	3 8 0	Bolarum.
73	Do. ...	Mooshtak Khan ...	3 8 0	Delhi.
96	Do. ...	Nubbee Yar Khan ...	3 8 0	Shajehanpur.
39	Do. ...	Sheik Unwur Ally ...	3 8 0	Bolarum.
		4th Cavalry.		
111	Trooper ...	Ghoolam Russool Khan ...	3 8 0	Delhi.
		1st Infantry.		
1	Subadar Major	Noor Ahmed ...	*40 0 0	Bolarum.
2	Subadar ...	Sewpersun Sing ...	20 10 7	Azimgurh.
2	Havildar ...	Lutchmunpersad ...	6 0 0	Cawnpur.
3	Do. ...	Kistniah ...	6 0 0	Bolarum.

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

No.	Rank and Names.		Amount of stipend.	Where permitted to reside and draw stipend.
	1st Infantry—continued.		Rs. A. P.	
1	Naique ...	Chungooram ...	4 15 4	Allahabad.
3	Do. ...	Buldeo ...	4 15 4	Bolarum.
1	Fife Major ...	Sewiah ...	8 4 3	Do.
1	Private ...	Shek Allee ...	*5 0 0	Hyderabad, Bolarum circle.
3	Do. ...	Ramiah ...	3 4 11	Bolarum.
4	Do. ...	Sewdeen Sing ...	3 4 11	Allahabad.
5	Do. ...	Koelee ...	3 4 11	Jalna.
6	Do. ...	Pursram ...	3 4 11	Bolarum.
7	Do. ...	Gunnespersad ...	3 4 11	Cawnpur.
9	Do. ...	Goordeen ...	3 4 11	Do.
10	Do. ...	Sheik Moostafa ...	3 4 11	Bolarum.
11	Do. ...	Mahojee ...	3 4 11	Akola.
12	Do. ...	Sheik Ahmed ...	3 4 11	Bolarum.
16	Do. ...	Seetul Sing	3 4 11	Azimgurh.
17	Do. ...	Sheik Modeen ...	3 4 11	Bolarum.
20	Do. ...	Hurcburn Sing ...	3 4 11	Azimgurh.
22	Do. ...	Jewnarrine Sing ...	3 4 11	Do.
28	Do. ...	Ramjeeawun ...	3 4 11	Hingoli.
	2nd Infantry.			
1136	Color Havildar	Duttoo ...	6 0 0	Allahabad.
1156	Havildar ...	Jaikurn ...	6 0 0	Do.
1242	Do. ...	Venketchullum ...	6 0 0	Ellichpur.
1313	Do. ...	Buldeo ...	6 0 0	Oonao.
1317	Naique ...	Nund Kissore ...	4 15 4	Cawnpur.
1328	Do. ...	Mahabeer ...	4 15 4	Jalna.
1212	Private ...	Mungull ...	3 4 11	Allahabad.
1217	Do. ...	Syed Rhymon ...	3 4 11	With 2nd Infantry, H. C.
1269	Do. ...	Lutchmon ...	3 4 11	Hingoli.
1346	Do. ...	Gujadhur ...	3 4 11	Cawnpur.
...	Lascar ...	Bhowanee ...	2 14 4	Hingoli.
	3rd Infantry.			
892	Naique ...	Gokoolsing ...	4 15 4	Azimgurh.
591	Private ...	Gyanoo ...	3 4 11	With 3rd Infantry, H. C.
852	Do. ...	Punchumtewary ...	3 4 11	Cawnpur.
827	Do. ...	Jurakhun ...	3 4 11	Fyzabad.
946	Do. ...	Thonsing ...	3 4 11	Cawnpur.
722	Do. ...	Elluppah ...	3 4 11	With 3rd Infantry, H. C.
	4th Infantry.			
216	Havildar ...	Lutchmun ...	6 0 0	Hingoli.
2	Private ...	Kasoojee ...	*5 0 0	Aurangabad.
37	Do. ...	Kunnaising ...	3 4 11	With 4th Infantry, H. C.
44	Do. ...	Moonnah ...	3 4 11	Hingoli.
94	Do. ...	Nursoo ...	3 4 11	Bolarum.
131	Do. ...	Buday Khan ...	3 4 11	Hingoli.
168	Do. ...	Sheikh Mohdeen	3 4 11	Bolarum.
170	Do. ...	Sheikh Emom ...	3 4 11	Hingoli.
201	Do. ...	Sheikh Peerhomed	3 4 11	Do.
205	Private ...	Muckoo ...	3 4 11	Cawnpur.
219	Do. ...	Howsary ...	3 4 11	Do.
222	Do. ...	Umbur ...	3 4 11	Do.
227	Do. ...	Sheikh Wujeer ...	3 4 11	Hingoli.
231	Do. ...	Beersing ...	3 4 11	Benares.
236	Do. ...	Ramiah ...	3 4 11	Hingoli.
	5th Infantry.			
317	Color Havildar ...	Bhownajee ...	6 0 0	With 5th Infantry, H. C.
333	Naique ...	Isree Sing ...	4 15 4	Fyzabad.
211	Bass Drummer ...	Fakeer Homed ...	4 15 4	With 5th Infantry, H. C.

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

No.	Rank and Names.		Amount of stipend.	Where permitted to reside and draw stipend.
	5th Infantry—continued.		Rs. A. P.	
122	Private ...	Seorutton ...	3 4 11	Azimgurh.
135	Do. ...	Goolzar ...	3 4 11	Fyzabad.
188	Do. ...	Madhow ...	3 4 11	Allahabad.
193	Do. ...	Sheik Madar Bux ...	3 4 11	With 5th Infantry, H. C.
223	Do. ...	Goorbux Sing ...	3 4 11	Benares.
292	Do. ...	Ramadheen ...	3 4 11	Fyzabad.
	6th Infantry.			
1	Subadar ...	Poolchund ...	20 10 7	Dinapur.
1	Jemadar ...	Sillar Buksh ...	12 6 4	Allahabad.
1	Havildar ...	Nursuppah ...	6 0 0	Hingoli.
2	Do. ...	Cheerunjoo Sing ...	6 0 0	Cawnpur.
2	Private ...	Runjeet Sing ...	3 4 11	With 6th Infantry, H. C.
3	Do. ...	Balloo ...	*5 0 0	Bolarum.
4	Do. ...	Davidial Sing ...	3 4 11	Benares.
7	Do. ...	Sheik Wuzeer ...	3 4 11	Hingoli.

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

FURLOUGH AND LEAVE.

No. 336.—The under-mentioned Officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Thomas Augustus Carey, Bengal Staff Corps, Commandant, 8th Regiment of Native Infantry, —private affairs, for one year eight months and eight days, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel John Pringle Sherriff, Bengal Staff Corps, Commandant, 42nd (Assam) Regiment of Native (Light) Infantry, —private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel John Macdonald, Bengal Staff Corps, Deputy Superintendent, Revenue Survey Department, in charge Midnapore District Survey, Bengal,—private affairs, for two years, under Rule IX of the Regulations of 1868, embarking on or after the 25th April 1877.

Captain George Frederick Leycester Marshall, Royal Engineers, Executive Engineer, 2nd grade, Public Works Department,—private affairs, for six months, under Rule IX of the Regulations of 1868.

Captain John Cook, Bengal Staff Corps, Wing Commander, 5th Goorkha Regiment (the Hazara Goorkha Battalion), Punjab Frontier Force,—private affairs, for one year and nine months, under Rule IX of the Regulations of 1868.

Captain R. McG. Stewart, Royal Artillery, Deputy Assistant Quartermaster General, Lahore Division,—private affairs, for four months, under the provisions of G. G. O. No. 813 of 1876.

Conductor Robert Foreman Castellari, Ordnance Commissariat Department,—medical certificate for two years, under the Regulations of 1868.

No. 337.—The following extract from list No. 5, dated the 9th March 1877, received from the India Office, is published for general information:—

Permitted to return.

Colonel J. Williamson, S. C.
Captain G. Skipwith, R. E.
Major R. E. Boyle, S. C.
Lieutenant G. F. Wilson, R. E.

Granted extensions of leave.

Lieutenant J. F. Rivett-Carnac, S. C., 6 months, M. C.
Lieutenant-Colonel W. H. Paget, S. C., 6 months, M. C.
Major C. A. Munro, S. C., 6 months, M. C.
Lieutenant F. C. N. Goldney, S. C., 6 weeks, U. P. A.
Captain M. J. Moore, Cavy., 6 months, M. C.
Captain C. Young, Infantry, 3 months, P. A.

Retirements.

Surgeon-Major N. J. Grant, 27th April 1877.
Lieutenant-Colonel W. C. B. Ryan, S. C., 22nd February 1877.

VOLUNTEER CORPS.

No. 338.—REGULATIONS—

The following addition is to be made to paragraph 133 of the Regulations for the Volunteer Forces in India:—

"Corporals and privates, when fully qualified, may be appointed Instructors to Volunteer Corps on probation for one year, with the honorary rank of Sergeant, and will receive during their probation the pay of their Regimental rank, with the allowances of a 1st or 2nd Class Sergeant Instructor, as the case may be. At the end of the year of probation, they will, if confirmed, be placed on the Unattached List, and permanently promoted to the rank of Sergeant."

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 6th April 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer, on the date specified, was received in the Military Department from 30th March to 6th April 1877 :—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
1st Battalion, 6th Foot ...	Major W. J. M. Crawfurd ...	26th March 1877 ...	Bombay.	

Statement of Deposits on account of Estates from 30th March to 6th April 1877.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
Cornelius Davenport Broadbent (*a*).	Major ...	4th Battalion, Rifle Brigade.	Jan. 8, 1877	No Will found.	3,404 1 10	...	June 6, 1877.

(*a*).—Widow—Mrs. Mary Southcote Broadbent.
Mother—Mrs. Barbara, Anne, Broadbent, Ryton, Shifnell, Sullop.

W. M. LEES, *Lieut.-Colonel,*
Offg. Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 2nd April 1877.

DISMISSALS AND REMOVALS.

No. 5.—The services of Mr. A. Macpherson, 2nd Officer of the Indian Government Steamer *Irrawaddy*, are dispensed with, with effect from the 8th March 1877.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 31st March 1877.

No. 155.—The services of Captain G. T. Plunkett, R. E., Executive Engineer, 4th Grade, are replaced at the disposal of the Military Department, with effect from 31st December 1876.

No. 156.—Mr. S. M. Johnson, Assistant Examiner, Guaranteed Railway Accounts, Bombay, is granted three months' privilege leave, with effect from such date as he may be permitted to avail himself of it.

Mr. F. E. Godfrey, Deputy Examiner (temporary rank), Central Provinces, to officiate as Deputy Examiner, Guaranteed Railway Accounts, Bombay, during Mr. Johnson's absence, or till further orders.

The 2nd April 1877.

No. 157.—Lieutenant-Colonel J. O. Mayne, R. E., Superintending Engineer, 1st Grade, North-Western Provinces, is temporarily transferred to the Central Provinces to officiate as Chief Engineer and Secretary to the Chief Commissioner in the Public Works Department during the absence on privilege leave of Mr. Armstrong.

No. 158.—The services of Babu Jodoo Nath Paul, Probationary Accountant, 4th Grade, Tirhoot State Railway, are dispensed with.

No. 159.—Mr. E. T. Boyton, Accountant, 4th Grade (with temporary rank of 3rd Grade), Mysore, is permanently promoted to the 3rd Grade, with effect from the 30th September 1876, in consequence of the resignation of Mr. G. Ward, Accountant, 2nd Grade.

No. 160.—Mr. T. L. Tanner, Assistant Engineer, 1st Grade, reported his return from leave on the forenoon of the 19th February 1877, and will be considered to have joined for duty in Calcutta on that date.

No. 161.—During the absence of the Governor General in Council from the Presidency, the Officiating Secretary to the Government of India in the Military Department will have charge of that portion of the Office of the Government of India in the Public Works Department which is left at the Presidency.

No. 162.—Mr. G. K. Bond, Assistant Engineer, 2nd Grade, British Burmah, is removed from the service of Government.

The 3rd April 1877.

No. 163.—Lieutenant J. H. C. Harrison, R. E., Assistant Engineer, 2nd Grade, Military Works Branch, is transferred to the North-Western Provinces for employment as Assistant Principal, Thomason Civil Engineering College.

Lieutenant G. C. P. Onslow, R. E., Assistant Engineer, 2nd Grade, is transferred from the Establishment under the Director of State Railways to the North-Western Provinces for employment

temporarily as an Assistant Principal of the Thomason Civil Engineering College.

No. 164.—Sergeant R. Dunbar, Overseer, 1st Grade, Military Works Branch, is remanded to military duty.

The 4th April 1877.

No. 166.—The undermentioned Officers are appointed Temporary Deputy Consulting Engineers for Guaranteed Railways, and are posted to the offices stated, which they will join when their services can be made available by the Director of State Railways :—

Captain G. F. O. Boughey, R.E., Executive Engineer, 2nd Grade, to the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow.

Captain W. Sedgwick, R.E., Executive Engineer, 4th Grade, to the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Lahore.

No. 167.—The Governor General in Council is pleased to make the following permanent promotions in the Railway Branch of the Public Works Department, with effect from the dates specified :—

NAMES.	Present Grade.	Grade to which promoted.	With effect from	REMARKS.
Clark, G. R.	Tempy. Exe. Engr., 3rd	Exe. Engr., 3rd ...	April 20, 1876	*Vice* Mr. Hyne, vacated by overstay of leave.
Armstrong, L. H. C. ...	Ditto 4th ...	Ditto 4th ...	April 20, 1876	
Marrecco, H. F. ...	Tempy. Asst. Engr., 1st	Asst. Engr., 1st ...	April 20, 1876	
Grant, T. W.	Ditto 1st ...	Ditto 1st ...	June 30, 1876	*Vice* Mr. Rhodes, deceased.
Hewson, Lieut. F. R., R. E....	Asst. Engr., 2nd ...	Ditto 1st ...	Aug. 18, 1876	*Vice* Lieutenant-Colonel Clerk, reverted to military duty.
Izat, A., Assoc. Inst. C. E. ...	Tempy. Exe. Engr., 1st	Exe. Engr. 1st ...	Aug. 27, 1876	*Vice* Lieutenant-Colonel Meade, deceased.
Avern, F. M., Assoc. Inst. C. E.	Ditto 2nd ...	Ditto 2nd ...	Aug. 27, 1876	
Hawkes, F. A. ...	Ditto 3rd ...	Ditto 3rd ...	Aug. 27, 1876	
Harvey, W., Assoc. Inst. C. E.	Ditto 4th ...	Ditto 4th ...	Aug. 27, 1876	
Mutty Lall Dey ...	Asst. Engr., 2nd ...	Asst. Engr., 1st ...	Aug. 27, 1876	
Stent, W. K., Assoc. Inst. C. E.	Tempy. Asst. Engr., 1st	Ditto 1st ...	Nov. 17, 1876	*Vice* Mr. Gutersloh, transferred to State Railway, Revenue Establishment.
Bell, J. R.	Tempy. Exe. Engr., 3rd	Ex. Engr., 3rd ...	Dec. 1, 1876	*Vice* Captain Savi, transferred to State Railway, Revenue Establishment.
Anderson, J. A. ...	Ditto 4th ...	Ditto 4th ...	Dec. 1, 1876	
Brereton, A.	Asst. Engr., 2nd ...	Asst. Engr., 1st ...	Dec. 1, 1876	

No. 168.—Mr. H. Lambert, Temporary Superintending Engineer, 3rd Grade, Punjab Northern Railway, is transferred to the Indus Valley State Railway, and posted to the Lower Sind District, *vice* Mr. Parker, Temporary Superintending Engineer, 3rd Grade, proceeding on leave.

No. 169.—Babu Modhoo Sudun Ghosal, Temporary Supervisor, 1st Grade, on the Establishment under the Director of State Railways, is appointed permanently to the Public Works Department in the same Grade, with effect from 7th March 1874.

The 5th April 1877.

No. 170.—The following Officers are transferred from the Central Provinces to the Establishment under the Director of State Railways :—

Mr. F. S. O'Callaghan, Executive Engineer, 1st Grade.

Mr. J. E. N. Boydell, Assistant Engineer, 2nd Grade.

Mr. F. E. Haddon, Assistant Engineer, 2nd Grade.

Mr. E. Baker, Assistant Engineer, 2nd Grade.

Mr. E. Lycester, Assistant Engineer, 2nd Grade.

Mr. E. Dallas, Assistant Engineer, 2nd Grade.

Mr. F. Lang, Assistant Engineer, 2nd Grade.

Mr. R. Sieveright, Assistant Engineer, 2nd Grade.

TELEGRAPH.

The 3rd April 1877.

No. 165.—The following Officers are temporarily promoted until further orders, with effect from the dates specified, *vice* Mr. J. M. Lane, Officiating Superintendent, 2nd Grade, proceeded on furlough :—

Mr. R. McGregor, Superintendent, 3rd Grade, to Superintendent, 2nd Grade, from 2nd March 1877.

Mr. G. G. Charles, Assistant Superintendent, 1st Grade, to Superintendent, 3rd Grade, from 9th March 1877.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 15.] SIMLA, SATURDAY, APRIL 14, 1877. [Register No. 33.

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

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SUPPLEMENT No. 15.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

CORRIGENDA.—In Act No. VII of 1877 (*Gazette of India*, Part IV, March 31st and April 7th, 1877), section 2, *for* "re-allotted" *read* "re-assigned," and *for* "re-assigned" *read* "re-allotted."

In Act No. VIII of 1877 (*Gazette of India*, Part IV, March 31st and April 7th, 1877), section 14, line 3, *for* "ten" *read* "nine."

Simla, the 10th April 1877.

No. 12.—Mr. D. Fitzpatrick made over charge of the office of Deputy Secretary to the Government of India in the Legislative Department in the afternoon of the 3rd instant.

No. 13.—The Governor General in Council has been pleased to appoint Mr. John Jardine, of the Bombay Civil Service, Acting Sessions Judge at Khandesh, to officiate as Deputy Secretary to the Government of India in the Legislative Department.

Mr. Jardine assumed charge of the office in the forenoon of the 5th instant.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 31st March 1877.

No. 767.—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Simla in the jurisdiction of the Lieutenant-Governor of the Punjab.

ESTABLISHMENTS.

Simla, the 12th April 1877.

No. 330.—APPOINTMENTS.—Moung Tha Dauway, Extra Assistant Commissioner, 1st class, 2nd grade, in British Burma, to be Extra Assistant Commissioner, 1st class, 1st grade, with effect from the 26th February last, *vice* Moung Shwe Tau, deceased.

Moung Shwe Hline, Extra Assistant Commissioner, 2nd class, 1st grade, to be Extra Assistant Commissioner, 1st class, 2nd grade, *vice* Moung Tha Dauway.

Moung Tseen Nau, Extra Assistant Commissioner, 2nd class, 2nd grade, to be Extra Assistant Commissioner, 2nd class, 1st grade, *vice* Moung Shwe Hline.

The 13th April 1877.

No. 334.—The Hon'ble R. E. Egerton, C.S.I., received charge of the office of Lieutenant Governor of the Punjab and its dependencies from the Hon'ble Sir Robert Henry Davies, K.C.S.I., on the forenoon of the 2nd instant.

MEDICAL.

The 12th April 1877.

No. 247.—The services of Surgeon W. J. Mountain, M.D., Officiating Civil Medical Officer at Bankoorah, are placed at the disposal of the Chief Commissioner of Assam.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS—SURVEYS.

Simla, the 9th April 1877.

No. 221.—Mr. W. H. Cole, M.A., Assistant Superintendent of the 1st grade in the Great Trigonometrical Survey, returned from the furlough granted him in Notification No. 255, dated the 23rd March 1876, and resumed charge of his duties on the forenoon of the 27th ultimo.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FAMINE.

The 13th April 1877.

No 356.—The services of Captain E. S. Rivett-Carnac, of the 11th Hussars, which had been placed temporarily by Notification No. 75, dated the 19th January last, at the disposal of the Hon'ble Sir Richard Temple, on a special mission in the Madras and Bombay Presidencies, are retransferred to the Military Department from such date as Sir Richard Temple may assume the Government of the Bombay Presidency.

No. 360.—The services of Mr. C. E. Buckland, C.S., which had been placed temporarily by Notification No. 35, dated the 12th January last, at the disposal of the Hon'ble Sir Richard Temple, on a special mission in the Madras and Bombay Presidencies, are retransferred to the Government of Bengal from such date as Sir Richard Temple may assume the Government of the Bombay Presidency.

T. C. HOPE,
Addl. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 13th April 1877.

No. 856G.—With reference to Notification of this Department, No. 1858G., dated 25th August 1876, the charge of the office of Cantonment Magistrate, Nowgong, was held by Captain S. A. Swinley from 1st to 20th September 1876, and by Captain H. A. Shakespear from the 21st September to 17th October 1876.

No. 862G.—LEAVE.—Major-General Sir H. D. Daly, K.C.B., Resident, 1st Class, and Agent to the Governor General for Central India, is granted three months' privilege leave of absence, with effect from the 16th April 1877, or such subsequent date as he may avail himself of it.

No. 863G.—APPOINTMENT.—Colonel J. Watson, C.B., V.C., Commandant, Central India Horse, to officiate as Resident, 1st Class, and Agent to the Governor General for Central India, with effect from the date of assuming charge, *vice* Sir H. D. Daly on privilege leave.

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

FINANCIAL DEPARTMENT.

NOTIFICATION.—MINT AND CURRENCY.

Simla, the 13th April 1877.

No. 16.—Mr. F. W. Peterson, F.C.S., is appointed to officiate as Deputy Assay Master of Her Majesty's Mint at Bombay until further orders.

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

MILITARY DEPARTMENT.

Simla, the 13th April 1877.

APPOINTMENTS AND PROMOTIONS.

No. 339.—PUBLIC WORKS DEPARTMENT.

To be Conductors.

Sub-Conductor Joseph Edmundson, Barrackmaster, 2nd Class, Military Works Branch (supernumerary), from 10th January 1877, vice *Conductor A. Buchanan, deceased.*

Sub-Conductor William Higher, Supervisor, 1st grade, Military Works Branch, from 10th January 1877, *vice* Conductor Edmundson, supernumerary.

To be Sub-Conductor.

Sergeant David Imrie, Overseer, 2nd grade, British Burmah, from 10th January 1877, *vice* Sub-Conductor Higher promoted.

TRANSFER OF OFFICERS.

No. 340.—The services of the undermentioned officers are placed at the disposal of the Hon'ble the Lieutenant Governor of the Punjab for appointment on His Honor's personal staff:—

Major C. E. Bates, Bengal Staff Corps, Wing Commander, 32nd (Punjab) Regiment of Native Infantry (Pioneers).

Lieutenant C. P. Egerton, 39th Foot.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 12th April 1877.

No. 171.—With reference to Public Works Department Notification No. 145 of 28th March 1877, Mr. E. Claxton, Deputy Examiner of Accounts, was relieved of his duties in the office of the Accountant General, Public Works Department, on the afternoon of 29th March 1877.

The 13th April 1877.

No. 172.—Lalla Balmokund is appointed an Accountant, 4th Grade, on probation, and posted to the Punjab Northern State Railway.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 16.] SIMLA, SATURDAY, APRIL 21, 1877. [Register No. 33.

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SUPPLEMENT No. 16.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 18th April 1877.

CORRIGENDA.—In Act No. V of 1877 (published in the *Gazette of India*, Part IV, of 17th, 24th and 31st March 1877), section 36, paragraph 2, *after* "sent" *insert* "by the Emigration Agent."

In the Code of Civil Procedure (published in the *Gazette of India*, Part IV, of 31st March, 7th and 14th April 1877), section 44, line 10, *omit* "are or"; section 103, line 2, *for* "this section" *read* "section 102," and in lines 13 and 14, *omit* "the second paragraph of": section 124, line 6, *for* "his" *read* "its."

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

The 20th April 1877.

No. 14.—In exercise of the power conferred by the twenty-fourth and twenty-fifth of Victoria, chapter fifty-four, section three, and subject to the provisions of section four of the same Act, the Governor General in Council is pleased to appoint Mr. Arthur Phillips, of the Middle Temple, Barrister-at-law, to be Secretary to the Government of India in the Legislative Department.

Mr. Phillips assumed charge of the office in the forenoon of the 20th instant.

JOHN JARDINE,
Offg. Deputy Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 17th April 1877.

No. 337.—Mr. J. W. Sherer, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service.

The 18th April 1877.

No. 354.—A vacancy having occurred in the office of an Ordinary Member of the Council of the Governor General of India by the resignation of the Hon'ble Sir Arthur Hobhouse, Q.C., K.C.S.I., Her Majesty the Queen, Empress of India, has been graciously pleased to appoint Whitley Stokes, Esquire, C.S.I., Barrister-at-Law, to be an Ordinary Member of the Council of the Governor General of India.

Mr. Stokes has on the afternoon of this day, under the usual salute, taken his seat as an Ordinary Member of the Governor General's Council.

MEDICAL.

The 20th April 1877.

No. 262.—Third Grade Assistant Surgeon Kally Prosunno Mookerjee is dismissed from the service of Government with effect from the 1st October 1876.

JUDICIAL.

The 16th April 1877.

No. 604.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor

General in Council is pleased to invest Mr. Kashi Nath Barooah, Extra Assistant Commissioner in Assam, with the powers of a Munsif within the limits of the District of Lakhimpur.

The 17th April 1877.

No. 610.—Under the provisions of Section 22 of Act VIII of 1859, the Governor General in Council is pleased to exempt Haji Sayud Bukht Mozoomdar, landholder in Sylhet in Assam, from personal appearance in Civil Courts.

PORT BLAIR.

The 18th April 1877.

No 114.—In exercise of the power conferred by Section 5 of the Indian Ports Act XII of 1875, the Chief Commissioner of the Andaman and Nicobar Islands is pleased to extend, with the sanction of the Governor General in Council, the said Act to the said Islands, and to direct that the limit of Port Blair, for the purposes of the said Act, shall be a line drawn from North point, North bay, to the northernmost point of Ross Island, thence along the western shore of Ross Island at high-water level to the southernmost point of Ross Island, thence to the Sesostris buoy, thence to Corbyn's Cove south, and thence round the harbour at high-water level to North point, North bay.

No. 115.—In exercise of the power conferred by Section 5 of the Indian Ports Act XII of 1875, the Chief Commissioner of the Andaman and Nicobar Islands is pleased to extend, with the sanction of the Governor General in Council, the said Act to the said Islands, and to direct that the limit of the port of Camorta, for the purposes of the said Act, shall be a line drawn from the northernmost point of Trinkut Island due west until it touches the eastern shore of the island of Camorta, thence along the western and southern shores of the island of Camorta at high-water level to Man point, thence to Indian point, thence along the northern shore of Nancowry Island at high-water level to Lavie point, thence to Morell point, and thence along the western shore of Trinkut Island at high-water level to the northernmost point of that island.

ECCLESIASTICAL.

The 20th April 1877.

No. 117.—APPOINTMENT.—The Reverend F. R. Michell, Junior Chaplain on the Bengal Establishment, to be Chaplain of Jubbulpore in the Central Provinces.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 18th April 1877.

No. 243.—Mr. W. G. Beverley, Assistant Superintendent in the 2nd Grade of the Great Trigonometrical Survey, is granted eight months' furlough to Europe under Section 12, Chapter IV, of the Civil Leave Code, from the date on which he may avail himself of it.

FORESTS.

The 20th April 1877.

No. 460.—Mr. J. Sykes Gamble, B. A., who in Notification No. 386, dated the 12th March 1877, was appointed Assistant to the Inspector General of Forests, as a temporary measure, took charge of his appointment on the forenoon of the 16th instant.

COMMERCE AND TRADE.

The 20th April 1877.

No. 2 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

HINDOSTAN, WEST COAST, GOA.

Dangers at the Entrance to Marmagao River.

The Sunchi West Shoal which lies S. S. W. ⅓ W., nearly 1½ miles from Cabo Monastery, has a dangerous pyramidal rock with only 2 feet on it, at low water, on which the sea does not always break.

Amee or Mundahsu Shoal is a rocky patch with 3 fathoms at low water, and situated S. ½ E., 2 miles from Cabo Monastery.

Neither danger is marked on the Admiralty Charts.

Camberi or Buffalo rock, off Marmagao peninsula, in line with the eastern extreme of St. Georges islands, will lead a vessel well clear to seaward of these dangers.

Many other rocks are said to exist in this locality; great caution, therefore, is necessary in navigating this part of the coast.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 13th April 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts of India, West coast:—Achera river to Cape Ramas, No. 740; Viziadroog to Cochin, including the Lacadivh Archipelago, No. 2737; Admiralty West coast of Hindostan Pilot, page 106, and Taylor's Sailing Directory, Vol. I., page 394.

If this Notice is received on boardship, the substance of it should be inserted on the charts affected by it, and introduced into the Sailing Directions to which it relates.

No. 3 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

HINDOSTAN, WEST COAST, BEYPORE.

Existence of three patches of rock near the Anchorage.

The Master Attendant at Madras has notified the existence of three patches of rock, which do not appear on any chart, close to, and to the southward of, Beypore anchorage, nearly abreast of the Southern Boundary pillar, about one mile off shore.

The most dangerous patch has on it only 8 feet at low water with 17 feet all round, and the following bearings are given:—

Calicut lighthouse N. by W. ¼ W., Beypore flagstaff N. by E., and the Southern Boundary pillar E. ¼ N.

To mark this danger, the same authority has promulgated that a buoy painted *black* has been laid to the westward of it in 23 feet, and the following bearings are given:—

Southern Boundary pillar E. ½ N., Beypore flagstaff in line with Camel's Hump N. by E ½ E., and Calicut lighthouse N. by W. ¼ W.

It is also recommended that vessels passing during the night should not shoal into less than 8 athoms.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 17th April 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts:—Calicut Road and Beypore River entrance, No. 64; Mount Dilly to Calicut, No. 747; and Viziadroog to Cochin, including the Lacadivh group, No. 2737; also Admiralty West Coast of Hindostan Pilot, page 84, and Taylor's Sailing Directory, Vol. I., page 405.

If this Notice is received on boardship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 19th April 1877.

No. 814*P*.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. James Stiven as Acting Consul for the German Empire at Madras.

No. 816*P*.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Hamilton Maxwell as Acting Consul for the Austro-Hungarian Empire at Bombay.

GENERAL.

The 19th April 1877.

No. 896*G*.—Consequent on the return of Mr. H. M. Durand, C. S., Officiating Political Assistant 1st Class, and First Assistant to the Agent to the Governor General in Rajpootana, from privilege leave, Captain E. A. Fraser reverted to his grade of Officiating Political Assistant 3rd Class on the afternoon of 21st March 1877.

No. 897*G*.—APPOINTMENTS AND PROMOTIONS.—The following appointments and promotions in the Berar Commission are made, with effect from 1st April 1877:—

Mr. W. B. Jones, Secretary to Chief Commissioner and Officiating Commissioner, Central Provinces, to be Commissioner, *vice* Colonel Nembhard, retired.

Major J. G. Bell, Deputy Commissioner, 1st Class, to be Judicial Commissioner, *vice* Lieutenant-Colonel Allardyce, retired.

Major R. H. Hudleston, Deputy Commissioner, 2nd Class, and officiating in the 1st Class, to be Deputy Commissioner, 1st Class, *vice* Major Bell.

Major J. T. Bushby, Deputy Commissioner, 3rd Class, and officiating in the 2nd Class, to be Deputy Commissioner, 2nd Class, *vice* Major Hudleston.

Major J. Fitzgerald, Assistant Commissioner, 1st Class, and Officiating Deputy Commissioner, 3rd Class, to be Deputy Commissioner, 3rd Class, *vice* Major Bushby.

Major A. Farrer, Assistant Commissioner, 2nd Class (on leave), to be Assistant Commissioner, 1st Class, *vice* Major Fitzgerald.

Taj-ud-din Hussain, Assistant Commissioner, 3rd Class, and officiating in the 2nd Class, to be Assistant Commissioner, 2nd Class, *vice* Major Farrer.

Mahomed Sahab-ud-din Khan Bahadoor, Senior Attaché to the Resident, to be Assistant Commissioner, 3rd Class, *vice* Taj-ud-din Hussain.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS—ACCOUNTS.

From the Secy. to the Govt. of India, Financial Dept., to the Secy. to the Govt. of the North-Western Provinces,—No. 43, dated Simla, the 17th April 1877.

The Financial Statement made by the Hon'ble Sir John Strachey on the 15th ultimo, and previous communications, have placed the Government of the North-Western Provinces in complete possession of the views of the Government of India in regard to the measures by which it is proposed to transfer to the Local Government the responsibility for meeting the charges incurred for Extraordinary Public Works of local and provincial utility. I am now directed to describe in detail the obligations which it is proposed to place on the Government of the North-Western Provinces, and the conditions by which the new measures will be accompanied.

2. Appended to this despatch is an Abstract Statement of the Financial Results of the Extraordinary Expenditure on Canals in the North-Western Provinces since 1871-72, with Estimates for 1876-77 and 1877-78. It appears from this Statement, that it is estimated—

that the capital expended upon Extraordinary Works in the North-Western Provinces will amount, at the end of 1876-77, to Rs. 5,29,07,000, and, at the end of 1877-78, to Rs. 5,55,96,000;

that simple interest at 4½ per cent. on this capital, from the outset, will amount, at the end of 1876-77, to Rs. 3,25,16,000;

that if only water-rates and other direct returns are set against this charge, the aggregate deficit is Rs. 1,57,31,000; but that, if account be taken of the land-revenue due to or dependent on the works, the deficit is reduced to Rs. 88,82,000.

3. The revenue of the works from water-rates and other direct returns, in 1877-78, is estimated at Rs. 31,01,000, and the indirect revenue, which consists of land-revenue due to or dependent on the works at Rs. 9,23,000, so that the estimated gross revenue of the works in 1877-78 is Rs. 40,24,000. The working expenses are estimated at Rs. 14,61,000. Thus, the net revenue from the works in 1877-78 is estimated at Rs. 25,63,000, or Rs. 16,40,000, according as the indirect revenue is or is not taken into account. One year's simple interest, at 4½ per cent., on the capital thus far expended, is estimated to be Rs. 24,40,000. According to these calculations, therefore, the works will in 1877-78 yield (after providing for interest on the capital) a surplus profit of Rs. 1,23,000, or a deficit of Rs. 8,00,000, according as account is taken or not taken of the indirect revenue.

4. These calculations cannot be accepted as exhibiting any close approximation to a real Profit and Loss Account of these Works. On the one hand, the amounts shown as "Capital Expenditure" include no interest during construction, and neither these amounts nor the working expenses include any provision for the absentee allowances and pensions of the establishments, and for the incidental charges, such as stationery, printing, medical attendance, imperial supervising offices, &c., which are not recorded, in the Public Accounts, as expenditure on Public Works, but under other Heads. On the other hand, the amount shown as "Capital Expenditure" includes a large outlay on works not yet in operation, and therefore not contributing revenue. The following is a Statement of the portion of the Estimated Capital Expenditure on the works completed

to the end of 1876-77, with which it may be proper to compare the net revenue derived from the works in 1877-78:—

Canals.	Capital expended.	Gross estimated Earnings, 1877-78.	Working Expenses.	Net Revenue.
	Rs.	Rs.	Rs.	Rs.
Ganges	2,80,00,000	22,16,000(a)	9,71,000	12,45,000
Eastern Jumna ...	24,24,000	6,34,000	2,17,000	4,17,000
Dhoon	6,14,000	51,000	32,000	19,000
Rohilkhand and others ...	14,62,000	83,000	68,000	15,000
TOTAL ...	3,25,00,000	29,84,000	12,88,000	16,96,000*

(a) Including Rs. 43,000 from Owners' Rate.

5. It appears from this Statement that of the total capital expended (Rs. 5,29,07,000) to the end of 1876-77, as given in the appended Abstract Statement, no less than Rs. 2,04,07,000 has been spent upon works still in course of construction, or which are not yet producing net revenue; and that the interest on the capital yielding revenue, *viz.*, Rs. 3,25,00,000, according to the Abstract, is at 4½ per cent., only Rs. 14,62,500. Thus these completed works are estimated to yield, in 1877-78, a net profit, over and above the interest on their capital cost, of Rs. 11,56,500† or Rs. 2,33,500†, according as account is, or is not, taken of the indirect revenue. Making all allowances for the items of capital expenditure and working expenses omitted from the calculations which result in the figures entered in the appended Abstract Statement, this result is satisfactory.

6. The Governor General in Council is not, however, now engaged in a review of the real financial results of these works, but is only stating certain facts and considerations upon the basis of which I am to make the following proposals for the transfer of the management of these works to the Government of the North-Western Provinces, together with the financial responsibility for their maintenance and completion. Accepting for this purpose, the figures in the appended Abstract Statement, notwithstanding the deficiencies already indicated, His Excellency in Council observes that the capital already reproductive is estimated to yield to the Imperial Treasury, in 1877-78, a revenue of Rs. 11,56,500 in excess of interest charges, and that this net excess revenue has a manifest tendency to grow.

7. Just as, in making over the revenue from *Excise*, *Stamps* and *Law and Justice* for provincial uses, the Government of India was obliged to make certain reservations, so, now, the exigencies of the Imperial Treasury will not admit the surrender of any part of the net revenue which it now receives from these works. Accordingly, the Government of India must reserve at least Rs. 11,56,500, the sum representing its existing net revenue from already reproductive capital investments.

8. The most convenient way of adjusting this claim of the Government of India will be, in the first instance, to reserve to the Imperial Treasury

* This differs from the net revenue from direct returns as shown in the Abstract Statement, because it is expected that there will be a loss of Rs. 56,000 in working the Agra Canal in 1877-78.

	Including Land-revenue.	From direct returns only.
	Rs.	Rs.
† Net revenues shown in the Abstract	25,63,000	16,40,000
Add for loss on Agra Canal	56,000	56,000
	26,19,000	16,96,000
Deduct interest at 4½ per cent. on 3½ crores of rupees	14,62,500	14,62,500
Net Profit ...	11,56,500	2,33,500

all the indirect returns from the canals which are at present credited as land-revenue. The amount of these receipts is shown in the Abstract Statement to be Rs. 9,23,000. This leaves a further sum of Rs. 2,33,500, due from the Local Government. But as some of the items of the calculation are uncertain, and round figures are more convenient, the Government of India will be satisfied with a fixed cash contribution of Rs. 2,00,000, in addition to that portion of the canal returns, excepting the Owners' Rate, which under the existing rules is credited to land-revenue. It must be understood that any future additional receipts which according to those rules would fall under the Head of land-revenue (not Owners' Rate) will also belong to the Government of India. In the present condition of the settlements of land-revenue in the North-Western Provinces, the total amount of such future receipts during the next five years cannot be considerable, and the objects of the present proposal will not be fulfilled if room is left for conflicting claims hereafter. It must be remembered that the Imperial Treasury, in claiming the entire profits on all capital hitherto expended, is only demanding what it receives already, and that it foregoes, at the same time, all claims for returns on the large indirect expenditure referred to in paragraph 4.

9. The "*Owners' Rate*," though recorded in the Public Accounts under *Land Revenue*, is placed in a separate sub-division of that Head; and no controversy need be expected as to this item, such as might occur in respect to land-revenue due to or dependent on the works. At the same time, it is likely that, in the future, some revenue now shown as *Land Revenue proper* may be shown as *Owners' Rate*. The *Owners' Rate* is, in the Abstract Statement, included in the direct returns from the works, and the Governor General in Council is especially anxious to give to the Local Government a predominant interest in its development, so far as this can be done without unduly sacrificing Imperial Revenue. His Excellency in Council is willing, for this reason, to forego all claims upon the *Owners' Rate* for three years, unless the Local Government can, meanwhile, distinctly specify any portion of these rates as having been, hereafter, substituted for land-revenue: any revenue so transferred from *Land Revenue* to *Owners' Rate* must continue to belong to the Imperial Treasury. It is understood that, during the next few years, the amount of such transfers is not likely to be large. At the end of three years, the claims of the Imperial Treasury upon the *Owners' Rate* must be reconsidered.

10. If the settlement thus described is accepted by the Local Government, the contribution due from it in each year to the Imperial Treasury will be as follows:—

(1).—Interest upon the entire capital expended to the end of the previous year.

(2).—Half a year's interest on the capital expended in the year itself.

(3).—The sum of Rs. 2,00,000, as settled in para. 8.

To meet these charges, the Local Government will receive the whole of the net revenue from the works, excepting only, as before explained, that portion of it which, besides the Owners' Rate, is credited to land-revenue. The rate of interest is fixed, for the present, at 4½ per cent.; though it may, possibly, become necessary hereafter to alter this rate in respect to new capital. Thus, the amount due from the Local Government to the Imperial Government in 1877-78 may be estimated at Rs. 10,00,000, as follows:—

	Rs.
Interest for the whole year at 4½ per cent. on Rs. 5,29,07,000 spent to the end of 1876-77	23,80,000
Do. for half a year on Rs. 26,89,000 to be spent in 1877-78	60,000
To make up the estimated existing net profits of the Imperial Government from capital already reproductive (para. 8) ...	2,00,000
Total ...	26,40,000
Deduct net direct revenue including Owners' Rate ...	16,40,000
Remains	10,00,000

11. The component items will all continue to be recorded, as at present, in the Imperial Estimates and Accounts; the settlement with the Local Government being made without any change in these Accounts. The Local Government may, of course, keep any separate accounts that it may think necessary in order to ascertain its own financial position.

12. If, therefore, the Local Government is prepared to pay to the Imperial Treasury in 1877-78 the sum which is found due upon an Account prepared as stated in para. 10, which sum is there estimated at Rs. 10,00,000, plus any additional sum that may become due under the provisions of para. 16, the Government of India will surrender to provincial management the whole of these works, and to provincial uses, subject to the foregoing conditions, the whole revenue derived from them.

13. For the next three years, the Account between the two Governments may be similarly settled, the Supreme Government advancing from the Public Treasury any funds that are required for the existing and proposed canals, and for the construction of railways needed for local purposes.

14. It must rest with the Supreme Government to determine how much money it can place at the disposal of the Government of the North-Western Provinces, each year, for the construction of these works. The Governor General in Council will endeavour in this matter, as far as possible, to meet the wishes of the Local Government, and to supply the necessary funds at a rate which shall enable the Local Government to complete the works without avoidable delay. The amount, however, that it is expedient to borrow for the whole of India, in each year, must be determined upon general considerations; and the Government of India alone can decide how the available funds can be most profitably distributed among the several Local Governments. The demands upon the Public Treasury, ordinary and extraordinary, are too uncertain for it to be possible for the Imperial Government to promise absolutely to supply a fixed sum to any Local Government for a succession of years.

15. It is understood that the capital cost of the canals and local railways now in existence, under construction, or contemplated in the North-Western Provinces, is estimated at about 8½ crores of rupees, so that, to complete the whole, there will still be 3 crores of rupees to spend after the year 1877-78. Assuming it to be possible to provide Rs. 40,00,000 annually for this expenditure during the next five years, the liabilities of the Local Government for interest and Imperial profits would increase from their present amount of Rs. 26,40,000 to Rs. 34,50,000 at the end of the fifth year; on the other hand, it is anticipated that the receipts will increase during the same period at an average rate of Rs. 2,00,000 a year, or from the present amount of Rs. 16,40,000 to about Rs. 26,40,000. On this assumption the amount to be contributed from other sources, which is now Rs. 10,00,000, would have fallen to a little over Rs. 8,00,000, at the close of the five years. The prospective burden undertaken by the Local Government is therefore never likely to become formidable. It is no doubt possible that the estimate of three crores of rupees for future expenditure may be increased; but this will not materially affect the calculation, since, in that case, it may be assumed that the term for spending the money would be extended also.

16. As the burden imposed upon the Local Government becomes reduced by the growth of the net direct revenue, it will be necessary for the Local Government to contribute to the Imperial Treasury a share of the advantage. It would be premature now to define what may ultimately be an equitable settlement between the Imperial and Local Government. But as a temporary arrangement which will be open to revision at the end of three years, the Local Government must surrender to the Imperial Treasury one-half of any reduction

that it may be able to effect in the charge of Rs. 10,00,000 which it now undertakes. For instance, supposing that the interest plus the profits of the Imperial Treasury payable by the Local Government should increase to Rs. 30,00,000, and the net revenue received by the Local Government should increase to Rs. 22,00,000, the sum to be provided from other sources would fall from 10 to 8 lakhs; and, if no further condition were imposed, the Local Government would be in a better position by the difference, *viz.*, Rs. 2,00,000. The Government of India will concede to the Local Government one-half of this future advantage, reserving to itself the other half only, instead of the entire profits which it would keep for the Imperial Treasury if it were to apply to the profits of the future the same rule which has been applied to the profits which accrued prior to the transfer now proposed. It is the expectation of the Governor General in Council that this arrangement will be profitable to both Governments, because it is hoped that the change of system will lead to better administration and to increased advantages from the works.

17. It is to be understood that the measure discussed in this despatch refers only to works constructed primarily for the benefit of districts or places within the North-Western Provinces. While the Governor General in Council does not renounce the right to initiate proposals for such works, the initiation will usually rest with the Local Government, and His Excellency in Council will not, except under very special circumstances, insist upon the construction of works involving possible burdens upon the Provincial Finances without the consent of the Local Government.

18. In anticipation of the official assent of the Local Government to these proposals, they have been incorporated in the financial arrangements of the year 1877-78, and the sum of Rs. 10,00,000 has been estimated as a contribution to the Imperial Treasury from the Provincial Funds of the North-Western Provinces.

19. This despatch treats only of the financial side of the questions involved. The administrative measures necessary for carrying out the new system remain to be considered in the Public Works Department, and His Honor the Lieutenant-Governor should submit to that department any proposals which he desires to make on the subject. The Governor General in Council does not, in this letter, enter into the question of the means by which the Local Government can most conveniently obtain the additional resources necessary to enable it to fulfil its engagements, this being a subject which has been under separate consideration.

20. In conclusion, I am again to acknowledge cordially the assistance received from the Hon'ble the Lieutenant-Governor in the negotiations which have preceded this despatch, and the liberality with which His Honor has conducted these negotiations.

ORDERED, that copy of this letter and of the Abstract Statement be published in the *Gazette of India*, and forwarded to the Public Works Department for information and for the issue of further orders.

Ordered also, that copy of the letter and of the Statement be forwarded to the Comptroller General, and the Accountant General, North-Western Provinces, for information and guidance.

Abstract shewing the Financial Results of Irrigation Works in the N. W. Provinces from 1871-72 *to* 1875-76, *also Regular Estimate of* 1876-77 *and Budget Estimate of* 1877-78. (*In Rupees omitting* 000).

	Actual Accounts.					Regular Estimate, 1876-77.	Budget Estimate, 1877-78.
	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.		
I.—CAPITAL EXPENDITURE WITHOUT INTEREST—							
DURING THE YEAR—							
Ordinary	2,00	1,42	1,45	3,33	3,42	2,12	89
Extraordinary	14,13	19,40	43,42	42,83	36,97	33,00	26,00
Capital value of lands used for the works ...	...	1,09	...	9,49	...	...	...
TOTAL CAPITAL (WITHOUT INTEREST) EXPENDED DURING THE YEAR—	16,13	21,91	44,87	55,65	40,39	35,12	26,89
TO THE END OF THE YEAR—							
Ordinary	2,72,49	2,73,91	2,75,36	2,78,69	2,82,10	2,84,22	2,85,11
Extraordinary	58,65	78,05	1,21,47	1,64,30	2,01,27	2,34,27	2,60,27
Capital value of lands used for the works ...	...	1,09	1,09	10,58	10,58	10,58	10,58
TOTAL CAPITAL (WITHOUT INTEREST) EXPENDED TO THE END OF THE YEAR	3,31,14	3,53,05	3,97,92	4,53,57	4,93,95	5,29,07	5,55,96
II.—REVENUE AND WORKING EXPENSES—							
(1) GROSS REVENUE DURING THE YEAR—							
(*a*) From water-rates, owners-rates, and other direct returns, excluding (*b*)	24,25	22,27	25,28	27,17	28,69*	29,85*	31,01*
(*b*) Amount of Land Revenue estimated to be due to, or dependent on, the works	5,11	6,86	8,34	8,59	9,23	9,23	9,23
TOTAL GROSS REVENUE, INCLUDING LAND REVENUE (*b*)	29,36	29,13	33,62	35,76	37,92	39,08	40,24
(2) WORKING EXPENSES DURING THE YEAR ...	11,90	12,90	12,35	13,08	14,50	13,93	14,61
(3) NET REVENUE DURING THE YEAR—							
From direct returns only (*a*)	12,35	9,37	12,93	14,09	14,19	15,92	16,40
Including Land Revenue (*b*)	17,46	16,23	21,27	22,68	23,42	25,15	25,63
(4) GROSS REVENUE TO THE END OF THE YEAR—							
(*a*) From water-rates and other direct returns, excluding (*b*)	2,50,23	2,72,50	2,97,78	3,24,95	3,53,64	3,83,49	4,14,50
(*b*) Amount of Land Revenue estimated to be due to, or dependent on, the works	26,24	33,10	41,44	50,03	59,26	68,49	77,72
TOTAL GROSS REVENUE, INCLUDING LAND REVENUE TO THE END OF THE YEAR (*b*)	2,76,47	3,05,60	3,39,22	3,74,98	4,12,90	4,51,98	4,92,22
(5) WORKING EXPENSES TO THE END OF THE YEAR ...	1,48,88	1,61,78	1,74,13	1,87,21	2,01,71	2,15,64	2,30,25
(6) NET REVENUE TO THE END OF THE YEAR—							
From direct returns only (*a*)	1,01,35	1,10,72	1,23,65	1,37,74	1,51,93	1,67,85	1,84,25
Including Land Revenue (*b*)	1,27,59	1,43,82	1,65,09	1,87,77	2,11,19	2,36,34	2,61,97
III.—NET REVENUE COMPARED WITH CHARGE FOR INTEREST ON CAPITAL—							
SIMPLE INTEREST AT 4½ PER CENT., ON CAPITAL DURING THE YEAR	14,43	15,35	18,21	17,44	20,87	23,07	24,40
DIFFERENCE BETWEEN NET REVENUE AND CHARGE FOR INTEREST DURING THE YEAR—							
Deficiency if credit be taken for direct returns only (*a*)	2,08	5,98	5,28	3,35	6,68	7,15	8,00
Surplus if credit be taken for Land Revenue also (*b*)...	3,03	88	3,06	5,24	2,55	2,08	1,23
SIMPLE INTEREST TO END OF THE YEAR	2,30,22	2,45,57	2,63,78	2,81,22	3,02,09	3,25,16	3,49,56
DEFICIENCY OF NET REVENUE AS COMPARED WITH CHARGE FOR INTEREST TO END OF THE YEAR—							
If credit be taken for direct returns only (*a*) ...	1,28,87	1,34,85	1,40,13	1,43,48	1,50,16	1,57,31	1,65,31
If credit be taken for Land Revenue also (*b*) ...	1,02,63	1,01,75	98,69	93,44	90,90	88,82	87,59

* Includes owners-rates.

LEAVE AND ALLOWANCES.

The 20th April 1877.

No. 68.—The Governor General in Council directs that the following names be added in their proper places to the Nominal Roll printed at pages 147 to 159 of the Civil Leave Code:—

NAMES.	Designation of office held when the officers were recommended for admission.
Barnes, F. ...	... Deputy Controller of Public Works Accounts.
Bayley, W. G. ...	... Assistant Controller of Public Works Accounts, 1st Grade.
Billings, W. A. ...	... Deputy Controller of Public Works Accounts.
Boyce, F. R. ...	... Controller of Public Works Accounts, 1st Class.
Braud, W. H. ...	... Assistant Controller of Public Works Accounts, 2nd Grade.
Duncan, R. B. ...	... Deputy Controller of Public Works Accounts.
Fordham, J. W. ...	... Deputy Controller of Public Works Accounts.
Godfrey, F. E. ...	... Assistant Controller of Public Works Accounts, 3rd Grade.
Gord n, D. C. ...	... Deputy Controller of Public Works Accounts.
Harding, J. H. ...	... Controller of Public Works Accounts, 2nd Class.
Hopkins, J. ...	... Controller of Public Works Accounts, 2nd Class.
Hutchinson, F. ...	... Assistant Controller of Public Works Accounts, 3rd Grade.
Macdonald, R. G. ...	... Controller of Public Works Accounts, 2nd Class.
Marten, H. ...	... Controller of Public Works Accounts, 1st Class.
Mills, J. ...	... Deputy Controller of Public Works Accounts.
Moore, F. ...	... Deputy Controller of Public Works Accounts.
Morrison, F. ...	... Assistant Controller of Public Works Accounts, 1st Grade.
Moss, T. ...	... Controller of Public Works Accounts, 2nd Class.
Newman, W. R. ...	... Deputy Controller of Public Works Accounts.
Palmer, W. ...	... Controller of Telegraph Accounts.
Phillips, P. ...	... Controller of Public Works Accounts, 2nd Class.
Robinson, J. ...	... Controller of Public Works Accounts, 2nd Class.
Trotter, R. H. ...	... Controller of Public Works Accounts, 2nd Class.

MINT AND CURRENCY.

The 20th April 1877.

No. 38.—Privilege leave for two months and twenty-nine days is granted to Surgeon-Major H. E. Busteed, M.D. (Madras Establishment), Assay Master of Her Majesty's Mint at Calcutta.

Surgeon F. P. Edis, M.B., F.R.C.S., is appointed to officiate as Assay Master of Her Majesty's Mint at Calcutta during the absence of Surgeon-Major H. E. Busteed, M.D., on privilege leave, or until further orders.

PAY AND ALLOWANCES.

The 20th April 1877.

No. 75.—It has been brought to the notice of the Governor General in Council that great diversity exists in the rules regarding the travelling allowance of Civil Surgeons. In some cases these officers receive mileage only, in others they draw mileage for journeys and a daily allowance for halts, and, under a third system, they are permitted to receive, in addition to mileage, a daily allowance for the whole period of absence from head-quarters, including the period for which mileage is drawn. It is sufficiently obvious that the travelling allowances of officers employed in similar capacities should be regulated, as far as local circumstances admit, on a uniform principle. His Excellency in Council is accordingly pleased to lay down the following rules for general adoption:—

I.—The rates of travelling allowance for Civil Surgeons are 8 annas a mile, subject to reduction under general rules for journeys by railway, and Rs. 5 a day, except in the Berars, for which a rate of Rs. 6-4-0 a day has been experimentally sanctioned for the current year.

II.—Subject to such restrictions as the Local Government or Administration may see fit to impose as to the duration and frequency of his journeys, a Civil Surgeon is entitled either to the daily allowance or to the mileage for the whole of each period of his absence from his head-quarters on duty, unless the duty is one for which he receives no extra remuneration, in which case he is entitled to the daily allowance for halts and either to that allowance or to the mileage for journeys, provided that both allowances are not drawn for the same day, and that the allowance for journeys shall be payable only when the Civil Surgeon has the sanction of the district officer to his marching instead of going by dâk or railway.

SEPARATE REVENUE—POST OFFICE.

The 20th April 1877.

No. 55.—Mr. E. R. Douglas received charge of the office of Post Master General, Bengal, from Mr. T. W. Gribble, B.C.S., after noon, on the 2nd April 1877.

R. B. CHAPMAN,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 20th April 1877.

APPOINTMENTS AND PROMOTIONS.

No. 341.—The following promotions are made, subject to Her Majesty's approval:—

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Infantry ...	Major C. J. Griffiths, Staff Corps.	Lieut.-Col.	1st April 1877..	Lieutenant-Colonel (Brevet Colonel) H. Finch, retired.
Cadre of the late 72nd Native Infantry.	Captain (Brevet Major) Reginald William Sartorius, V. C., C. M.G.	Major		
Infantry ...	Major (Lieutenant-Colonel in Staff Corps) F. B. Foote.	Lieut.-Col.	Ditto ...	Lieutenant-Colonel (Major in Staff Corps) C. J. Griffiths, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 71st Native Infantry.	Captain (Major in Staff Corps and Brevet Lieutenant-Colonel) F. M. Birch.	Major		
Infantry ...	Major William Duncan Macturk.	Lieut.-Col.	Ditto ...	Lieutenant-Colonel F. B. Foote, Staff Corps, removed from the list of Regimental Lieutenant-Colonels.
Infantry ...	Major Henry Archibald McNair	Lieut.-Col.	Ditto ...	Lieutenant-Colonel (Brevet Colonel) W. D. Bishop, retired.

No. 342.—ARMY REMOUNT DEPARTMENT—

With reference to G. G. O. No. 1018 of 1876, Captain W. A. Roberts, Royal Artillery, Officiating Remount Agent at the Presidency, is confirmed in that appointment.

No. 343.—BRIGADE STAFF—

Colonel J. I. Murray, C.B., Bengal Staff Corps, Commandant, 14th Bengal Lancers, to the Brigade Staff of the Army with the rank of Brigadier-General, in succession to Brigadier-General Sir C. H. Brownlow, K.C.B., whose tour of staff service will expire on the 1st May 1877.

No. 344.—MILITARY ACCOUNTS DEPARTMENT—

Lieutenant J. A. Miley having, with reference to G. G. O. No. 437 of 1876, fulfilled the necessary conditions, is confirmed in his appointment as Assistant Military Accountant, with effect from the 12th April 1877.

No. 345.—STAFF CORPS—

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

Major Mansfeldt George Smith,—10th April 1877.

No. 346.—The undermentioned officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain William Francis Badgley,—4th April 1877.

No. 347.—The undermentioned officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Lieutenant Frederick Talbot Goodridge, Bengal Staff Corps,—4th April 1877.

No. 348.—The undermentioned officer of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel William Munnings Lees, Bengal Staff Corps,—14th April 1877.

No. 349.—The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant James Andrew Colvile Wedderburn, 54th Foot, Wing Officer, 3rd Punjab Infantry, Punjab Frontier Force.
Lieutenant Thomas Caldwell Pears, 70th Foot, Wing Officer, 3rd Punjab Infantry, Officiating Wing Officer, 1st Punjab Infantry, Punjab Frontier Force.
} 11th Feb. 1876.

Lieutenant Charles Stuart Wheler, 13th Hussars, Officiating Squadron Officer, 15th Bengal (Cureton's Mooltanee) Cavalry,—25th February 1876.

No. 350.—MEDICAL DEPARTMENT—

Surgeon-Major H. B. Hassard, Army Medical Department, to officiate with temporary rank as Deputy Surgeon-General, British Medical Service, Lahore Circle, *vice* Deputy Surgeon-General N. H. Stewart, M. D., proceeding on furlough.

No. 351.—Her Majesty has been pleased to appoint the undermentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service:—

Surgeon C. W. Owen,—arrived at Bombay 27th March 1877.

No. 352.—NATIVE ARMY—

38*th* (*The Agra*) *Regiment of Native Infantry.*

Jemadar Bocta Sing, from the 41st Native Infantry, to be Subadar, *vice* Gobind Singh, invalided; Havildar Sheolol, from the 41st Native Infantry, to be Jemadar, *vice* Thakoor

Dyal Singh, invalided; Havildar Dhunneeram, from the 9th Native Infantry, to be Jemadar, *vice* Hyatt Ali Khan, invalided.

44th (Sylhet) Regiment of Native Infantry.

Jemadar Nurbeer Sai, to be Subadar, *vice* Munbode Tewary, invalided; Jemadar Mahaboola Khan, to be Subadar, *vice* Noehoree Tewary, invalided; Havildar Kalloo Thapa, to be Jemadar, *vice* Nurbeer Sai, promoted; Havildar Heema Chund, to be Jemadar, *vice* Mahaboola Khan, promoted,—18th February 1877.

No. 353.—PUNJAB FRONTIER FORCE—

2nd Punjab Infantry.

Jemadar Panjab Singh, to be Subadar, *vice* Lakha Singh, deceased,—2nd February 1877; Havildar Wali Khan, to be Jemadar, *vice* Lal Gul, dismissed,—21st November 1876; Havildar Gurbax, to be Jemadar, *vice* Panjab Singh, promoted,—2nd February 1877.

ARMY CIRCULARS.

No. 354.—In continuation of G. G. O. No. 374 of 3rd April 1876, the following Clause 3 of Army Circulars, dated the 1st January 1877, is declared applicable to India, and published for general information:—

Gratuities to Soldiers on discharge.

Clause 3.—1. The General Fund, which has been formed from the Fines inflicted upon soldiers for the crime of drunkenness, is appropriated to the purpose of granting Gratuities to well-conducted Non-commissioned Officers and Men on discharge from the Army.

2. The Scale of Gratuities will be regulated annually according to the state of the General Fund, and will be notified to the Army from time to time.

3. From the 1st January 1877, the issue of the Gratuities will be regulated by the following rules, except that, in Colonial Corps, the rates of Gratuity will be only half those fixed for the Army generally.

4. Every soldier, who shall be discharged otherwise than for misconduct, will be paid, at the time of his discharge, a Gratuity calculated at the rate of ten shillings for each Good-Conduct Badge then in his possession; provided that the total sum of 1*l.* 10*s.* shall not be exceeded, except in the case of a soldier who may not, for the 10 years previous to his discharge, have been recorded as guilty of drunkenness. In such case the limit will be extended to 2*l.* if the soldier shall be in possession of four Good-Conduct Badges, and to 2*l.* 10*s.* if he shall be in possession of five Good-Conduct Badges.

5. In the case of a Serjeant, which term includes Serjeants-Major, and all other grades of Serjeants, the amount issuable will be calculated on the number of Badges to which his services and conduct would have entitled him, had he been a private soldier at the time of his discharge, subject to the above limits. The charge will be vouched by a certified record of service.

6. Men transferred from the Line to the 1st Class Army Reserve, to complete their term of service, will receive, at the time of such transfer, such Gratuities from the fund as they would have received had they been discharged in lieu of being transferred.

7. Such men, if allowed to rejoin the colours, will not be required to refund any portion of the amount so received. They will be paid on final discharge from the Army a Gratuity, at the rates specified above, for any Badge or Badges they may have become possessed of over and above those they had when transferred to the Army Reserve.

8. Non-commissioned Officers detached from Regiments of the Line or other Corps of the Army, for service with the Auxiliary Forces, will not be entitled to receive these gratuities until they are finally discharged from the Army.

9. The Gratuities issued in accordance with these Regulations will be charged in the accounts of the Accountant from whom the soldier may be drawing his pay at the time of discharge. The soldier will sign a receipt for the Gratuity; and in each case in which the sum of 2*l.* or 2*l.* 10*s.* is awarded, the charge will be further vouched by a certificate of the Officer Commanding that the soldier has not been recorded as guilty of drunkenness during the 10 years immediately preceding his discharge. In the case of a Non-commissioned Officer referred to in paragraph 8, the certificate for the period during which he has been detached to the Auxiliary Forces will be signed by the Adjutant and countersigned by the Commanding Officer of the Regiment or Corps with which he has been serving.

Cl. 114, A. C., 1874.

10. In the case of a soldier dying in the Service, his estate will receive credit for such amount of Gratuity as he would have been entitled to had he been discharged from the Army on the day previous to the date of his death. These Gratuities will be charged in the Regimental Pay List on the same Form or Voucher as those issued to men on discharge, vouched by a reference to the Non-effective Account in which the credit is given.

11. Clause 12, Army Circulars, 1874; Clause 114, Army Circulars, 1874, so far as it relates to the Gratuities from the General Fund formed from the fines for drunkenness; Clause 3, Army Circulars, 1875, and Clause 17, Army Circulars, 1876, are hereby cancelled.

II. In paragraph 9 of the abovementioned Circular, the words "Account" and "Accountant" will be understood to be synonymous with "Pay List" and "Paymaster" respectively.

III. This order does not affect the arrangement regarding the monthly remittance of the recoveries for drunkenness, as notified in paragraph 2 of G. G. O. No. 129 of 1872, nor the provisions contained in G. G. O. No. 648 of 24th June 1874, and in paragraph 2 of G. G. O. No. 778 of 4th August 1874.

FURLOUGH AND LEAVE.

No. 355.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Wredenhall Queiros Pogson, Infantry, Wing Commander, 6th Regiment of Native Infantry,—private affairs, for one year, two months and two days, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel Griffith Turner Jones, Infantry, Garrison Quartermaster, Fort William.—private affairs, for two years, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel William Edward Delves Broughton, Infantry,—for two years, one year on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause II, of the Regulations of 1868.

Captain Malcolm Arbuthnot Alves, Royal Engineers, Executive Engineer, 3rd grade, Public Works Department,—private affairs, for nine months and seven days, under Rule IX of the Regulations of 1868.

Lieutenant James Alexander Lawrence Montgomery, Bengal Staff Corps, Assistant Settlement Officer, Jhelum, Punjab,—private affairs, for eighteen months, under Rules IX and XV of the Regulations of 1868.

No. 356.—Sub-Conductor Adolphus Freeman, Public Works Department, has been permitted to proceed to Europe on leave on urgent private affairs for six months without pay.

No. 357.—With reference to G. G. O. No. 547 of 1873, Major W. H. Garton, Bengal Staff Corps, has been permitted by the Right Hon'ble the Secretary of State to return to India with a view to spending the residue of his furlough in this country.

No. 358.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) J. Williamson, Bengal Staff Corps, Commandant, 26th (Punjab) Regiment of Native Infantry. Bombay, 29th March 1877.

Lieutenant-Colonel (Brevet Colonel) J. Dawson, Bengal Staff Corps, Executive Engineer, 1st grade, Public Works Department. Bombay, 25th March 1877.

Lieutenant-Colonel W. C. Chowne, Infantry, Wing Commander, 6th Punjab Infantry, Punjab Frontier Force. Fort William, 29th March 1877.

Major C. W. Campbell, Bengal Staff Corps, Squadron Commander, 2nd Bengal Cavalry. Fort William, 11th April 1877.

Captain (Brevet Major) C. Martin, late 1st European Light Cavalry, Squadron Commander, 2nd Regiment, Central India Horse. Bombay, 22nd March 1877.

Captain A. FitzW. Taylor, Bengal Staff Corps, Wing Officer, 16th (The Lucknow) Regiment of Native Infantry. Fort William, 2nd April 1877.

Captain J. M. Trotter, General List, Infantry, Deputy Assistant Quartermaster General. Bombay, 28th February 1877.

Captain C. Cowie, R. A., Commissary of Ordnance, 2nd Class. Bombay, 31st March 1877.

Deputy Assistant Commissary and Honorary Lieutenant J. Cargin, 1st Class Barrack Master, Agra Division, Public Works Department. Bombay, 13th March 1877.

Conductor J. Murray, 2nd Class Barrack Master, Lucknow Division, Public Works Department. Bombay, 27th March 1877.

No. 359.—REPORTS OF DEPARTURE—

Lieutenant-Colonel (Brevet Colonel) P. S. Yorke, Infantry, G. G. O. No. 216 of 1877. *Mirzapore*, 9th April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) F. J. Davies, Infantry, G. G. O. No. 51 of 1877. *Nizam*, 5th February 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) A. S. Smith, Infantry, G. G. O. No. 1170 of 1876. *Surat*, 12th February 1877, from Bombay.

Lieutenant-Colonel R. S. Simonds, Bengal Staff Corps, G. G. O. No. 1272 of 1876. *Macedonia*, 28th February 1877, from Bombay.

Lieutenant-Colonel W. Carnell, Bengal Staff Corps, G. G. O. No. 143 of 1877. *Mirzapore*, 9th April 1877, from Bombay.

Major J. S. Irvine, late 2nd European Light Cavalry, G. G. O. No. 1272 of 1876. *Branksome Hall*, 27th February 1877, from Bombay.

Captain (Brevet Major) T. C. Graham, late 4th European Light Cavalry, G. G. O. No. 216 of 1877. *Crocodile*, 13th February 1877, from Bombay.

Surgeon-Major D. B. Smith, M.D., G. G. O. No 259 of 1877. *Japan*, 19th March 1877 from Calcutta.

Surgeon-Major J. H. Thornton, M.B., G. G. O. No. 51 of 1877. *Mongolia*, 26th March 1877, from Bombay.

Surgeon-Major A. Eteson, G. G. O. No. 167 of 1877. *Childwall Hall*, 5th April 1877, from Bombay.

Surgeon-Major T. T. Sherlock, G. G. O. No. 75 of 1877. *Navarino*, 15th February 1877, from Calcutta.

This cancels his departure in G. G. O. No. 223 of 1877.

Captain F. Barrow, Bengal Staff Corps, G. G. O. No. 216 of 1877. *Persia*, 31st March 1877, from Bombay.

Captain C. C. Pemberton, Bombay Staff Corps, Bombay G. O. No. 17 of 1877. *India*, 14th February 1877, from Bombay.

Captain T. Shepherd, Bengal Staff Corps, G. G. O. No. 51 of 1877. *Surat*, 12th February 1877, from Bombay.

Captain J. M. Tulloch, General List, Infantry, G. G. O. No. 216 of 1877. *Crocodile*, 13th February 1877, from Bombay.

Captain C. Crawford, Royal Engineers, G. G. O. No. 191 of 1877. *Teheran*, 19th February 1877, from Bombay.

Lieutenant D. E. Goulsbury, Bengal Staff Corps, G. G. O. No. 167 of 1877. *Crocodile*, 13th February 1877, from Bombay.

Lieutenant G. F. Young, Bengal Staff Corps, G. G. O. No. 1235 of 1876. *Branksome Hall*, 27th February 1877, from Bombay.

Lieutenant H. F. V. Gaitskell, Madras Staff Corps, Madras G. O. No. 137 of 1877. *Crocodile*, 13th February 1877, from Bombay.

Lieutenant F. R. Ditmas, Bengal Staff Corps, G. G. O. No. 259 of 1877. *Malabar*, 27th February 1877, from Bombay.

Conductor C. Dodge, G. G. O. No. 1178 of 1876. *Crocodile*, 13th February 1877, from Bombay.

Sub-Conductor J. Ventham, G. G. O. No. 1178 of 1876. *Malabar*, 27th February 1877, from Bombay.

RETIREMENTS.

No. 360.—In continuation of G. G. O. No. 328, dated the 2nd April 1877, the undermentioned officer is permitted to retire from the service from the date specified, under the provisions of G. G. O. No. 8 of the 1st January 1877 :—

No.	Rank and Name.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
11	Lieutenant-Colonel (Brevet Colonel) Sydney Joseph Hire.	Staff Corps	456 5 0	530 12 0	...	18th April 1877	England.

HONORS AND REWARDS.

No. 361.—ORDER OF BRITISH INDIA—

MADRAS.

The following adjustments of rank are made in the Order of British India :—

Ressaldar-Major "Sirdar Bahadur" Bennee Sing, 3rd (Queen's Own) Light Cavalry, to rank as "Sirdar Bahadur" from the 6th December 1876, *vice* Subadar-Major "Sirdar Bahadur" Ram Sing, 13th Regiment Native Infantry, deceased.

Ressaldar-Major (now "Sirdar Bahadur") Shaik Hoosain, 2nd Light Cavalry, to rank as "Bahadur" from the 6th December 1876, *vice* Bennee Sing, promoted.

HOSPITAL SUPPLIES.

No. 362.—ERRATUM—

In the list of Hospital necessaries published in G. G. O. No. 513, dated 15th May 1874, under the columns showing the "Quantity allowed for one month" in "Station Staff Hospitals" and "Lock Hospitals," opposite the entry "Soap, Country," read 8 *oz.* instead of "8 dr.," and 1 *oz.* instead of "1 dr."

PAY AND ALLOWANCES.

No. 363.—PAY CODE—

In continuation of G. G. O. No. 1007 of 28th September 1876, the following rates of pay for Kettle Drummers attached to Regiments of British Cavalry are sanctioned with effect from 1st April 1876, and will be inserted in revised page 315, Volume I (British Troops) of the Pay Code for India immediately under the rank and pay of "Private" :—

Cavalry.

		English pay for Official equivalent.	For a month of 28 days.	For a month of 29 days.	For a month of 30 days.	For a month of 31 days.
		s. d.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Kettle Drummer when authorized.	(G)	1 9	26 2 2	27 1 1	28 0 0	28 14 11
	(N)		24 13 2	25 11 4	26 9 6	27 7 8

G.—Gross pay without any deduction.

N.—Net pay, i. e., gross pay minus nine pies per diem for grocery ration.

No. 364.—His Excellency the Governor General in Council having approved of the following rule, it will be added as Article 7*a* at page 2 of the Military Pay Code for India, Vol. II, Native Troops :—

G. I., No. 791, dated the 14th March 1877.

Art. 7*a*.—"An enlisted school-master of a native regiment shall be treated in the same manner as a native recruit in regard to pay and subsistence allowance from date of entertainment until that of joining his Corps. A civilian school-master will be allowed half pay for the same period, the soldier or other person acting in the appointment being restricted to half staff pay."

No. 365.—SUBORDINATE MEDICAL DEPARTMENT—The undermentioned Hospital Assistants passed their English qualification examination according to the test laid down in G. G. O. No. 945 of 1868, on the dates specified :—

NAMES.	Date of rank.	Date of passing English qualification.
1st Class Hospital Assistants.		
Habeeboolla Khan ...	May 23, 1859	Oct. 15, 1876
Baboo Khan ...	April 15, 1860	Oct. 15, 1876
2nd Class Hospital Assistants.		
Abdool Snud ...	April 16, 1860	May 16, 1876
Hurree Ram ...	Aug. 1, 1863	Aug. 24, 1876
Mahomed Fakeer (1) ...	April 29, 1869	Sept. 1, 1870
3rd Class Hospital Assistants.		
Mahomed Surfraz Khan	April 21, 1870	Sept. 14, 1876
Fuzool Huq ...	June 11, 1873	Oct. 17, 1876
Lurinda Mal ...	April 14, 1874	Nov. 20, 1876
Abdool Gafore ...	Sept. 1, 1875	Oct. 16, 1876
Passed Medical Pupil now 3rd Class Hospital Assistant.		
Mohomed Askery ...	April 11, 1876	Oct. 16, 1876

TRANSFERS OF OFFICERS.

No. 366.—The services of the undermentioned officers are placed at the disposal of the Hon'ble Sir R. Temple, Bart., K.C.S.I., for appointment on His Honor's personal staff, with effect from such date as Sir R. Temple may assume the Government of the Bombay Presidency :—

Captain E. S. Rivett-Carnac, 11th Hussars.
Lieutenant J. S. Frith, R. A.
" D. C. Dean-Pitt, R. A.

No. 367.—The services of Lieutenant-Colonel M. G. Clerk, Infantry, are placed temporarily at the disposal of the Home Department.

No. 368.—The services of Surgeon E. B. Meredith are placed temporarily at the disposal of the Home Department.

No. 369.—The services of Surgeon W. E. Battersby, M.B., officiating in medical charge of the 5th Punjab Infantry, Punjab Frontier Force, are placed temporarily at the disposal of the Government of Bengal.

No. 370.—The services of Surgeon J. C. Fullerton, attached to the 10th Regiment of Native Infantry, are placed temporarily at the disposal of the Government of Bengal.

VOLUNTEER CORPS.

No. 371.—REGULATIONS—

The following addition is made to paragraph 47 of the Volunteer Regulations :—

In Railway Volunteer Corps, officers for the commissioned grades will be nominated by the officer commanding, and their names submitted to Government through the Honorary Colonel, it being understood that selections will only be made from members of the corps.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 14th April 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 7th to 13th April 1877 :—

Corps.	RANK AND NAME.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Royal Engineers ...	Captain K. C. Pye	8th April 1877	Calcutta.		

W. M. LEES, *Colonel,*
Offg. Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 14th April 1877.

No. 173.—Lalla Jagdis Rai, Engineer Apprentice, Punjab Provincial Branch, is promoted to the rank of Assistant Engineer, 3rd Grade, with effect from 1st December 1876.

The 18th April 1877.

No. 174.—The services of Lieutenant E. Balfe, Bombay Staff Corps, Assistant Engineer, 2nd Grade, on the establishment under the Director of State Railways, are replaced at the disposal of the Military Department of the Bombay Government at his own request.

No. 175.—ERRATUM.—In Public Works Department Notification No. 141 of 27th March 1877, for "Mr. W. G. Allen, Assistant Engineer, 1st Grade," read "Mr. W. G. Allen, Assistant Engineer, 2nd Grade."

No. 176.—Mr. A. Grant, Chief Engineer, 3rd Class (temporary rank) and Engineer-in-Chief, Punjab Northern State Railway, is permanently promoted to Chief Engineer, 3rd Class, with effect from 24th November 1875, *vice* Colonel A. Cadell, R.E., promoted.

No. 177.—Baboo Kali Podo Sen, Assistant Engineer, 3rd Grade, Military Works Branch, having passed the prescribed examination, is promoted to Assistant Engineer, 2nd Grade, with effect from 12th March 1877.

The 19th April 1877.

No. 178.—Mr. W. R. Newman, Assistant Accountant General, Public Works Department, is granted privilege leave for one month with effect from the 16th April 1877.

Captain J. Grierson, Examiner, Public Works Accounts, Oudh, is appointed to officiate as Assistant Accountant General, Public Works Department, during the absence of Mr. Newman, or until further orders. Captain Grierson assumed charge of his officiating appointment on the forenoon of the 16th April 1877.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 17.] SIMLA, SATURDAY, APRIL 28, 1877. [Register No. 33.

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

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General. *(Nothing for publication).*

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22. *(Nothing for publication.)*

SUPPLEMENT No. 17.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

CORRIGENDA.—In the Code of Civil Procedure (published in the *Gazette of India*, Part IV, of 31st March, 7th and 14th April 1877), section 43, last line of the Illustration, *for* "1876" *read* "1874;" section 469, line 9, *after* "and" *insert* "if."

Simla, the 24th April 1877.

No. 15.—His Excellency the Viceroy and Governor General is pleased to accept the resignation by the Hon'ble R. E. Egerton, C.S.I., of his seat as an Additional Member of the Council of the Governor General for making Laws and Regulations, with effect from the afternoon of the 31st March 1877.

No. 16.—His Excellency the Viceroy and Governor General is pleased to accept the resignation by the Hon'ble J. R. Bullen Smith, C.S.I., of his seat as an Additional Member of the Council of the Governor General for making Laws and Regulations.

ARTHUR PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 26th April 1877.

No. 878.—It is notified for general information that the provisions of Act XXXI of 1860 (*an Act relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases*), as modified by Act VI of 1866 (*The Arms Act Continuance Act*, 1866) are in force throughout the Hyderabad Assigned Districts, and in Oudh, the Central Provinces, British Burma, and Coorg, with the following exceptions:

(a) In the Central Provinces, in exercise of the powers conferred by Section 50 of Act XXXI of 1860, the Governor General in Council has been pleased to exempt the District of Nimar from the operation of Section 26 of that Act;

(b) In Coorg, under the provisions of clause 4 of Section 27, Act XXXI of 1860 as amended by Section 3, Act VI of 1866, the Governor General in Council has been pleased to exempt, from the operation of Sections 25 and 26 of the former Act, the following classes of persons being residents of that Province:

(1) Europeans, Americans and Eurasians;

(2) persons of the Coorg race;

(3) persons of other races who hold lands on jumma tenure, and are consequently liable to be called on to perform police duties; and

(4) members of the family of the late chiefs of Coorg permitted to reside in the Province, and their retainers.

(c) In Oudh, under clause 8, Section 32, Act XXXI of 1860, the Governor General in Council has been pleased to exempt Euro-

peans, Americans, Eurasians, Parsees, and Native Christians residing in the Province of Oudh from the operation of Section 32 of the Act.

ESTABLISHMENTS.

The 23rd April 1877.

No. 361.—The services of Mr. F. W. Fox, of the Bengal Civil Service, are placed at the disposal of the Chief Commissioner of British Burma.

The 27th April 1877.

No. 374.—Mr. J. D. Bell received charge of the office of Standing Counsel for the Presidency of Fort William in Bengal from Mr. J. Pitt-Kennedy on the 7th instant.

No. 377.—The Hon'ble C. Pontifex, a Judge of the High Court of Judicature at Fort William in Bengal, availed himself on the 4th instant of the furlough granted to him by Home Department Notification No. 139, dated the 20th February last.

No. 379.—The Hon'ble J. Pitt-Kennedy took his seat as an Officiating Judge of the High Court of Judicature at Fort William in Bengal on the forenoon of the 7th instant.

No. 381.—The Hon'ble F. B. Kemp, a Judge of the High Court of Judicature at Fort William in Bengal, availed himself on the afternoon of the 13th instant of the furlough granted to him by Home Department Notification No. 137, dated the 20th February last.

No. 382.—The Hon'ble H. T. Prinsep took his seat as an Officiating Judge of the High Court of Judicature at Fort William in Bengal on the afternoon of the 13th instant.

No. 384.—Under Section 2 of Act IV of 1866, and Section 1 of Act XVI of 1867, the Governor General in Council is pleased to appoint Mr. H. M. Plowden, Barrister-at-Law, to officiate as a Judge of the Chief Court of the Punjab during the absence of Mr. C. Boulnois, or until further orders.

No. 386.—Mr. G. H. Lawrence is permitted to resign Her Majesty's Bengal Civil Service with effect from the 31st January last.

MEDICAL.

The 23rd April 1877.

No. 265.—The services of Surgeon-Major J MacNaughtan Fleming, M. D., are replaced at the disposal of the Military Department.

The 26th April 1877.

No. 276.—APPOINTMENT.—Surgeon E. B. Meredith to officiate as Additional Medical Officer at Port Blair during the absence on deputation of Surgeon G. A. Dundas, or until further orders.

JUDICIAL.

The 25th April 1877.

No. 646.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Moulvie Nujmool Hossain Ahmed, Officiating Extra Assistant Commissioner in Assam, with the powers of a Munsif within the limits of the District of Darrang.

No. 654.—The services of Lieutenant-Colonel M. G. Clerk are placed temporarily at the disposal of the Government of the North-Western Provinces for appointment as Officiating Cantonment Magistrate of Benares.

The 26th April 1877.

No. 656.—Captain W. J. Williamson, Deputy Commissioner of the Garo Hills in Assam, was on special duty in Calcutta from the 23rd November to the 16th December 1876, both days inclusive.

ECCLESIASTICAL.

The 24th April 1877.

No. 123.—Two months' extension of leave on medical certificate has been granted by Her Majesty's Secretary of State for India to the Reverend J. A. Mackay, B. D., a Senior Chaplain on the Bengal Ecclesiastical Establishment.

PATENTS.

The 26th April 1877.

No. 18.—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency to public inspection upon payment of a fee of one Rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 90 of 1876.—Mr. J. McKean, of Laragh Mills, near Castle Blayney, in the County of Managhan, Ireland, Manufacturer, and Mr. J. McGrath, of the same place, Manager, for improvements in machinery for snipping or combing certain fibres, such as jute and hemp.

No. 1 of 1877.—Mr. J. Gamgee, of Chelsea, England, Gentleman, for improvements applicable to the formation and maintenance of skating rinks.

No. 2 of 1877.—Mr. J. Gamgee, of London, England, Gentleman, for improvements in the manufacture of ice and artificial production of cold, and in machinery employed therein.

No. 10 of 1877.—Mr. H. Charrier, of Allahabad, in the North-Western Provinces, for a new and air-and-water-tight conservancy cart.

No. 14 of 1877.—Mr. B. Muncherjee, Architect and Surveyor, inhabitant of Bombay, House No. 95, Queen's Road, for an improvement in the construction of all sorts of buggies or gigs with two wheels in general use in India.

No. 18 of 1877.—Mr. J. Muirhead (junior), of 29 Regent Street, Westminster, England, and Mr. H. A. Taylor, of 7 Pope's Head Alley, Cornhill, England, for improvements in Electric Telegraphs, and in apparatus connected therewith.

No. 19 of 1877.—Mr. E. Cope and Mr. J. R. Maxwell, of Hamilton, Ohio, United States of North America, but at present residing in London, England, for improvements in steam valves for steam-pumping machinery, and the manner of working the same.

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

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 27th April 1877.

No. 278.—Mr. R. R. Beynon, Superintendent of Revenue Survey and Assessment in the Hyderabad Assigned Districts, is promoted from the 3rd Grade to the 2nd Grade of Superintendent with effect from the 30th October 1875.

MINERAL AND GEOLOGICAL SURVEY.

The 27th April 1877.

No. 30.—Mr. Francis Fedden, 3rd Grade Assistant in the Geological Survey of India, is granted three months' privilege leave under Chapter VII of the Civil Leave Code from the date on which he may avail himself of it.

FORESTS.

The 26th April 1877.

No. 485.—Mr. G. Stratford, Sub-Assistant Conservator of Forests in British Burma, reported his arrival on the 16th instant from the furlough granted him in Notification No. 123, dated the 3rd February 1875, and is allowed the usual subsidiary leave under Section 24 (b) of the Civil Leave Code to enable him to rejoin his appointment at Rangoon.

COMMERCE AND TRADE.

The 24th April 1877.

No. 4 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

BAY OF BENGAL, ORISSA COAST.

Pooree Port limits, &c.

The information contained in this Notice has been received from the Conservator of Orissa Ports.

The Pooree Port limits are—

to the south-west, a line extending S. S. E. from the Temple near the beach, known as Swergadwar, to a depth of 10 fathoms at low water;

to the north-east, a line parallel to the above distant one nautical mile, likewise extending to the same depth of water, the shore end to be marked by a brick pillar;

to the south-east, the line of 10 fathoms at low water, as per Chart of the Bay of Bengal;

and to the north-west, the foreshore for 150 feet within high-water mark, extending from Swergadwar Temple to the north-east pillar.

It is also notified that vessels should not shoal into less than 8 fathoms, as the beach is steep-to, and that all ballast must be thrown overboard outside or seaward of the depth of 11 fathoms.

A flagstaff, the truck of which is 110 feet above the sea level, has been erected, with a yard pointing east and west, S 33° E from the highest dome of Jaggernaut Pagoda, distant 1,400 yards.

The light proposed to be shown from the east yardarm, is an ordinary pilot vessel buoy station lantern, elevated about 45 feet, and should be visible in clear weather from a distance of 5 or 6 miles.

The Government buildings, painted or washed white, situated close to the beach north-east of the flagstaff, are conspicuous objects from seaward. The native village and rice godowns or warehouses are to the westward of the flagstaff.

Position of flagstaff :—latitude 19° 47′ 55″ N., longitude 85° 49′ 5″ E.

Due notice will be given of the date of the port light being exhibited.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 18th April 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice will affect the following Admiralty Chart :—Bay of Bengal, No. 70 *a*, also the Admiralty Light List for 1877, and Taylor's Sailing Directory, Vol. I., page 468.

If this Notice is received on boardship, the substance of it should be inserted on the Chart affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 23rd April 1877.

No. 833*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. J. Woodtli as Acting Consul for the German Empire at Aden, during the absence of Mr. W. Ganslandt.

No. 835*P.*—With reference to Notification No. 3143 P., dated 16th December 1876, the recognition by the Government of India of the appointment of Mr. F. C. F. de Menezes as Acting Vice-Consul for Portugal at Bombay, has been confirmed by Her Majesty's Government.

GENERAL.

The 21st April 1877.

No. 910*G.*—With reference to the Notification of this Department, No. 593 G., dated 9th March 1877, Mr. A. C. Lyall, C.S., Officiating Agent to the Governor General in Rajpootana, is granted a further addition of 4 days' leave.

The 24th April 1877.

No. 926*G.*—In supersession of Notification No. 823 G., dated 4th April 1877, Surgeon S. Brereton, in medical charge of the Meywar Bheel Corps, to officiate as Surgeon of the Marwar Agency, with effect from date of assuming charge, *vice* Surgeon T. H. Newman on furlough.

The Notification of this Department, No. 824 G., dated 4th April 1877, appointing Surgeon W. Beatson to officiate as Surgeon of the Meywar Agency, is hereby cancelled.

The 25th April 1877.

No. 939*G.*—Mr. E. Gramatzki, Executive Engineer, 3rd Grade, Public Works Department, and Principal of the School of Engineering and Natural Science, Bangalore, is granted furlough for one year, with effect from 15th April 1877, or such subsequent date as he may avail himself of it.

Mr. W. P. Lynam, Executive Engineer, 4th Grade, Public Works Department, Coorg, to officiate as Principal of the School of Engineering and Natural Science, Bangalore, with effect from the date of assuming charge, *vice* Mr. Gramatzki proceeding on furlough.

The 26th April 1877.

No. 966*G.*—Consequent on the return of Major H. N. Reeves from furlough, Captain F. H. Jackson, Assistant to the Agent to the Governor General at Baroda, and Captain W. Scott, Assistant to the Agent to the Governor General in Okhamundel, substantive *pro tempore*, reverted to the position of Officiating Assistants to the Agent to the Governor General at Baroda, with effect from 8th November 1876.

No. 971*G.*—With reference to Notification No. 481G, dated 22nd February 1877, Captain H. L. Greenfield, Officiating Commandant of the Deolee Irregular Force, to officiate as Cantonment Magistrate, Deolee, with effect from the date of assuming charge, *vice* Lieutenant-Colonel Clay on furlough.

The 27th April 1877.

No. 975*G.*—Captain D. W. K. Barr, Political Assistant 2nd Class, substantive *pro tem.*, to officiate as Political Agent 3rd Class in Baghelcund, *vice* Major Bannerman on privilege leave, with effect from the date of receiving charge.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Simla, the 27th April 1877.

No. 195.

From the Secretary to the Government of India, Financial Department, to the Secretary to the Government of Bengal,—No. 1801, dated Fort William, the 26th March 1877.

IN the Financial Statement made before the Legislative Council of the Governor General, the Hon'ble Sir John Strachey announced the resolution of the Government of India to enforce provincial responsibility for the financial results of works constructed at the public expense for local and provincial purposes: the reasons for this resolution have been fully explained by Sir John Strachey, and the policy itself, and its consequences to the Lower Provinces of Bengal, have been discussed with His Honor the Lieutenant-Governor.

2. It now only remains for me to forward to you, for submission to His Honor the Lieutenant-Governor, the accompanying Abstract Statement showing the financial results of Irrigation Works and State Railways in Bengal from 1871-72 to 1875-76, with Estimates for 1876-77 and 1877-78.

3. This Statement is prepared upon the principle of charging to the works half-a-year's interest on the capital expended during the year, in addition to a year's interest on the capital expended to the beginning of the year. It will be observed that it is estimated that, to defray the working expenses of the Canals in Bengal in 1877-78 and make good the interest upon their capital cost, a sum of Rs. 22,19,000 must be provided from separate provincial resources. The interest due upon the capital expended upon State Railways in Bengal is estimated at Rs. 8,21,000, of which it is estimated that the net traffic earnings will supply Rs. 2,36,000, and the net sum of Rs. 5,28,000 is required to hold the Imperial Treasury harmless as regards State Railways.

4. Thus the sum due in 1877-78 to the Government of India from the Province of Bengal, in accordance with the resolution announced in the Financial Statement, is estimated to be—

	Rs.
For Canals	22,19,000
For Railways	5,28,000
TOTAL ...	27,47,000

and, as announced by Sir John Strachey, the Government of India has taken credit for this sum in the Estimates of the year 1877-78.

5. The calculations from which this demand is deduced do not include the capital expended on the Calcutta and South-Eastern Railway; but it is proposed to entrust the working of that Railway to the Government of Bengal, and any profits that can be obtained from it may be appropriated to provincial uses.

6. The Governor General in Council will, accordingly, make over to the use and responsibility of the Government of Bengal all the State Canals and Railways in Bengal, on condition that the Government of Bengal guarantee to the Government of India a net income calculated in the way in which the sum of Rs. 27,47,000 is calculated in the annexed Statement.

7. If the Canals and Railways together yield less than the sum thus calculated, the Government of Bengal must supply the deficiency from separate provincial resources; if, hereafter, they should yield more, the surplus will be added to the balance of the Local Government in the Imperial Treasury.

8. The transactions of the Canals and Railways will continue to be recorded, as at present, in the General Accounts and Estimates of India: the obligation now imposed upon the Government of Bengal will not interfere with the existing practice in this respect; but the Local Government must include these transactions in the Accounts and Estimates which it is required to publish yearly under the Rules for the administration of Revenues and Services entrusted to Local Governments.

9. The present orders deal only with the financial part of the question. Other questions connected with the future management of the works will have to be considered in the Public Works Department.

ORDERED, that this letter and the Abstract Statement be published in the *Gazette of India*.

Ordered, also, that the letter and Abstract Statement be communicated to the Public Works Department for information and further orders, and to the Comptroller General and the Accountant General, Bengal, for information and guidance.

General Abstract Statement shewing the Financial Results of Irrigation Works and State Railways in Bengal from 1871-72 *to* 1875-76, *also Regular Estimates of the same for* 1876-77, *and Estimates for* 1877-78.

I.—IRRIGATION WORKS.

	Accounts.					Regular Estimate, 1876-77.	First Estimate, 1877-78.
	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.		
I.—CAPITAL EXPENDITURE WITHOUT INTEREST—	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
DURING THE YEAR—							
Ordinary	2,13,000	5,000	77,000	2,89,000	2,36,000	81,000	...
Extraordinary	33,16,000	44,74,000	51,26,000	46,93,000	39,61,000	38,00,000	27,50,000
Capital value of lands used for the works ...	...	...	22,000	12,000	17,000	...	...
TOTAL ...	35,59,000	44,79,000	52,25,000	49,94,000	42,14,000	38,81,000	27,50,000
TO THE END OF THE YEAR—							
Ordinary	8,57,000	8,62,000	9,39,000	12,28,000	14,64,000	15,45,000	15,45,000
Extraordinary	2,09,58,000	2,54,32,000	3,05,58,000	3,52,51,000	3,92,12,000	4,30,12,000	4,57,62,000
Capital value of lands used for the works ...	...	...	22,000	34,000	51,000	51,000	51,000
TOTAL ...	2,18,15,000	2,62,94,000	3,15,19,000	3,65,13,000	4,07,27,000	4,46,08,000	4,73,58,000
II.—REVENUE AND WORKING EXPENSES—							
DURING THE YEAR—							
Revenue from water-rates and other direct returns ...	98,000	1,03,000	1,48,000	2,17,000	2,30,000	3,26,000	4,25,000
Working Expenses	3,24,000	3,34,000	2,91,000	3,61,000	5,29,000	5,83,000	5,75,000
Working Expenses in excess of revenue ...	2,26,000	2,31,000	1,43,000	1,44,000	2,99,000	2,57,000	1,50,000
TO THE END OF THE YEAR—							
Revenue from water-rates and other direct returns ...	2,40,000	3,43,000	4,91,000	7,08,000	9,38,000	12,64,000	16,89,000
Working Expenses	5,20,000	8,54,000	11,45,000	15,06,000	20,35,000	26,18,000	31,93,000
Working Expenses in excess of revenue ...	2,80,000	5,11,000	6,54,000	7,98,000	10,97,000	13,54,000	15,04,000
III.—REVENUE COMPARED WITH INTEREST ON CAPITAL—							
DURING THE YEAR—							
Simple interest at 4½ per cent. on Capital ...	9,01,000	10,83,000	13,00,000	15,30,000	17,38,000	19,20,000	20,69,000
Excess Working Expenses, plus Interest ...	11,27,000	13,14,000	14,43,000	16,74,000	20,37,000	21,77,000	22,19,000
TO THE END OF THE YEAR—							
Simple Interest	20,33,000	31,16,000	44,16,000	59,46,000	76,84,000	96,04,000	1,16,73,000
Excess Working Expenses, plus Interest ...	23,13,000	36,27,000	50,70,000	67,44,000	87,81,000	1,09,58,000	1,31,77,000

II.—STATE RAILWAYS.*

I.—CAPITAL EXPENDITURE WITHOUT INTEREST—							
DURING THE YEAR—							
Ordinary	...	...	...	6,45,000	15,000	1,18,000	68,000
Extraordinary	3,28,000	1,07,000	12,83,000	38,12,000	41,62,000	57,78,000	38,59,000
TOTAL ...	3,28,000	1,07,000	12,83,000	44,57,000	41,77,000	58,96,000	39,27,000
TO THE END OF THE YEAR—							
Ordinary	...	...	...	6,45,000	6,60,000	7,78,000	8,46,000
Extraordinary	3,53,000	4,60,000	17,43,000	55,55,000	97,17,000	1,54,95,000	1,93,54,000
TOTAL ...	3,53,000	4,60,000	17,43,000	62,00,000	1,03,77,000	1,62,73,000	2,02,00,000
II.—REVENUE AND WORKING EXPENSES†—							
DURING THE YEAR—							
Traffic Earnings	38,000	1,65,000	1,82,000	1,83,000	2,24,000	3,50,000	13,55,000
Working Expenses	78,000	1,12,000	2,51,000	1,47,000	2,12,000	3,78,000	10,62,000
NET TRAFFIC EARNINGS ...	−40,000	53,000	−69,000	36,000	12,000	−28,000	2,93,000
TO THE END OF THE YEAR—							
Traffic Earnings	3,27,000	4,92,000	6,74,000	8,57,000	10,81,000	14,31,000	27,86,000
Working Expenses	3,88,000	5,00,000	7,51,000	8,98,000	11,10,000	14,88,000	25,50,000
WORKING EXPENSES IN EXCESS OF EARNINGS ...	61,000	8,000	77,000	41,000	29,000	57,000	−2,36,000
III.—REVENUE COMPARED WITH INTEREST ON CAPITAL—							
DURING THE YEAR—							
Simple Interest, at 4½ per cent.	8,000	18,000	49,000	1,79,000	3,72,000	6,00,000	8,21,000
Interest and excess Working Expenses	48,000	−35,000	1,18,000	1,43,000	3,60,000	6,28,000	5,28,000
TO THE END OF THE YEAR—							
Simple Interest at 4½ per cent.	9,000	27,000	76,000	2,55,000	6,27,000	12,27,000	20,48,000
Interest plus excess Working Expenses ...	70,000	35,000	1,53,000	2,96,000	6,56,000	12,84,000	18,12,000

III.—IRRIGATION AND STATE RAILWAYS COMBINED.

NET DEFICIT UPON CANALS AND RAILWAYS—							
DURING THE YEAR	11,75,000	12,79,000	15,61,000	18,17,000	23,97,000	28,05,000	27,47,000
TO THE END OF THE YEAR	23,83,000	36,62,000	52,23,000	70,40,000	94,37,000	1,22,42,000	1,49,89,000

* Calcutta and South-Eastern, Nulhattee, Northern Bengal, Tirhoot, Kosi Extension, Assam Extension and Sibsagar Extension included, but the Capital outlay and Interest charges of the Calcutta and South-Eastern State Railway are excluded.

† The Revenue and Working Expenses include the receipts and charges of the Calcutta and South-Eastern, Nulhattee, Northern Bengal and Tirhoot Extension.

No. 144.—Mr. W. Wells, Officiating Assistant Commissioner of Paper Currency, Bombay, is confirmed in this appointment, with effect from the 11th April 1877.

Mr. Tudor G. Trevor is appointed to be Assistant Accountant General, Bombay, with effect from the 11th April 1877.

LEAVE AND LEAVE ALLOWANCES.

The 27th April 1877.

No. 221.—The Governor General in Council directs that the following be inserted as case (7A) in Appendix A to the Civil Leave Code:—

The service and residence of a Chaplain proceeding on leave to Europe should be entered in a foot-note on his Last Pay Certificate.

PAY AND ALLOWANCES.

The 27th April 1877.

No. 146.—The Governor General in Council directs that the following be inserted as exception (7) under Section 25 of the Acting Allowance Code:—

An Assistant Magistrate or Collector or an Assistant Commissioner placed in charge of the duties of District Superintendent of Police is entitled to a charge allowance of Rupees 100 a month, provided that no class promotion be given in the Police Department in consequence of the leave or deputation of the officer of whose office the Assistant Magistrate or Collector or Assistant Commissioner has charge.

This rule applies to supernumerary Assistant Collectors in the Bombay Presidency.

PENSIONS AND GRATUITIES.

The 27th April 1877.

No. 220.—The Governor General in Council directs that the following be substituted for Rule 1 under Section 3 of Supplement C to the Civil Pension Code:—

Pensions are granted either by the Government of India, the Government of Bombay or the Government of Madras (as the case may be), or by the Secretary of State. A Chaplain proceeding to England on retirement without applying for pension to the Government of India, the Government of Bombay or the Government of Madras (as the case may be), should procure a certificate from the Accountant General showing his service, residence, the amount of pension to which he is entitled, and the date from which his pension may be paid. A Chaplain to whom pension has been granted in India should be careful before proceeding to England to obtain the usual certificate of the last issue of pay or pension to him in India.

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

MILITARY DEPARTMENT.

Simla, the 27th April 1877.

APPOINTMENTS AND PROMOTIONS.

No. 372.—ADJUTANT-GENERAL'S DEPARTMENT—

With the sanction of the Right Hon'ble the Secretary of State for India, the Governor-General in Council is pleased to direct the following alterations in the constitution of the Adjutant-General's Department:—

1. All appointments to the grades of Assistant or Deputy Assistant Adjutant-General will be made on the establishment of the department; the stations of the officers so appointed and their departmental duties being assigned to them from time to time under the orders of His Excellency the Commander-in-Chief.

2. Officers performing the duties of Brigade Major in district commands will hereafter be designated Deputy Assistant Adjutant-General. This change of designation, or the transfer of a Brigade Major to a district, will not involve a fresh tenure of staff employment.

3. The staff salary of Deputy Assistants Adjutant-General will be Rs. 400 per mensem with the office allowance now sanctioned for Brigade Majors; the Deputy Assistant Adjutant-General at Army Head-Quarters receiving in addition to the above sum, a special extra allowance of Rs. 100 per mensem payable to the officer actually performing the duties, whether in a permanent or officiating capacity.

With reference to the above the following appointments are made in the Adjutant-General's Department:—

Major H. Thompson, Staff Corps, Deputy Assistant Adjutant-General, to be an Assistant Adjutant-General on the establishment in succession to Lieutenant-Colonel F. Eteson, 1st Battalion, 3rd Foot, dated 1st December 1876.

Captain G. R. J. Shakespear, Staff Corps, to be a Deputy Assistant Adjutant-General on the establishment, in succession to Major H. Thompson, promoted, dated 1st December 1876.

The under-mentioned Brigade Majors to be Deputy Assistants Adjutant-General on the establishment during the remainder of their present tour of staff service:—

Major R. Bendon, late 4th E. L. Cavalry.
Major E. F. Angelo, 1st Foot.
Major R. Morris, late 1st E. L. Cavalry.
Major G. W. Smith, 85th Foot.
Captain W. J. Boyes, 2-12th Foot.

No. 373.—ARMY COMMISSARIAT DEPARTMENT—*Permanent.*

Lieutenant-Colonel A. W. Montagu, Sub-Assistant Commissary General, 1st class, and Officiating Deputy Assistant Commissary General, 2nd class, to be Deputy Assistant Commissary General, 2nd class.

Lieutenant T. F. Hobday, Sub-Assistant Commissary General, 2nd class, and Officiating Sub-Assistant Commissary General, 1st class, to be Sub-Assistant Commissary General, 1st class.

Captain H. V. Hunt, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 1st class, to be Sub-Assistant Commissary General, 2nd class.

From 2nd April 1877, in succession to Lieutenant-Colonel J. A. M. Biggs, Deputy Assistant Commissary General, 2nd class, retired.

Temporary.

Lieutenant C. S. Hogge, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 2nd class, to officiate as Sub-Assistant Commissary General, 1st class, from 26th March 1877, during the absence on furlough of Captain C. E. Hallett, Sub-Assistant Commissary General, 2nd class, and Officiating Sub-Assistant Commissary General, 1st Class.

Captain W. G. Smith, Deputy Assistant Commissary General, 2nd class, to officiate as Deputy Assistant Commissary General, 1st class.
Captain E. M. L. Marriott, Sub-Assistant Commissary General, 1st class, to officiate as Deputy Assistant Commissary General, 2nd class.
Lieutenant C. M. Keighley, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 2nd class, to officiate as Sub-Assistant Commissary General, 1st class.
} From 2nd April 1877, in room of senior officers on furlough and until further orders.

No. 374.—MEDICAL DEPARTMENT—

Surgeon-Major R. H. Perkins, in medical charge 5th Regiment of Native (Light) Infantry, officiating in medical charge 16th (The Lucknow) Regiment of Native Infantry, to be a Deputy Surgeon General with temporary rank, with effect from the date on which he may take up the duties of the office, *vice* Deputy Surgeon General A. Christison, M. D., on furlough.

No. 375.—NATIVE ARMY—

16th Bengal Cavalry.

Woordie-Major and Ressaidar Mahomed Shumi, to be Ressaldar, *vice* Buldeo Singh, invalided,—23rd March 1877.

2nd (Queen's Own) Regiment of Native (Light) Infantry.

Jemadar Sullamut Ally Khan, to be Subadar, *vice* Ramdial Lolla, invalided; Color Havildar Mahabeer Sing, to be Jemadar, *vice* Sullamut Ally Khan, promoted,—1st April 1877.

No. 376.—ORDNANCE COMMISSARIAT DEPARTMENT—

RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.	
Temporary.				
Sub-Conductor Denis Murphy.	Officiating Conductor.	13th March 1877.	*Vice* Conductor Morley	On furlough to Europe on medical certificate, or until further orders.
Sub-Conductor William Traynor.	Do.	27th March 1877.	*Vice* Conductor Castellari	
Magazine Sergeant Henry Mitchell.	Officiating Sub-Conductor.	13th March 1877.	*Vice* Murphy	Acting as Sub-Conductors, or until further orders.
Magazine Sergeant Andrew Giblin.	Do.	27th March 1877.	*Vice* Traynor	

No. 377.—STAFF CORPS—

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

Captain Francis William Grant
Captain Francis Newland Martin Maynard.
} 20th April 1877.

No. 378.—The undermentioned officer having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Lieutenant Alexander Evans Gordon, Bengal Staff Corps,—18th April 1877.

No. 379.—The undermentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Henry Macan Mason, 45th Foot, Wing Officer, 3rd Infantry, Hyderabad Contingent,—7th March 1876.

DISMISSALS AND REMOVALS.

No. 380.—The services of Native Medical Pupil Gopal Singh, No. 1224, attached to the King's Hospital at Lucknow, admitted by G. G. O. No. 841 of 1876, are dispensed with from the 1st March 1877.

FUNDS.

No. 381.—With reference to G. G. O. No. 1315,* dated the 25th December 1872, the following paragraph of a Military letter from the Right Hon'ble the Secretary of State for India, No. 96, dated the 15th March 1877, received on the 13th April 1877, is published for information and guidance:—

*Republished in G.G.O. No. 560 of 1873.

Paragraph 3.—In compliance with your request I have resolved that the following addition be made to the rules of the Fund, *viz.*:—

"If the report of a marriage or of the birth of a child be not made within one month of the occurrence, the donation payable in each case will be increased 2½ per cent., and interest thereon charged from the date of marriage, or birth of the child. After six months' delay, donations will be increased 5 per cent., and interest charged in the usual manner."

FURLOUGH AND LEAVE.

No. 382.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel Henry St. George Tucker, Infantry,—private affairs, for one year and two days, under Rule IX of the Regulations of 1868.

Surgeon-Major Francis Hugh O'Donel, M.D., Medical Store-keeper, Mecan Meer,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Major Robert Blackall Graham, Bengal Staff Corps, Squadron Commander, 5th Bengal Cavalry,—for eighteen months,—sixteen months and sixteen days on private affairs under Rules IX and XV, and the remaining period on medical certificate under Rule XIV, Clause 2, of the Regulations of 1868.

This Officer's furlough in G. G. O. No. 216 of 1877 is cancelled.

Captain George Strahan, Royal Engineers, Deputy Superintendent, 2nd Grade, Topographical Survey of India, in charge No. 8 Mysore Topographical Survey,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 383.—With reference to G. G. O. No. 1092 of 1875, Captain S. W. Jenner, R. E., Executive Engineer, 4th Grade, Public Works Department, is granted an extension of furlough for six months on medical certificate.

No. 384.—Conductor James Simpson, Army Commissariat Department, is allowed furlough in India for two years on medical certificate.

No. 385.—The following extract from List No. 6, dated the 23rd March 1877, received from the India Office, is published for general information:—

Permitted to return to duty.

Surgeon-Major S. Mackertich.
Lieutenant F. C. N. Goldney, S. C.

Granted extensions of leave.

Captain R. S. Robinson, R.A.,—6 months, private affairs.
Major A. K. J. C. Mackenzie, Bengal Cavalry,—6 months, medical certificate.

HONORS AND REWARDS.

No. 386.—ORDER OF BRITISH INDIA—

In continuation of G. G. O. No. 275 of 1877, His Excellency the Governor General in Council is pleased to admit the following Native Officers to the 1st and 2nd classes, respectively, of the Order of British India, with effect from the 1st January 1877:—

BOMBAY.

To the 1st Class with the title of "Sirdar Bahadur."

Subadar-Major Louis Gabriel, "Bahadur," 23rd Regiment, Native (Light) Infantry.

To the 2nd Class with the title of "Bahadur."

Ressaldar Goolab Sing, 3rd Regiment, Sind Horse.

No. 387.—ORDER OF MERIT—

His Excellency the Governor General in Council is pleased to admit Jemadar Ghunnee Khan, 8th Bengal Cavalry, and formerly of the 12th Irregular Cavalry, to the 3rd class of the Order of Merit, in the rank of Kote Duffadar, with retrospective effect from the 12th July 1859, as a reward for his loyal services during the mutiny.

PENSIONS.

No. 388.—Sowar Mahomed Khan, late 12th Bengal Cavalry, is granted an injury pension in the first degree of Rupees 5-4 per mensem, payable in the Punjab circle.

No. 389.—The undermentioned widows are admitted to the Order of Merit pensions specified below:—

Names.	Rank, Name, and Corps of deceased.	Date of admission.	Class of Order of Merit.	Circle of payment.
Janki ..	Subadar Davey Sing, No. 2, Light Field Battery, Oude Irregular Force.	19th November 1876.	2nd Class, as Subadar Rs. 34-10-8 per mensem, for three years.	N. W. P.
Goolaaba ..	Havildar Buddaloo, No. 2 Company, 8th Battalion Artillery.	23rd August 1876.	3rd Class, Rs. 3 per mensem, for three years.	Ditto.
Ganah ..	Havildar Doorjun, 25th Regiment, Bombay Native Infantry.	30th December 1875.	3rd Class, Rs. 3 per mensem, for three years.	Ditto.

No. 390.—Ressaldar-Major Allaoodeen Khan, "Sirdar Bahadur," 2nd Cavalry, Hyderabad Contingent, having served 40 years with unblemished character, is granted a pension of Rs. 80 per mensem from the 1st April 1877, payable at Delhi.

PRIZE MONEY.

No. 391.—Under instructions from the Right Hon'ble the Secretary of State for India, it is notified that there will be no further distribution of the Banda Kirwee Prize Money, there being no available assets or funds.

TRANSFER OF OFFICERS.

No. 392.—The services of Surgeon-Major J. M. Fleming, M.D., are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 393.—The services of Surgeon R. Cobb, doing duty Presidency General Hospital, are placed temporarily at the disposal of the Government of Bengal.

No. 394.—The services of Surgeon W. P. Warburton, M. D., officiating in medical charge 35th (The Mynpoorie) Regiment of Native Infantry, are placed temporarily at the disposal of the Home Department.

No. 395.—The services of Surgeon A. Tomes are placed temporarily at the disposal of the Home Department.

The 28th April 1877.

RETIREMENTS.

No. 396.—In continuation of G. G. O. No. 360, dated the 20th April 1877, the undermentioned officer is permitted to retire from the service, from the date specified, under the provisions of G. G. O. No. 8 of the 1st January 1877:—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
12	Lieutenant-Colonel (Brevet Colonel) Alexander Irvine.	Staff Corps	365 0 0	375 3 0	.....	28th April 1877.	Tasmania.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 21st April 1877.

Statement of Deposits on account of Estates from 7th to 20th April 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
Robert Charles Walter Campbell (a).	Major ...	Royal Artillery.	3rd February 1877.	Will left ...	3,411 13 4		

(a) *Widow.*—Mrs. Jane Studdert Campbell, care of Captain Campbell, R. A., Barrackpore.
Child.—Emily Louisa Campbell.
Administrator General, Bengal, administering.

W. M. LEES, *Colonel,*
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 24th April 1877.

No. 180.—Lieutenant G. C. P. Onslow, R. E., Assistant Engineer 2nd Grade, temporarily employed as an Assistant Principal of the Thomason Civil Engineering College, is transferred to the Military Works Branch.

No. 181.—Messrs. J. E. Dallas and E. Baker, Assistant Engineers 2nd Grade, on the Establishment under the Director of State Railways, are temporarily transferred to Bombay for employment on the Dhond and Manmar Railway.

The 25th April 1877.

No. 183.—The services of Quarter Master Sergeant H. T. Mudge, R. E., are placed at the disposal of the Director General of Telegraphs for employment in that Department.

No. 184.—Mr. G. O. Smith, Auditor of Accounts, Oudh and Rohilkhund Railway, is granted privilege leave for two months with effect from the 30th April 1877, or such date as he may be permitted to avail himself of it.

Mr. J. B. Braddon, Assistant Auditor, is appointed to officiate as Auditor of Accounts, Oudh and Rohilkhund Railway, during the absence of Mr. Smith, or until further orders.

The 26th April 1877.

No. 185.—Sergeant T. Gurd, Supervisor 1st Grade (temporary rank), Punjab Irrigation Branch, is remanded to military duty owing to failure of health.

No. 186.—Mr. R. W. L. Toozs, Assistant Engineer 3rd Grade, Railway Branch, British Burmah, having passed the prescribed examination, is promoted to the rank of Assistant Engineer 2nd Grade, with effect from 1st March 1877.

No. 187.—ERRATA.—In Public Works Department Notification No. 170, dated 5th April 1877, for—

Mr. F. S. O'Callaghan,
„ F. E Haddon,
„ E. Dallas,
„ R. Sieveright,
„ E. Lycester,

read—

Mr. F. L. O'Callaghan.
„ H. E. Haddon, B. A.
„ J. E. Dallas.
„ R. Sivewright.
„ E. Leycester.

No. 188.—Mr. A. B. Sampson, B. A., Under Secretary to the Government of India, Public Works Department, having returned to duty on the morning of the 5th April 1877, the unused portion of the privilege leave granted to him in Public Works Department Notification No. 35 of 2nd February 1877, is cancelled.

No. 189.—The services of the following Royal Engineer Officers doing duty at Chatham, are placed at the disposal of the Military Department from the dates specified :—

Lieutenant J. F. Day—19th September 1876.
Captain C. A. Sim— 30th do. do.
Lieutenant D. A. Johnston—30th November 1876.

The 27th April 1877.

No. 190.—Mr. J. W. A. McNair, Assistant Examiner, attached to the Office of the Examiner of Guaranteed Railway Accounts, Calcutta, is granted privilege leave for one month with effect from the 23rd April 1877, or such date as he may be permitted to avail himself of the same.

No. 191.—Major A. M. Brandreth, R. E., Executive Engineer 1st Grade, Punjab Irrigation Branch, is, on return from furlough, transferred to the North-Western Provinces and Oudh, in

view to his being appointed to officiate as Principal of the Thomason Civil Engineering College, Roorkee, during the absence on furlough of Major Lang, or until further orders.

No. 192.—With reference to Public Works Department Notification No. 145, dated 28th March 1877, Mr. F. Morrison, Deputy Examiner, joined the Office of the Accountant General, Public Works Department, on the forenoon of the 4th April 1877.

No. 193.—Barrack Sergeant J. McClure is appointed to act as Barrack Master during the absence of Sub-Conductor Edmundson on furlough, or until further orders.

No. 194.—Mr. J. F. Mackenzie, Assistant Engineer, 2nd Grade, Punjab Provincial Establishment, is transferred as a temporary measure to the Simla Imperial Circle.

No. 195.—The transfer of B. S. Rungia Naidoo, Accountant 4th Grade, from Bengal to Mysore (Public Works Department Notification No. 138 of 23rd March 1877), is cancelled.

No. 196.—Mr. H. Clutterbuck, junior, temporary Overseer 3rd Grade, on the Establishment under the Director of State Railways, is permanently appointed to the Public Works Department with effect from 10th April 1875.

No. 197.—Baboo Khetter Nath Banerjee is appointed to the Public Works Department as an Accountant 4th Grade, on probation, with effect from 1st January 1877, and posted to the Tirhoot State Railway.

TELEGRAPH.

The 25th April 1877.

No. 182.—The services of Mr. F. F. Hensley, Assistant Superintendent 2nd Grade, temporarily employed as an Assistant Examiner of Accounts, are replaced at the disposal of the Director General of Telegraphs.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 18.] SIMLA, SATURDAY, MAY 5, 1877. [Register No. 33

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

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SUPPLEMENT No. 18.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

CORRIGENDA.—In the Code of Civil Procedure (published in the *Gazette of India*, Part IV, of 31st March, 7th and 14th April 1877), section 588, clause (*f*), *for* "102" *read* "103"; clause (*i*), *for* "176" *read* "177"; section 636, line 8, *for* "65" *read* "64."

Simla, the 30th April 1877.

No. 17.—Mr. J. E. Howard, Barrister-at-law, is appointed to officiate as Reporter in the High Court, North-Western Provinces, for the Indian Law Reports, *vice* Mr. G. T. Spankie.

The 4th May 1877.

No. 18.—Whereas by Resolution passed by the Secretary of State for India in Council, on the sixteenth day of March 1871, the provisions of the thirty-third of Victoria, chapter three, section one, were declared applicable to Ajmer and Mairwára;

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

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

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

REGULATION No. I OF 1877.

THE AJMER COURTS' REGULATION, 1877.

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THE SCHEDULE.

A Regulation to consolidate and amend the law relating to the administration of Civil and Criminal Justice in Ajmer and Mairwára.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the administration of Civil and Criminal justice in Ajmer and Mairwára; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Regulation may be called "The Ajmer Courts' Regulation, 1877:"

Local extent.

It extends to all the territories now under the administration of the Chief Commissioner of Ajmer, and to which the provisions of the 33 Vic., cap. 3, section 1, have been applied;

Commencement.

And it shall come into operation on such date as the said Chief Commissioner, with the previous sanction of the Governor General in Council, may by a notification in the *Gazette of India* direct.

Repeal.

2. On and from such date, the Acts and Regulations mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule;

Saving.

but not so as to affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings commenced, before the said date.

Pending civil cases how to be disposed of.

3. All suits, appeals, applications and other proceedings of a civil nature pending in any Court in the said territories on the said date shall be disposed of by such of the Courts constituted under this Regulation as the Chief Commissioner may by written order direct:

Provided that no Court in the disposal of any such suit, appeal, application or other proceeding, shall exercise any powers beyond those conferred on it by or under this Regulation, or some other enactment for the time being in force.

CHAPTER II.

OF THE ADMINISTRATION OF CIVIL JUSTICE.

A.—General.

Ajmer and Mairwára a single district.

4. For the purposes of the administration of civil justice the said territories shall form a single district, and

Grades of Courts in such district.

there shall be five grades of Civil Courts in such district (namely),—

1*st*, the Court of the Chief Commissioner,
2*nd*, the Court of the Commissioner,
3*rd*, the Courts of Subordinate Judges of the first class,
4*th*, the Courts of Subordinate Judges of the second class,
5*th*, the Courts of Munsifs.

Appointment of Subordinate Judges and Munsifs.

5. The Chief Commissioner, with the previous sanction of the Governor General in Council, may appoint as many persons as he thinks fit either by name or office to be in such district Subordinate Judges of the first or of the second class or Munsifs.

B.—Of Original Jurisdiction.

Court of Commissioner.

6. The Court of the Commissioner shall be deemed for the purposes of all enactments for the time being in force to be the District Court or principal Civil Court of original jurisdiction for such district.

In original suits cognizable under the Code of Civil Procedure the jurisdiction of the Commissioner shall, as regards the amount or value of the subject-matter, be without limit.

Court of Subordinate Judge of first class.

7. The jurisdiction of a Subordinate Judge of the first class shall extend to all such suits in which the amount or value of the subject-matter does not exceed ten thousand rupees, or where such Subordinate Judge is invested by the Commissioner with additional powers in this behalf, to all such suits without limit of such amount or value.

Court of Subordinate Judge of second class.

8. The jurisdiction of a Subordinate Judge of the second class shall extend to all such suits in which the amount or value of the subject-matter does not exceed five hundred rupees.

Court of Munsif.

9. The jurisdiction of a Munsif shall extend to all such suits when the amount or value of the subject-matter does not exceed one hundred rupees.

Subordinate Judge of first class may be invested with powers of District Court.

10. In addition to the jurisdiction specified in section seven, a Subordinate Judge of the first class may exercise such powers conferred by any enactment for the time being in force on a principal Civil Court of original jurisdiction as may be delegated to him by the Commissioner.

Any Subordinate Judge may be invested with powers of Small Cause Court.

11. The Chief Commissioner may, with the previous sanction of the Governor General in Council, invest any Subordinate Judge with the powers of a Judge of a Court of Small Causes, and may, with like sanction, from time to time determine the local limits within which such powers shall be exercised.

A Subordinate Judge invested with the powers of a Judge of a Court of Small Causes under this section may, in addition to such powers, exercise any other civil jurisdiction conferred on him by or under this Regulation, or any other enactment for the time being in force.

Act XI of 1865 to apply.

12. The Court of a Subordinate Judge exercising the powers of a Judge of a Court of Small Causes, shall be deemed to be a Court of Small Causes constituted under Act XI of 1865, and except as hereinbefore provided and as provided in sections twenty-three and thirty-three of this Regulation, shall be subject to all the provisions of that Act in so far as they may be found applicable.

Benches of Judges.

13. The Chief Commissioner may, with the previous sanction of the Governor General in Council, direct that any of the powers hereinbefore conferred on any Court of the two lowest grades shall be exercised by any three persons sitting together as a Bench.

Their powers may be confined to specified classes of cases.

The Chief Commissioner may direct that any powers conferred under this section shall be exercised only in reference to some specified class of cases.

Where three such persons sit together as a Bench, the decision of the majority of such persons shall be deemed the decision of the Bench.

A Bench vested with the powers of a Court of any grade under this section, shall be deemed to be a Court of such grade for all the purposes of this Regulation.

C.—Of Appeals and References.

Appeals from Courts of original jurisdiction.

14. When by any law for the time being in force, an appeal is allowed from any decree or order passed or made by a Civil Court of original jurisdiction, and no provision applicable to the territories to which this Regulation extends is made by such law for determining the Court to which such appeal shall lie, such appeal shall lie as follows, that is to say—

(*a*) when such decree or order is passed or made by a Munsif or Subordinate Judge of the second class, to a Subordinate Judge of the first class specially empowered by the Chief Commissioner with the previous sanction of the Governor General in Council to hear such appeals;

(*b*) when such decree or order is passed or made by a Subordinate Judge of the first class, to the Commissioner;

(*c*) when such decree or order is passed or made by the Commissioner, to the Chief Commissioner.

When Commissioner and Chief Commissioner may receive second appeal.

15. When the decision of a Subordinate Judge or of the Commissioner passed in appeal, reverses or modifies the decision of the Court of original jurisdiction on a point material to the merits of the case, and is not declared by any law for the time being in force to be final, the Commissioner or Chief Commissioner, as the case may be, may receive a second appeal, if, on a perusal of the grounds of appeal and of copies of the judgments of the subordinate Courts, a further consideration of the case appears to him to be requisite for the ends of justice.

When decision of first Appellate Court to be final.

16. When the Court of first appeal confirms the decision of the Court of original jurisdiction on a matter of fact, such decision shall be final.

Application to first Appellate Court to refer case.

17. When the Court of first appeal confirms the decision of the Court of original jurisdiction on a question of law, or usage having the force of law, or the construction of any document, or the admissibility of any evidence affecting the merits of the case, no further appeal shall lie, but the party aggrieved by such decision may apply to such Court of first appeal to draw up a statement of such question and to submit it,

if such Court of first appeal be that of a Subordinate Judge, to the Commissioner;

if such Court be that of the Commissioner or Chief Commissioner, to the High Court of Judicature for the North-Western Provinces.

Every application under this section shall, for the purposes of the Court Fees Act, 1870, be deemed to be a memorandum of appeal to the Court of the Commissioner or to the High Court, as the case may be.

18. If the Court to which such application is made, after perusing such application and hearing the applicant if he claim to be heard, consider that there is a question of the nature specified in section seventeen, it shall draw up a statement of the same, and of such facts only of the case as are necessary to explain it, and shall submit such statement, together with the record of the case and its own opinion on such question, to the Commissioner or to the said High Court, as the case may be.

Procedure on such application.

19. The Commissioner or the said High Court, as the case may be, shall, with as little delay as possible, proceed to hear the case referred as if it were an appeal instituted in the Court of the said Commissioner or in the said High Court (except that it shall not be necessary for the parties to be present), and shall send a copy of the judgment passed thereon to the Court submitting the point, which shall dispose of the case in conformity therewith.

Procedure on reference being made.

20. The costs, if any, consequent on the reference of the case to the Commissioner or High Court, shall be costs in the appeal out of which the reference arose.

Costs of reference.

21. When any Appellate Court in the trial of a civil appeal entertains a doubt in respect of a question of the nature specified in section seventeen, such Court may refer such question in manner provided by section eighteen.

Any Appellate Court may make reference of its own motion.

References under this section, when made by a Subordinate Judge, shall be made to the Commissioner, and when made by the Commissioner or Chief Commissioner, to the High Court of Judicature for the North-Western Provinces.

All such references shall be dealt with in manner provided by sections nineteen and twenty.

22. The period of limitation for an appeal under section fourteen or section fifteen shall run from the date of the decree, order or decision appealed against, and shall be as follows, that is to say—

Period of limitation.

(*a*) when such appeal lies to a Subordinate Judge, thirty days;

(*b*) when such appeal lies to the Commissioner or Chief Commissioner, sixty days.

The period of limitation for an application under section seventeen shall be thirty days, reckoned from the date of the decree or order of the Appellate Court.

In other respects the limitation of such appeals and applications shall be governed by the provisions of "The Indian Limitation Act, 1871."

23. The Court of the Chief Commissioner shall be deemed for the purposes of all enactments for the time being in force to be the highest Civil Court of Appeal in the said territories:

Court of Chief Commissioner to be deemed highest Court of Appeal.

Provided that references under sections twenty-two and thirty-two of Act XI of 1865, shall be made, not to the Chief Commissioner, but to the High Court of Judicature for the North-Western Provinces.

Reference under Act XI of 1865.

D.—Miscellaneous.

24. The general control over all the Courts of the three lowest grades shall be vested in the Commissioner, subject to the superintendence of the Chief Commissioner.

Control over subordinate Courts.

The general control over the Court of the Commissioner shall be vested in the Chief Commissioner.

25. Subject to the control of the Chief Commissioner, the Commissioner may direct the civil judicial business to be distributed among the Courts of the three lowest grades in such way as he thinks fit: provided that no Court shall exercise any powers beyond those conferred on it by or under this Regulation or some other enactment for the time being in force.

Power to distribute judicial business.

The Commissioner may delegate the power conferred on him by this section, wholly or in part, and subject to any limitations he deems fit, to any Subordinate Judge of the first class.

26. The Chief Commissioner or Commissioner shall have power to withdraw any suit or appeal pending in any Court subject to his control or superintendence, and try such suit or appeal himself, or refer it for trial to any other such Court competent to try the same.

Chief Commissioner or Commissioner may withdraw suit from subordinate Court, and try it himself, or refer it to other competent Court.

The Commissioner may empower any Subordinate Judge of the first class to exercise a like power in respect of suits pending in the Court of any other Subordinate Judge or of any Munsif.

Delegation of similar power to Subordinate Judge.

27. Notwithstanding anything contained in the Pleaders, Mukhtárs and Revenue Agents Act, 1865, no person shall be admitted or enrolled as a Pleader or Mukhtár under that Act after the passing of this Regulation.

Pleaders and Mukhtárs.

28. In addition to the persons mentioned in section seventeen of the Civil Procedure Code, the following shall be deemed to be "recognized agents" for the purposes of the said Code:—

Recognized agents.

(*a*) A party's relation, partner, servant or friend specially empowered to act and permitted by the Court to act as such agent;

(*b*) A person specially empowered to act as such agent by any of the Istimrárdárs and Jágírdárs whose names are included in the schedule attached to the Ajmer Taluqdárs Relief Regulation of 1872;

(*c*) A vakíl or other person authorized by any Prince or Chief to act for or represent him;

(*d*) An advocate, vakíl or attorney enrolled on the roll of any High Court established by Letters Patent, when the Court before which the case is pending is of opinion, for reasons to be recorded by it, that it is essential for the proper conduct of such case to permit such advocate, vakíl or attorney to act therein.

29. The Chief Commissioner may, with the previous sanction of the Governor General in Council, direct that in any class of suits between landlord and tenant in agricultural villages, the evidence may be taken in the form prescribed by section 172 of Act VIII of 1859, for cases in which an appeal does not lie to a higher tribunal.

Mode of recording evidence.

30. The following property is exempted from attachment and sale in execution of decrees of the Civil Courts:—

Exemption of certain property from sale in execution of decree.

land and wells not being situated within the inhabited limits of a town or village,

dwelling-houses belonging to agriculturists and occupied by their owners,

implements and materials used in husbandry and animals kept for agricultural purposes,

implements of trade or of domestic industry, and the necessary wearing apparel of the debtor and his family.

Where the debtor is an agriculturist, it shall be in the discretion of the Court executing the decree, subject to any restrictions which the Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, impose, to exempt from attachment or sale, besides the property hereinbefore mentioned, any agricultural produce which such Court may be satisfied, on such enquiry as it deems fit to make, is intended by such debtor to be used and is required for the subsistence of such debtor and the members of his family dependent on him, or as seed for the land cultivated by him, or as fodder for the animals kept by him for agricultural purposes.

31. Notwithstanding anything contained in the Code of Civil Procedure, it shall be in the discretion of any Court to refuse any application of a decree-holder for the imprisonment of his judgment-debtor; but nothing herein contained shall prevent a decree-holder from appealing against an order refusing such an application.

Imprisonment in execution of decree.

32. Except as otherwise provided in this Regulation or in any other enactment for the time being in force, the provisions of the Code of Civil Procedure, so far as the same may be applicable, shall apply to all suits, appeals and other proceedings in the Civil Courts.

Code of Civil Procedure to apply.

33. The concluding portion of section twenty-one of Act XI of 1865, beginning with the words "but no such new trial," is repealed, and in lieu thereof there shall be read the following, that is to say—

Section 21 of Act XI of 1865 amended.

"the Court may, if it sees fit, require an applicant for a new trial to deposit with his application in Court the amount for which a decree may have been passed against him, including the costs, if any, of the opposite party."

E.—Special Provisions for the hearing of Suits involving questions regarding Succession to the Estates of Taluqdárs, Thákurs and Jágírdárs.

34. Notwithstanding anything contained in the foregoing sections of this Regulation, no suit in which any question regarding a right to inherit as heir by birth or adoption, or to succeed by any other title to the estates of any of the Taluqdárs, Thákurs or Jágírdárs entered in the schedule annexed to the Ajmer Taluqdárs' Relief Regulation, 1872, is in issue, shall be heard by any Court of a lower grade than that of a Subordinate Judge of the first class.

Suits not to be heard in Court of lower grade than that of first class Subordinate Judge.

35. Notwithstanding anything contained in sections seventeen and eighteen of this Regulation, the Chief Commissioner shall not on appeal in such suits be bound to make any such reference to the High Court for the North-Western Provinces, as is by the said sections prescribed.

Chief Commissioner not bound to refer points to High Court.

36. References made by the Commissioner of Ajmer on appeal in such suits under sections eighteen and twenty-one, shall be made, not to the said High Court as provided by those sections, but to the Court of the Chief Commissioner:

Commissioner to refer points to Chief Commissioner instead of to High Court.

Provided that if, on any reference being made to him under this section, the Chief Commissioner is of opinion that such reference is one which should be disposed of by the said High Court, he may return it to the Commissioner with a view to its being submitted to that Court as provided by the said sections eighteen and twenty-one.

37. The Chief Commissioner shall, on such a reference being made to him, unless he returns it for submission to the said High Court, proceed to deal with it in the same manner in all respects as the said High Court is required to do by sections nineteen and twenty-one, and his ruling or judgment thereon shall have the same effect as a ruling or judgment of the said High Court, and the Commissioner shall dispose of the case in conformity therewith.

Procedure on reference to Chief Commissioner.

The costs (if any) consequent on such reference shall be costs in the appeal out of which it arose.

CHAPTER III.

OF THE ADMINISTRATION OF CRIMINAL JUSTICE.

38. Except in reference to proceedings against European British subjects, or persons jointly charged with European British subjects, the Chief Commissioner shall discharge the functions of a High Court under the Code of Criminal Procedure.

Chief Commissioner to discharge functions of High Court.

39. The Chief Commissioner may at any time appoint one person to be Magistrate of the district in two or more of the districts into which the territory to which this Regulation extends may be from time

Power to appoint one Magistrate of the district for several districts.

to time divided for the purposes of the said Code of Criminal Procedure.

And any person so appointed may exercise any of his powers as Magistrate of the district for one of such districts within the limits of any other of such districts.

Powers under section 36 of Criminal Procedure Code.

40. The Chief Commissioner may invest the person appointed to be Magistrate of the district for any district, by whatever designation he may be known, with the powers which may be conferred on a Deputy Commissioner under section thirty-six of that Code.

Power to transfer cases from one district to another.

41. The Commissioner may transfer any criminal case or appeal, or any class of criminal cases or appeals, from a Criminal Court in any district to a Criminal Court competent to dispose of such case or appeal, or class of cases or appeals, in any other district.

THE SCHEDULE.

(*See section* 2).

Number and year.	Title or Short title.	Extent of repeal.
VIII of 1859 ...	An Act for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter.	Section 6 and sections 372, 373, 374.
XXIII of 1861 ...	An Act to amend Act VIII of 1859 (*for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter*).	Section 23, except the first forty-five words thereof. Section 25, and sections 27 to 34 (both inclusive).
XX of 1865 ...	An Act to amend the law relating to Pleaders and Mukhtárs.	Sections 45 and 46.
Regulation II of 1872	The Ajmer Courts' Regulation, 1872 ...	The whole.
„ VI of 1873	A Regulation to make special provision for the hearing of suits involving questions regarding succession to the estates of Taluqdárs, Thákurs and Jágírdárs in Ajmer.	The whole.
„ I of 1875	A Regulation to amend the Ajmer Courts' Regulation, 1872.	The whole.

ARTHUR PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 30th April 1877.

No. 392.—Mr. P. Hurley is permitted to resign Her Majesty's Bengal Civil Service with effect from the 19th December last.

The 2nd May 1877.

No. 398.—The Hon'ble Sir Arthur Hobhouse, K.C.S.I., resigned his seat as an Ordinary Member of the Council of the Governor General of India on the 10th ultimo.

MEDICAL.

The 30th April 1877.

No. 285.—The services of third grade Assistant Surgeon Omerto Lal Moonshee are placed at the disposal of the Chief Commissioner of British Burma.

The 2nd May 1877.

No. 290.—APPOINTMENT.—Surgeon A. Tomes to be in medical charge of the establishments attached to all the Government Offices coming up to Simla with the Government of India.

Dr. Tomes joined his appointment on the 14th ultimo.

ECCLESIASTICAL.

The 2nd May 1877.

No. 125.—Privilege leave for three months has been granted to the Reverend E. G. Davis, Chaplain of Mhow, with effect from the date on which he may avail himself of it.

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

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATIONS.

AGRICULTURE AND HORTICULTURE—FAMINE.

Simla, the 30th April 1877.

The Hon'ble Sir Richard Temple, Bart., K.C.S.I., being about to assume the office of Governor of Bombay, to which he has been appointed by Her Majesty, and being in consequence under the necessity of closing the special mission on which he has been employed since the beginning of January in the Presidencies of Madras and Bombay, and in the territories of His Highness the Maharaja of Mysore, His Excellency the Viceroy and Governor General in Council desires to give public expression to the high sense which the Government of India entertain of Sir Richard Temple's services on this occasion.

When in January last it was deemed expedient that a high officer fully acquainted with the views of the Government of India should visit the Presidencies of Madras and Bombay for the purpose of inspecting the districts afflicted with scarcity, and communicating personally with the two Governments regarding the measures which were being carried out for the relief of distress, the choice of the Government of India at once fell upon Sir Richard Temple as the officer whose experience, ability, and energy pointed him out to be specially qualified for the duty. At a considerable sacrifice of personal comfort and convenience, Sir Richard Temple promptly responded to the call made upon him, and has conducted his arduous and delicate mission with signal ability and success.

The energy and devotion which have enabled him to undergo an amount of physical exertion which few could have accomplished are not more remarkable than the thoroughness of his enquiries and the judgment and tact which have characterized his communications with the Local Governments and their officers. To the Government of India Sir Richard Temple has rendered invaluable assistance at this trying juncture, in enabling it by his clear and lucid reports to appreciate the actual facts of the situation; and His Excellency in Council is persuaded that the Government to which he was accredited must recognize the advantage of his practical suggestions for the relief of distress and for promoting a judicious economy in the heavy expenditure which is being necessarily incurred.

The Governor General in Council has no doubt that if life and health be spared to him in the high office which he is about to assume, Sir Richard Temple will add fresh and important services to those which he has already rendered to the State during his long and distinguished career. In entering upon his new duties he carries with him the best wishes of the Government of India.

T. C. HOPE,
Addl. Secy. to the Govt. of India.

SURVEYS.

The 1st May 1877.

No. 283.—Consequent on the return from furlough of Captain Fitzherbert Coddington, B.S.C., Deputy Superintendent of the 3rd grade in the Revenue Survey, the following officers reverted to their substantive grades with effect from the 19th March last:—

Captain W. H. Wilkins, B.S C., from Officiating Deputy Superintendent 3rd grade to Assistant Superintendent 1st grade.

Mr. H. B. Talbot, from Assistant Superintendent 1st grade to the 2nd grade.

COMMERCE AND TRADE.

The 1st May 1877.

No. 5 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

HINDOSTAN, WEST COAST, SIND.

Extension of the Hajamri mouth of the River Indus.

The Bombay Government has notified that the banks forming the Hajamri mouth of the River Indus have recently been resurveyed, and found to have greatly extended since the survey of 1867.

Lieutenant Stiffe (late Indian Navy) who executed the survey, reports that the outer edge of the shoal water is now 3¼ nautical miles to seaward of its former position, and is in latitude 24° 4′ 24″ N., and longitude east of Kurrachee lighthouse 14′ 33″. Great caution therefore is required by vessels proceeding to or leaving Kurrachee.

At a distance of 2 miles from the shoal, there is a depth of 10 fathoms at low water.

The Kukiwari banks show no further material extension.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 25th April 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts: Indus Tidal Channels from Manora Point to Kaha River, No. 41; Sind and Kutch Coast, No. 42; Kurrachee to Vingorla, No. 826; and the Indian Marine Survey Chart, No. 15; also Admiralty West Coast of Hindostan Pilot, page 233, and Taylor's Sailing Directory, Vol. I., page 337.

If this Notice is received on boardship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 30th April 1877.

No. 896*P.*—In supersession of all previous notifications by the Foreign Department, the following Civil Courts established within the limits of the Kattywar Political Agency are recognized by the Governor General in Council, for the purposes of Section 284 of the Code of Civil Procedure [Act VIII of 1859] :—

1	Court of the Political Agent in Kattywar.	
2	,, Asst. Political Agent, Jhálawar.	
3	,, ,, ,,	Hállár.
4	,, ,, ,,	Sorath.
5	,, ,, ,,	Gohelwad.
6	,, Depy. Asst. Poltl. Agt., Jhálawar.	
7	,, ,, ,,	Hállár.
8	,, ,, ,,	Sorath.
9	,, ,, ,,	Gohelwad.
10	,, Thándar,	Wadhwan.
11	,, ,,	Mánekwára.
12	,, ,,	Songarh.
13	,, ,,	Chotila.
14	,, ,,	Bábra.
15	,, ,,	Lodhika.
16	,, ,,	Dhrápha.
17	,, ,,	Bagasrá.
18	,, ,,	Dasára.
19	,, ,,	Bhoika.
20	,, ,,	Lákhápádar.
21	,, ,,	Páliád.
22	,, ,,	Chok.
23	,, ,,	Dátha.
24	,, ,,	Chamárdi.
25	,, ,,	Jhinjhuwára.
26	,, ,,	Mulila.
27	,, Asst. Political Agent, Gondal.	
28	,, Munsiff, Dhoraji.	
29	,, ,, Gondal.	
30	,, Assistant Political Agent, Limri.	
31	,, Munsiff, Limri.	
32	,, Thándár, Balol.	
33	,, ,, Siani.	
34	,, Niyayadhish, Bántwá.	
35	Small Cause Court, Rajkot.	

No. 898*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. V. Escher as Acting Consul for Sweden and Norway at Aden.

GENERAL.

The 21st April 1877.

No. 909*G.*—The services of Major [Brevet Lieutenant-Colonel] C. A. deKantzow are replaced at the disposal of the Military Department with effect from 1st February to 13th March 1877, on which latter date the services of that Officer were again placed at the disposal of this Department.

The 30th April 1877.

No. 1016*G.*—APPOINTMENT.—Mr. H. B. Webster, C. S., Officiating Commissioner, Benares, to officiate as Agent to the Governor General at Benares, with effect from the afternoon of 5th April 1877, *vice* Mr. Carmichael.

The 3rd May 1877.

No. 1048*G.*—LEAVE.—Captain F. H. Jackson, Assistant to the Agent to the Governor General, Baroda, is granted 15 days' privilege leave with effect from 3rd May 1877, or such subsequent date as he may avail himself of it.

No. 1049*G.*—Lalji Purshotam, Native Assistant to Agent to the Governor General, Baroda, is appointed to the charge of the Agency Treasury, with effect from the date of assuming charge, *vice* Captain Jackson on privilege leave.

No. 1050*G.*—LEAVE.—In supersession of Notification No. 709 G, dated 23rd March 1877, Colonel M. Thomson, Officiating Political Agent, 1st Class, and Agent to the Governor General with the King of Oudh and Superintendent of Political Pensions, is granted privilege leave for 2 months and 29 days, with effect from the afternoon of the 20th April 1877.

No. 1051*G.*—APPOINTMENT.—In supersession of Notifications Nos. 710G and 711G, dated 23rd March 1877, Colonel A. Elderton, Bengal Staff Corps, is appointed to officiate as Political Agent, 1st Class, as a temporary arrangement, and is posted as Agent to the Governor General with the King of Oudh and Superintendent of Political Pensions, with effect from the afternoon of 20th April 1877, *vice* Colonel M. Thomson on privilege leave.

The 4th May 1877.

No. 1068 *G.*—APPOINTMENT.—Surgeon-Major G. S. Sutherland, M.D., late Sanitary Commissioner, Oudh, to officiate as officer in medical charge of the Rajpootana Agency and Superintendent of Raj Dispensaries, with effect from the date of assuming charge, *vice* Surgeon-Major Moore.

No. 1069*G.*—In supersession of Notification of this Department No. 2229G., dated 13th October 1876, Captain R. G. E. Dalrymple, Officiating Political Assistant, 1st Class, is posted to Nowgong as Assistant Political Agent in Bundlecund, and Cantonment Magistrate and Treasury Officer, with effect from the date of assuming charge.

No. 1071*G.*—APPOINTMENT.—Colonel J. Watson, C.B., V.C., Commandant, Central India Horse, and Political Agent, Western Malwa, is appointed to be Resident of the 2nd Class, and is posted to Gwalior as Political Agent, with effect from the date of assuming charge, *vice* Colonel Hutchinson retired.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 4th May 1877.

No. 421.—*Cash balances in the Government Treasuries in India on the last day of the month of March* 1877, *compared with those on the same date in* 1876 *and* 1875 :—

	1875.	1876.	1877.
	Rs.	Rs.	Rs.
Govt. of India	2,43,07,959	2,86,27,733	1,54,36,800
Bengal ...	2,91,62,214	2,66,39,404	2,19,95,815
Assam ...	28,67,136	31,87,643	29,89,135
British Burmah	53,18,396	45,97,396	47,60,540
N.-W. Provinces	1,88,19,064	2,40,97,314	1,59,38,091
Oudh ...	55,57,444	74,35,229	59,08,956
Punjab ...	1,20,41,861	1,03,51,231	1,03,51,095
Bombay ...	2,59,43,110	3,53,22,610	3,02,75,504
Central Provs.	41,00,141	38,94,648	42,22,306
Madras ...	2,88,77,757	2,90,13,391	2,65,45,138
TOTAL ...	15,69,95,082	17,31,66,599	13,84,28,380

MINT AND CURRENCY.

The 4th May 1877.

No. 422.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1877 :—

	Bullion or Coin received from the Paper Currency Department and (petty amounts) from Government Officers.	Coined and examined.
In the month of March 1877.	Rs.	Rs.
Calcutta	12,92,777	22,33,455
Bombay	57,45,223	85,57,829
TOTAL ..	70,38,000	1,07,91,284
First three months.		
Calcutta	56,38,408	76,28,383
Bombay	2,40,92,944	1,60,90,677
TOTAL ..	2,97,31,352	2,37,19,060

Imports and Exports of Gold and Silver during the calendar year 1877.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of March ..	25,68,055	1,400	25,66,655	64,90,075	20,34,007	44,56,068	90,58,130	20,35,407	70,22,723
First three months ..	75,65,732	53,126	75,12,606	3,08,10,447	50,84,105	2,57,26,342	3,83,76,179	51,37,231	3,32,38,948

No. 427.—Privilege leave for one month is granted to Lieutenant-Colonel J. H. White, R.E., Officiating Master of Her Majesty's Mint at Bombay.

PENSIONS AND GRATUITIES.

The 4th May 1877.

No. 882.—The Governor General in Council directs that the words "or gratuity" be inserted after the word "pension" in line 3, and also in line 4 of the Proviso under Section 80 of the Civil Pension Code.

SEPARATE REVENUE—OPIUM.

The 4th May 1877.

No. 430.—*Opium Revenue to date compared with the Estimate for the year* 1877-78 :—

PRESIDENCY.	Latest month.			Two sales of Bengal Opium and one month's duty on Malwa Opium.		
	Estimate.	Actual.	Better than Estimate.	Estimate.	Actual.	Better than Estimate.
	£	£	£	£	£	£
Bengal	459,200	491,105	31,905	918,400	997,748	79,348
Bombay	190,151	244,200	54,049	190,151	244,200	54,049
TOTAL ...	649,351	735,305	85,954	1,108,551	1,241,948	133,397

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

MILITARY DEPARTMENT.

Simla, the 3rd May 1877.

RETIREMENTS.

No. 397.—With reference to G. G. O. No. 328 of 1877, Lieutenant-Colonel A. R. Bayly is permitted to draw the capitalized value of his annuity in England instead of in Calcutta.

The 4th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 398.—BRIGADE STAFF—

Major C. R. Cock, Staff Corps, to be a Brigade-Major on the establishment, *vice* Major A. D. Butter.

No. 399.—MILITARY ACCOUNTS DEPARTMENT—

Colonel H. A. Cockburn, Military Accountant, 1st class, 2nd grade, to officiate as Military Accountant, 1st class, 1st grade.
Captain H. G. Pritchard, Officiating Military Accountant, 2nd class, 1st grade, to officiate as Military Accountant, 1st class, 2nd grade.
Major W. S. Hunt, Officiating Military Accountant, 2nd class, 2nd grade, to officiate as Military Accountant, 2nd class, 1st grade.
Lieutenant F. F. R. Burgess, Officiating Military Accountant, 3rd class, to officiate as Military Accountant, 2nd class, 2nd grade.
Captain C. T. P. Luxmoore, Assistant Military Accountant, on probation, to officiate as Military Accountant, 3rd class.

} From the date Colonel J. G. Touch officiates as Controller of Military Accounts, Madras, or until further orders.

No. 400.—COLONEL'S ALLOWANCE—

With reference to G. G. Os. Nos. 1177 and 1178 of 1867, Colonel Henry Edward Landor Thuillier, C. S. I., Royal (late Bengal) Artillery, is admitted to the Colonel's allowance from the 27th February 1877, *vice* Lieutenant-General *Sir* John Fordyce, K. C. B., deceased.

No. 401.—STAFF CORPS—

The undermentioned officer having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Lieutenant John Abercrombie, Bengal Staff Corps,—25th April 1877.

No. 402.—BREVET—

The undermentioned officers of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel William Thomas McGrigor, Bengal Staff Corps,
Lieutenant-Colonel Richard Barter, Bengal Staff Corps,
} 28th April 1877.

No. 403.—Lieutenant-Colonel Frederick William Graham, Bengal Staff Corps, is promoted to the rank of Colonel by Brevet from the 3rd April 1877, under the operation of the Royal Warrant of the 31st January 1859, Clauses 8 and 9, subject to Her Majesty's approval.

No. 404.—LONDON GAZETTE—

The following extracts are published for general information:—

"London Gazette," the 16th March 1877, *page* 2084.
India Office, 15th March 1877.

Her Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Harry Heptinstall Rose Heath, 10th Hussars. Dated 24th July 1872.
Lieutenant George Alfred Money, 8th Regiment. Dated 11th September 1872.

"London Gazette," 27th March 1877, *page* 2266.
War Office, Pall Mall, 27th March 1877.

BREVET.

The undermentioned promotions to take place in Her Majesty's Indian Military Forces, consequent on the death, on 7th February 1877, of General Walter Nugent Thomas Smee, Bombay Infantry, and of Lieutenant-General William Robert Andrew Freeman, Madras Infantry:—

Lieutenant-General Edward Messiter, Madras Infantry, to be General. Dated 8th February 1877.
Major-General Charles Prior, Bengal Infantry, to be Lieutenant-General. Dated 8th February 1877.

To be Major-Generals in the East Indies.

Colonel Samuel Brougham Faddy, Bengal Infantry. Dated 8th February 1877.
Colonel Richard Andrew Doria, Madras Infantry. Dated 8th February 1877.

India Office, 26th March 1877.

Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps and of Her Majesty's Indian Military Forces made by the Governments in India:—

BREVET.

To be Majors.

Captain Henry Alexander Shakespear, Bengal Cavalry, in succession to Major-General F. Maitland, Bengal Infantry, deceased. Dated 4th August 1876.
Captain Henry Montagu Buller, Bengal Cavalry, in succession to Major-General L. S. Hough, Bombay Staff Corps, deceased. Dated 24th November 1876.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Charles Tatham Hitchens. Dated 7th January 1877.
Major Halford Fellowes. Dated 11th January 1877.
Major Charles Peter Hunter. Dated 20th January 1877.

Major John Gillespie. Dated 20th January 1877.
Major (Brevet Lieutenant-Colonel) John Pringle Sheriff. Dated 20th January 1877.
Major Alexander Home Bramley. Dated 20th January 1877.
Major William Phaire. Dated 20th January 1877.
Major Lionel Henry Planta deHochpied Larpent. Dated 20th January 1877.
Major Frederick Macnaghten Armstrong. Dated 20th January 1877.
Major Archibald Edwards Campbell. Dated 20th January 1877.

To be Majors.

Captain Redmond Hervey deMontmorency. Dated 4th January 1877.
Captain Arthur Battye. Dated 6th January 1877.
Captain Thomas Dayrell. Dated 6th January 1877.
Captain George Ludlow Kennedy Hewett. Dated 20th January 1877.
Captain (Brevet Major) William Tweedie. Dated 20th January 1877.
Captain George Constable Gregory. Dated 20th January 1877.
Captain Francis Frazer John Toke. Dated 22nd January 1877.

To be Captains.

Lieutenant George Hugh Coles Dyce. Dated 30th December 1876.
Lieutenant Augustus Keith Abbott. Dated 30th December 1876.
Lieutenant Sydney Drummond Turnbull. Dated 3rd January 1877.

"London Gazette," 3rd April 1877, *page* 2397.
War Office, Pall Mall, 3rd April 1877.

BREVET.

The honorary rank of Captain conferred on Lieutenant and Deputy Commissary Henry Telfer, Warrant Officer, Bengal Establishment, to be dated 2nd August 1876, and not 2nd May 1876, as stated in the Gazette of 10th November 1876.

The surname of the Deputy Assistant Commissary, Bombay Establishment, on whom the honorary rank of Lieutenant was conferred in the Gazette of the 10th November 1876, is Forde, and not Ford, as therein stated.

The undermentioned Officers of Her Majesty's Indian Military Forces have been granted a step of honorary rank on retirement. Dated 4th April 1877:—

Lieutenant-Colonel and Brevet Colonel James Creighton Wood, Bengal Staff Corps, to be Major-General
Surgeon-Major John Liston Paul, Madras Army, to be Deputy Surgeon-General.

No. 405.—PUNJAB FRONTIER FORCE—

4th Punjab Cavalry.

Jemadar Ghulam Rasul Khan, to be Ressaidar, *vice* Mahomed Amir Khan, invalided; Kote Duffadar Amir Singh, to be Jemadar, *vice* Ghulam Rasul Khan, promoted,—18th March 1877.

CAMP EQUIPAGE—CARRIAGE—ESTABLISHMENTS.

No. 406.—The average weights of Staff Serjeants' tents and Sepoys and Lascars' Pals being those shewn in the margin, the following corrections should be made in the proportion of carriage given in the revised tables of camp equipage and carriage for British and Native troops serving in the Bengal presidency published in the general orders noted below:—

	Average weight. Mds.	Srs.
Staff Serjeants' tents ...	6	12½
Sepoys' tents of 2 Pals...	6	12½
Lascars' Pals ...	3	30½

In the table of carriage for tents *"on ordinary movements," "For soldiers"* and *"For families,"* and in the table of carriage for tents *"on field service," "For soldiers."*

G. G. O. No. 901, dated 16th September 1874.

For:
1 Camel for 1 Staff Serjeant's tent
or
2 Elephants for 5 Staff Serjeants' tents
1 Camel for 2 Pals
or
1 Elephant for 6 Pals

Substitute:
Camels on the scale of 1¼ camels for 1 Staff Serjeant's tent, or 2 Elephants for 5 Staff Serjeants' tents.
Camels on the scale of ½ camel for 1 single Pal, or 1 Elephant for 4 Pals.

In the table of carriage for tents *"on ordinary movements"* and *"on field service."*

G. G. O. No. 948, dated 17th September 1875.

For:
1 Camel for 1 Staff Serjeant's tent
or
2 Elephants for 5 Staff Serjeants' tents
1 Camel for 2 Pals
or
1 Elephant for 6 Pals

Substitute:
Camels on the scale of 1¼ camels for 1 Staff Serjeant's tent, or 2 Elephants for 5 Staff Serjeants' tents.
Camels on the scale of 1¼ camels per tent of 2 Pals, or 1 Elephant for 5 Pals.

EQUIPMENT TABLES.

No. 407.—With reference to G. G. O. No. 747 of 1875, it is notified that the entry as per margin at page 1, Equipment Tables, Royal Horse Artillery, is to be erased.

Belts, leather, pouch, buff, R. A. rank and file.

As the pouch belts and pouches now in possession of batteries of Royal Horse and Field Artillery become worn out, they will be replaced by pouches of the new pattern to be worn on the waist belt.

No. 408.—G. G. O. No. 905 of 1876 is hereby cancelled, and the following substituted:—

With reference to G. G. O. No. 56 of 1875, it is hereby notified that the issue of Staff Sergeants' accoutrements and arms is sanctioned to the Band Sergeants of British Regiments.

This however will not make any increase in the total number of sets of Staff Sergeants' arms and accoutrements, as Pioneer Sergeants are not accoutred as Staff Sergeants.

This latter Staff Sergeant will carry the same arm as Pioneers, and the following corrections

are to be made in the Equipment Tables of British Infantry :—

Page 3.

Belts, leather waist, buff, Infantry, without lockets, Sergeants.	1 per Sergeant and Sergeant Pioneer.	41

Page 4.

Frogs, leather, buff, Infantry, Pioneers, with shifting loop.	1 per Pioneer and Pioneer Sergeant.	11
Lockets, union, gilding, metal, Sergeants, Infantry.	1 per Sergeant and Pioneer Sergeant.	41

Page 5.

Scabbards, sword, leather, brass, mounted, Line Regiments, Pioneer.	1 per Pioneer and Pioneer Sergeant.	11
Swords, brass hilt, Pioneer, (saw back.)	1 per Pioneer and Pioneer Sergeant.	11

This issue to the Pioneer Sergeant will necessitate a corresponding reduction of one set of arms and accoutrements to rank and file.

No. 409.—With reference to G. G. O. No. 56 of 1875 the following corrections are directed to be made in Equipment Tables for British Infantry:—

Page 15.

Weights, iron, Weighing man	4 stone 2 „	to be erased.

Page 16.

Enter after rivets of sizes—

Weights, avoirdupois, iron.	56 lbs 2 28 „ 2 14 „ 1 7 „ 1 4 „ 1 2 „ 1 1 „ 1 ½ „ 1	per machine weighing man.

FURLOUGH AND LEAVE.

No. 410.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave :—

Surgeon-Major Thomas Williams Sheppard, Principal Assistant to the Opium Agent of Benares,—private affairs, for one year, under Rules IX and XV of the Regulations of 1868.

Major John Liston, Bengal Staff Corps, Assistant Commissioner, 1st Grade, Lalitpur, North-Western Provinces,—private affairs, for one year, under Rules IX and XV of the Regulations of 1868.

Captain Henry Grant Young, R. A., Commanding Jacobabad Mountain Train,—private affairs, for eighteen months, under Rules IX and XV of the Regulations of 1868.

Captain William Arthur Roberts, R. A., Remount Agent at the Presidency,—private affairs, for four months, under the provisions of G. G. O. No. 813 of 1876.

Surgeon Joseph Johnstone Monteath, M. D.,—private affairs, for eighteen months, under Rule IX of the Regulations of 1868.

No. 411.—The grant of furlough on private affairs to Captain W. Atkins, General List, Infantry, Wing Officer, 6th Regiment of Native (Light) Infantry, in G. G. O. No. 95 of 1877, is cancelled.

No. 412.—ERRATUM—

In G. G. O. No. 51 of 1877, granting furlough to Europe to Colonel J. B. Dennys, Bengal Staff Corps, for "under the Regulations of 1854," read *under Rule IX of the Regulations of* 1868.

NAMES AND DESIGNATIONS.

No. 413.—With the sanction of the Right Hon'ble the Secretary of State for India, Surgeon-Major William Caldwell Smith, M.D., Bengal Medical Department, is permitted to bear the name of William Smith Caldwell.

PENSIONS.

No. 414.—James Kilpatrick, late 9th Brigade, Royal Artillery, an out-pensioner of the Royal Hospital at Chelsea, is permitted to draw his pension (which is chargeable to Imperial revenue) in India, *viz.*, one shilling per diem, from the date he ceases to receive regimental pay.

No. 415.—Ghoolab Bebee, widow of the late Ressaidar Mirza Unwur Ally Beg, 1st Cavalry, Hyderabad Contingent, is granted a pension of Rs. 16 per mensem, payable in Chedderghaut, Hyderabad, Deccan.

No. 416.—Syce Kudda Bux, E. Battery, F. Brigade, Royal Horse Artillery, is granted an injury pension of Rs. 1-8-0 per mensem, from the date of his discharge, payable in the North-Western Provinces circle.

No. 417.—ERRATUM—

In G. G. O. No. 254 of 1877, for "7 pence," read "9 pence" per diem.

RESIGNATIONS.

No. 418.—Jemadar Durbara Singh, 18th Bengal Cavalry, is permitted to resign the service from the 10th March 1877.

TRANSFER OF OFFICERS.

No. 419.—The services of Surgeon J. Moran, M. D., Officiating Civil Surgeon, Dehra Dun, are replaced at the disposal of His Excellency the Commander-in-Chief, with reference to notification by the Government of the North-Western Provinces and Oudh, No. 202A., dated the 12th April 1877.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 28th April 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 14th to 27th April 1877 :—

Corps.	RANK AND NAME.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
British Medical Service.	Deputy Surgeon General N. H. Stewart, M. D.	22nd April 1877.	Calcutta.	Will left.	

Statement of Deposits on account of Estates from the 21st to 27th April 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
Robert Austin Allen, M. D. (*a*).	Surgeon Major.	4th Battalion Rifle Brigade.	4th December 1876.	Not known...	4,122 2 7	.....	27th June 1877.
Charles Augustus Fillingham (*b*).	Captain ...	65th Foot ...	1st January 1877.	Intestate ...	6,824 14 3	.....	

(*a*) *Widow.*—Mrs. Austin Allen, the Common, Woolwich.
(*b*) *Next-of-kin brother.*—George H. Fillingham, Esq., Syerston Hall, Newark, Nottinghamshire.

W. M. LEES, *Colonel*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 30th April 1877.

No. 198.—Mr. W. G. Bayly, B.A., Deputy Examiner of Public Works Accounts, is, on return from furlough, granted subsidiary leave from 15th to 21st February 1877.

The 2nd May 1877.

No. 199.—The following temporary changes in the grading of superior officers of the Accounts Branch are ordered, with effect from the 3rd April 1877, consequent on the departure on furlough of Mr. Moss, Examiner of Accounts :—

Major C. M. Moberly, Examiner, 2nd Class, 2nd Grade, to be Examiner, 2nd Class, 1st Grade (temporary rank).

Mr. W. Palmer, Examiner, 3rd Class, 1st Grade, to be Examiner, 2nd Class, 2nd Grade (temporary rank).

Major P. Lambert, R. E., Executive Engineer, 2nd Grade, and Officiating Examiner of Accounts, to be Examiner, 3rd Class, 1st Grade (temporary rank).

No. 200.—The resignation of his appointment by Baboo Hurris Chunder Pal, Overseer, 1st Grade, on the Establishment under the Director of State Railways, is accepted, with effect from the 9th February 1877.

The 4th May 1877.

No. 202.—With reference to Public Works Department Notification No. 194 of 27th April 1877, Mr. J. F. Mackenzie, Assistant Engineer, 2nd Grade, joined the Simla Imperial Circle on the 28th April 1877.

W. A. CROMMELIN, *Major-Genl., R. E.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 19.] SIMLA, SATURDAY, MAY 12, 1877. [Register No. 33.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General. *(Nothing for publication).*

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SUPPLEMENT No. 19.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 8th May 1877.

No. 19.—Mr. Amír Ali took over charge of the office of Reporter for the Indian Law Reports, in the High Court at Calcutta, from Mr. W. F. Agnew, in the forenoon of the 1st instant.

The 11th May 1877.

No. 20.—Mr. J. E. Howard received charge of the office of Reporter for the Indian Law Reports, in the High Court, North-Western Provinces, from Mr. G. T. Spankie, in the forenoon of the 20th April 1877.

A. PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 11th May 1877.

No. 991.—The Birthday of Her Majesty the Queen and Empress of India will be kept in India on Saturday the 2nd June, the day appointed by Her Majesty for its celebration at home.

ESTABLISHMENTS.

The 7th May 1877.

No. 408.—The Hon'ble the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed Mr. J. Crawfurd, of the Bengal Civil Service, to officiate as Registrar on the Appellate Side of the Court.

Mr. Crawfurd assumed charge of his duties in the forenoon of the 23rd ultimo.

The 11th May 1877.

No. 415.—Under Section 2 of Act IV of 1866 and Section 1 of Act XVI of 1867, the Governor General in Council is pleased to appoint Mr. J. W. Smyth, of the Bengal Civil Service, and Barrister-at-Law, to officiate as a Judge of the Chief Court of the Punjab during the absence on leave of Mr. C. R. Lindsay, or until further orders.

MEDICAL.

The 7th May 1877.

No. 314.—The services of Surgeon W. P. Warburton, M.D., officiating in medical charge of the 35th (Mynpoorie) Regiment of Native Infantry, are placed temporarily at the disposal of the Chief Commissioner of Assam.

The 8th May 1877.

No. 319.—Surgeon W. Finden, in joint medical charge of Simla, officiated, in addition to his own duties, for Surgeon R. Harvey, M.B., from the 23rd December 1876 to the 8th February 1877.

ECCLESIASTICAL.

The 8th May 1877.

No. 136.—The Reverend J. B. Brunesson, a Junior Chaplain on the Bengal Ecclesiastical Establishment, has been granted by Her Majesty's Secretary of State for India a further extension of leave for one month, without pay.

The 11th May 1877.

No. 139.—The following List of Chaplains belonging to the Bengal Establishment and absent on furlough or other leave on the 31st December 1876 is published for general information :—

Number.	Names.	Rank..	Date of commencement of furlough or other leave.	Date of expiry of furlough or other leave.	REMARKS.
		FURLOUGH.			
1	Revd. G. Lovely, M. A. ...	Senior Chaplain	Mar. 5, 1875	Mar. 4, 1877	Have obtained permission to retire—order, Secretary of State for India, dated January 11th, 1877, No. 1.
2	„ H. D. James, M. A. ...	Ditto ...	Mar. 15, 1875	Mar. 14, 1877	
3	„ J. A. Mackay, B. D. ...	Ditto ...	Mar. 25, 1875	Mar. 24, 1877	Retires—no order received.
4	„ S. H. Beamish, B. A. ...	Ditto ...	Feb. 23, 1876	Feb. 22, 1878	
5	„ J. H. Hocking, M. A. ...	Ditto ...	Mar. 1, 1876	Feb. 28, 1877	Returned February 21st, 1877.
6	„ W. W. Nicholls ...	Ditto ...	Mar. 1, 1876	Feb. 28, 1878	
7	„ A. Robinson, M. A. ...	Ditto ...	Apl. 5, 1876	Oct. 4, 1877	Medical leave.
8	„ F. M. F. F. Mazuchelli...	Ditto ...	June 18, 1876	June 17, 1878	Ditto.
9	„ C. S. P. Parish ...	Ditto ...	June 20, 1876	June 19, 1878	Ditto.
10	„ T. Moore ...	Ditto ...	Nov. 21, 1876	Nov. 20, 1878	Ditto.
11	„ W. J. Burdett, B. A. ...	Junior Chaplain	Dec. 1, 1874	Nov. 30, 1876	Granted an extension of two months' leave by Secretary of State—despatch No. 10, dated 19th October ; and a further extension of six months' leave in despatch No. 11, dated 16th November.
12	„ W. H. Gale, B. A. ...	Ditto ...	Mar. 8, 1875	Mar. 7, 1877	
13	„ M. E. Mills ...	Ditto ...	Dec. 15, 1875	Dec. 14, 1877	
14	„ B. Morrell, M. A. ...	Ditto ...	Dec. 15, 1875	Dec. 14, 1877	
15	„ F. Orton, B. A. ...	Ditto ...	Feb. 17, 1876	Dec. 4, 1877	
16	„ J. B. Brunesson ...	Ditto ...	Mar. 27, 1876	Dec. 26, 1876	Medical leave—Granted an extension of leave for three months by Secretary of State—despatch No. 11, dated 16th November; and an additional extension for one month—despatch No. 5, dated 22nd March—returned 25th April 1877.

Total absent	... 16
Sanctioned number of Chaplains in the Bengal Presidency	... 90
Percentage of absentees	... 17·7

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—AGRICULTURE & HORTICULTURE—FAMINE.

Simla, the 7th May 1877.

No. 414.—The services of Captain W. S. S. Bisset, R. E., who had been appointed on special duty under the orders of the Hon'ble Sir R. Temple, deputed on a special mission in the Madras and Bombay Presidencies, are replaced at the disposal of the Government of India, Public Works Department, with effect from the 30th ultimo.

The 10th May 1877.

No. 433.—The services of Mr. C. E. Bernard, C.S.I., who was appointed by notification in this Department No. 29, dated the 11th January last, to be Secretary to Sir R. Temple, Bart., K.C.S.I., deputed on a special mission to the Bombay and Madras Presidencies, are retransferred to the Home Department with effect from the 30th ultimo.

T. C. HOPE,
Additional Secy. to the Govt. of India.

CUSTOMS.

The 11th May 1877.

No. 86.—In exercise of the powers vested in him by Section 6 of the Indian Tariff Act, 1875, the Governor General in Council is pleased to declare that importations of mock gold leaf shall henceforth be assessed for duty at the rate of 5 per cent. *ad valorem*.

COMMERCE AND TRADE.

The 11th May 1877.

No. 166.—The following Notice received from the Administration of La Martinique is published for general information :—

COLONIE DE LA MARTINIQUE.

AVIS AU COMMERCE.

D'après une délibération du conseil général de la Martinique, sanctionnée par décret due 1er février 1867, la colonie était autorisée à percevoir pendant dix ans, sur les navires français étrangers armés au long cours et au grand cabotage entrant dans le port de Fort-de-France, un droit de tonnage réglé ainsi qu'il suit :

1 franc par tonneau de jauge pour les navires arrivant sur lest ;

1 fr. 50 cent. par tonneau de jauge pour les navires chargés aux deux tiers de riz, de bois ou de poissons salés ;

2 fr. 50 cent. par tonneau pour tous les autres navires.

Cette taxe, qui était destinée à récupérer le trésor d'une partie des dépenses résultant de la construction du bassin de radoub et des autres travaux d'amélioration du port de Fort-de-France, a cessé d'être exigible à partir du 1er janvier 1877.

NOTICE TO COMMERCE.

According to a deliberation of the general Council of La Martinique, ratified by a decree of the 1st February 1867, the colony was authorized to receive, during ten years, on French and Foreign ships, fitted out for long voyage or great coasting trade, coming into the port of Fort-de-France, a duty on the burden, fixed as follows :—

1 fr. per ton on ships coming in ballast ;

1 fr. 50 c. per ton on ships loaded up to two-thirds with rice, timber or salt fish ;

2 fr. 50 c. per ton for other ships.

This duty, which was destined to recoup to the treasury a part of the expenses caused by the construction of the dry dock and other works for the improvement of the port of Fort-de-France, has ceased to be demandable since the 1st January 1877.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 9th May 1877.

No. 43J.—Under the provisions of Section 6 of Act XI of 1872, the Governor General in Council is pleased to appoint Major V. E. Law, holding the appointment of Political Agent in Jeypore and Kishengurh, and being a European British subject, to be a Justice of the Peace within the limits of his jurisdiction as Political Agent.

REVENUE.

The 11th May 1877.

No. 40R.—In supersession of Notification in the Foreign Department, No. 91R., dated 21st April 1874, the Governor General in Council is pleased to declare the provisions of the Inland Customs Act, 1875, to be in force in the Hyderabad Assigned Districts, so far as they relate to the imports and manufacture of salt, and subject to the modifications hereinafter mentioned, that is to say :—

For the words "Local Government" (wherever they occur) are substituted the words "Resident at Hyderabad."

The words "the said territories" shall include the Hyderabad Assigned Districts.

Omit paragraphs 2, 3 and 4 of Section 1.

„ Section 2 and Schedule.

In Section 25 and Section 10, clause E, for the word "Government" are substituted the words "the Hyderabad Assigned Districts."

In Section 8, clause (*a*), after the words "Central Provinces" the words "and into any part of the Hyderabad Assigned Districts" shall be inserted.

No. 41R.—With reference to the preceding notification the Governor General in Council is pleased to prohibit absolutely the manufacture of alimentary salt in the Hyderabad Assigned Districts, and its import into the said Districts, except when such salt is conveyed by rail or is brought from the territories under the administration of the Chief Commissioner of the Central Provinces, and to declare that Rules 41 to 47, both inclusive, of the Inland Customs Rules published under Notification No. 156, dated 30th June 1876, of the Department of Revenue, Agriculture and Commerce, are in force in the said Districts, the words "Hyderabad Assigned Districts" being substituted in those rules for the words "territories under the administration of the Chief Commissioner of the Central Provinces," or the words "Central Provinces."

The following Schedule is hereby substituted for Schedule B published under Notification No. 304, dated 3rd November 1876, of the Department of Revenue, Agriculture and Commerce :—

SCHEDULE B.

Schedule of Inland Customs Duty per maund of salt despatched to stations in the Central Provinces or the Hyderabad Assigned Districts, on the Nagpur Branch of the Great Indian Peninsula Railway.

From / To	Kánker.	Malkápur.	Biswa.	Nándura, late Nimgaon	Jalamb or Khámgáon.	Shegaon.	Páras.	Akola.	Borgaon.	Murtazapur.	Mohona.	Kurum.	Badnera or Amráoti.	Chándur.	Dhámangaon.	Phálegaon, late Kowtah.	Wárdha or Branch.	Sindi.	Bori.	Nagpur.
NARGAON AND ALL STATIONS.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.	A. P.
West of Nargaon ...	0 4	0 8	1 1	1 6	1 11	2 3	2 10	3 5	4 0	4 7	4 11	5 4	5 11	6 9	7 4	7 11	8 10	9 10	10 5	11 3
Kánker ...	...	0 4	0 9	1 2	1 7	1 11	2 5	3 1	3 8	4 2	4 7	4 11	5 7	6 5	6 11	7 7	8 6	9 6	10 1	10 11
Malkápur ...		...	0 5	0 11	1 3	1 8	2 2	2 10	3 5	3 10	4 4	4 9	5 3	6 2	6 8	7 4	8 2	9 2	9 10	10 8
Biswa ...			...	0 5	0 10	1 2	1 9	2 4	2 10	3 5	3 11	4 4	4 10	5 8	6 3	6 10	7 10	8 9	9 4	10 2	
Nándura, late Nimgaon ...				...	0 5	0 10	1 4	1 11	2 5	2 11	3 6	3 11	4 5	5 4	5 10	6 5	7 4	8 4	8 11	9 10		
Jalamb or Khámgáon ...					...	0 5	0 11	1 6	1 11	2 6	2 11	3 6	4 1	4 10	5 5	6 1	6 11	7 11	8 7	9 5		
Shegaon ...						...	0 7	1 2	1 8	2 3	2 9	3 4	3 8	4 7	5 1	5 8	6 7	7 7	8 2	9 0		
Páras ...							...	0 8	1 2	1 7	2 1	2 6	3 1	4 0	4 6	5 2	6 1	7 1	7 8	8 6		
Akola ...								...	0 8	1 1	1 7	2 2	2 7	3 5	3 11	4 6	5 5	6 5	7 1	7 10		
Borgaon ...									...	0 7	1 2	1 7	2 1	2 10	3 4	3 10	4 10	5 10	6 5	7 4		
Murtazapur ...										...	0 8	1 1	1 7	2 4	2 9	3 4	4 3	5 3	5 10	6 8		
Mohona ...											...	0 5	1 0	1 5	1 11	2 4	2 11	3 11	4 6	5 4		
Kurum ...												...	0 5	1 0	1 6	1 11	2 7	3 6	4 1	4 9		
Badnera or Amráoti ...													...	0 5	1 0	1 6	2 1	2 11	3 6	4 4		
Chándur ...														...	0 5	1 0	1 7	2 6	3 1	3 11		
Dhámangaon ...															...	0 5	1 0	1 8	2 2	3 6		
Phálegaon, late Kowtah ...																...	0 5	1 1	1 7	2 1		
Wárdha or Branch ...																	...	0 6	1 0	1 6		
Sindi ...																		...	0 5	0 11		
Bori ...																			...	0 6		
Nagpur.																				...		

POLITICAL.

The 7th May 1877.

No. 980*P.*—With reference to Notification No. 13P., dated 10th January 1877, the recognition by the Government of India of the appointment of Mr. Paul Koop as Consul for Austria and Hungary at Akyab, has been confirmed by Her Majesty's Government.

The 8th May 1877.

No. 1009*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Monsieur A. Eydin, Consul General for France at Calcutta, as in charge of the office of the Consul General for Italy at Calcutta, during the absence of Chevalier G. Gallian on leave.

The 9th May 1877.

No. 1018*P.*—With reference to Notification No. 3140P., dated 15th December 1876, the recognition by the Government of India of the appointment of Chevalier G. Gallian as Consul General for Italy at Calcutta, has been confirmed by Her Majesty's Government.

GENERAL.

The 7th May 1877.

No. 1113*G.*—The following order issued by the Commandant, Central India Horse, dated 17th March 1877, consequent on the departure of Lieutenant H. A. Vincent on furlough, is confirmed:—

Captain A. H. S. Neill to take over charge of the Staff office, Central India Horse, from Lieutenant H. A. Vincent, with effect from 17th March 1877.

No. 1114*G.*—The following exchange of appointments is sanctioned:—

Lieutenant C. Herbert, Wing Subaltern, Meywar Bheel Corps, to officiate as Adjutant, Deolee Irregular Force, with effect from the date of assuming charge, *vice* Lieutenant Rundall.

Lieutenant F. M. Rundall, Officiating Adjutant, Deolee Irregular Force, to officiate as Wing Subaltern, Meywar Bheel Corps, with effect from the date of assuming charge, *vice* Lieutenant Herbert.

The 9th May 1877.

No. 1124*G.*—In supersession of Notification No. 691G., dated 22nd March 1877, Major V. E. Law, Officiating Political Assistant, 1st Class, and Superintendent of the Rajpootana (State) Railway Police, is appointed to officiate as Political Agent, 3rd Class, and is posted to Jeypore and Kishengurh with effect from 21st February 1877, *vice* Major C. A. Baylay, on furlough.

No. 1125*G.*—Major H. M. B. Burlton, Political Assistant, 3rd Class, to officiate as Political Assistant, 1st Class, with effect from 21st February 1877, *vice* Major Law.

No. 1126*G.*—Mr. J. R. Tregear, Inspector of Police, 1st Grade, to officiate temporarily as Superintendent of the Rajpootana (State) Railway Police, with effect from 6th April 1877, *vice* Major Law.

Mr. Tregear, while officiating in the above appointment, will exercise the powers of a Magistrate of the 2nd class within the limits, and under the conditions specified in the notifications of this Department, No. 2199G., dated 11th October 1872, and No. 396G., dated 14th February 1873.

The 10th May 1877.

No. 1136*G.*—In consequence of the return from privilege leave of Major E. R. C. Bradford, C. S. I., General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, on the forenoon of 19th April 1877, Lieutenant J. H. Newill reverts on that date to his substantive appointment.

No. 1137*G.*—Apothecary Ahmed Khan performed the duties of the Civil Surgeon at Bushire from the 23rd February to the 28th March 1877, during the absence on duty of that officer in Bombay.

The 11th May 1877.

No. 1142*G.*—APPOINTMENT.—Mr. W. Jenkyns, C.S., Assistant Commissioner, Punjab, is appointed to officiate as Political Agent, 3rd Class, and is posted to Ladakh as British Joint Commissioner, with effect from the date of assuming charge, *vice* Mr. Shaw, on leave.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—MINT AND CURRENCY.

Simla, the 11th May 1877.

No. 544.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Reserve in Government Securities.	Total Reserve.
1877.		Rs.	Rs.	Rs.	Rs.	Rs.
30th April.	Calcutta	4,78,19,140	55,45,038	20,38,139	2,84,80,903	3,60,64,080
,,	Madras	1,34,44,995	85,40,370	..	60,00,000	1,45,40,370
,,	Bombay	3,23,54,630	1,25,39,462	1,19,86,033	1,58,00,000	4,03,25,495
,,	Allahabad	49,57,180	40,70,805	..	31,00,000	71,70,805
,,	Lahore	57,43,410	24,92,050	..	33,00,000	57,92,050
,,	Calicut	18,79,950	11,28,195	..	7,00,000	18,28,195
,,	Coconada	23,48,165	18,00,790	..	5,00,000	23,00,790
,,	Nagpore	8,00,865	2,47,160	..	6,00,000	8,47,160
,,	Kurrachee	14,39,190	3,23,355	..	12,00,000	15,23,355
,,	Akola	5,17,755	6,12,480	..	3,00,000	9,12,480
	TOTAL ..	11,13,05,280	3,73,00,205	1,40,24,172	5,99,80,903	11,13,05,280

PAY AND ALLOWANCES.

The 11th May 1877.

No. 451.—The Governor General in Council is pleased to decide that an officer who, while absent from duty on privilege-leave or examination-leave, is transferred to a new station, may draw travelling allowances for the journey direct from the place in India where the order reaches him, to his new station, at the rate (if any) to which he would have been entitled if he had been on duty: provided that the allowances thus drawn shall not exceed the total sum which he might have charged for the journey direct from his old station to his new one.

PENSIONS AND GRATUITIES.

The 11th May 1877.

No. 547.—In modification of the Notification of the Foreign Department, No. 385, dated 11th December 1866, applying Act V. of 1861 to the district of Bangalore, the Governor General in Council is pleased to direct that, on and from the 15th day of May 1877, the 11th Section of the said Act shall be repealed throughout the said district, and that all securities and sums of money which on the said day may be standing at the credit of the Bangalore Police Superannuation Fund, shall be transferred and paid to the Government of Mysore for the general purposes of that Government.

No. 548.—With reference to Notification No. 547 of this day, the Governor General in Council is pleased to direct that the stoppages from the pay of the Bangalore Police Force which hitherto have been credited to the Police Superannuation Fund abolished by that Notification shall, from the 15th day of May 1877, and until further orders, be credited to the general revenues of the Mysore Government.

No. 549.—With reference to the Notifications Nos. 547 and 548 of this day, the Governor General in Council directs that the following Rules shall in future regulate the grant of pensions and gratuities to the Members of the Mysore Rural Police:—

I. Policemen of all grades will be permitted to retire from service in the Police on the following conditions:—

1*st.*—When declared by a proper medical certificate to be wholly unfit from causes beyond their control for further service under Government in any capacity, or on completion of 30 years' service after the age of 23 years.

2*nd.*—When discharged in consequence of the reduction of establishments.

3*rd.*—When recommended by the Principal District Police Officer for discharge and certified by a Medical Officer to be physically unfit for active duties in the Police, either from age, indifferent health, or other causes beyond their control.

II. A Policeman eligible for retirement under Clause 1 or 2 of Rule I, if not above the grade of 2nd Class Duffadar and on pay not exceeding Rupees 10, will be allowed to retire with an "Inferior Service Gratuity" calculated at the rate of one month's pay for each complete year of service rendered after the age of sixteen years, the pay to be taken at the average of the last 3 years, and all authorized leave to be counted as qualifying service. No gratuity will be allowed for less than 5 years' service.

III. A Policeman eligible for retirement under Clause 1 or 2 of Rule I, if above the grade of 2nd Class Duffadar drawing pay exceeding Rupees 10, will be allowed to retire according to his own election either with an "Inferior Service Gratuity" on the terms of Rule II, pay being taken at not more than 10 Rupees per month, or on a "Superior Service Gratuity" or a "Superior Service Pension" on the following conditions. Previous service rendered after the age of 22 in any grade of the Police will count towards a Superior Service Pension or Gratuity, but all leave except privilege leave will be excluded.

The rates of pension will be—

For 25 years' service or more (after the age of 22).	Superior Service Pension of half average pay drawn in last 5 years.
For 15 years and less than 25 years after the age of 22.	One-third ditto.
Less than 15 years after the age of 22.	Superior Service Gratuity of one month's pay, at the rate drawn at time of retirement, for each year's service, and not exceeding 12 months' pay.

IV. A Policeman eligible for retirement under Clause 3 of Rule I will be allowed to retire on half the amount of gratuity or pension to which he would have been entitled if he had retired under the provisions of Clause 2 or 3. But as an exception to the general rule in Section 52, Rule 5, and Section 98, the Civil Pension Code (3rd edition), a Policeman permitted to retire under these circumstances will be allowed to draw unconditionally the authorized gratuity or pension for his service in the Police, irrespective of any pay that he may receive for employment subsequently obtained in other than the Police Department.

V. The General Rules contained in the Civil Pension Code as regards suspension, resignation, dismissal and other matters, so far as they may be consistent with these special rules, will apply to all members of the Mysore Police.

VI. The foregoing will also be held applicable to members of the Police Force doing duty within the limits of Municipalities and paid from Municipal Funds, with exception to those of the Bangalore Cantonment and Town Municipalities for whom separate rules are prescribed.

No. 555.—The Governor General in Council directs that the following be inserted as Rule 3 under Section 3 of Supplement C to the Civil Pension Code:—

A Chaplain belonging to the Bengal Establishment, who wishes to obtain pension from the authorities in India, must submit his application to the Government of India in the Home Department, through the Venerable the Archdeacon or the Right Reverend the Lord Bishop of Calcutta. A Chaplain belonging to the Madras or Bombay Establishment must submit his application to the Government of Madras or the Government of Bombay, as the case may be, through the Venerable the Archdeacon or the Reverend the Bishop of his Diocese.

SEPARATE REVENUE—POST OFFICE.

The 11th May 1877.

No. 589.—On the 27th April 1877, before noon, Mr. J. MacFarlan, Bombay C. S., received charge of the office of Post Master General, Bengal, from Mr. E. R. Douglas, and Mr. E. R. Douglas resumed charge of the office of Deputy Director General of the Post Office of India.

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

MILITARY DEPARTMENT.

Simla, the 11th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 420.—BRIGADE STAFF—

Under the authority of the Right Hon'ble the Secretary of State for India, G. G. O. No. 336 of 1873, limiting the tenure of the appointment of Brigade Majors of officers of the Staff Corps and Indian army to three years, is cancelled. In future all appointments of Brigade Majors will be made for five years.

No. 421.—QUARTERMASTER-GENERAL'S DEPARTMENT—

Captain M. J. King-Harman, Officiating Deputy Assistant Quartermaster-General, is confirmed in the appointment, *vice* Major H. Collett, whose tour of staff service has expired,—Dated 20th April 1877.

Captain R. B. Lockwood, General List, Cavalry, Squadron Commander, 3rd Punjab Cavalry, Punjab Frontier Force, to officiate as Deputy Assistant Quartermaster-General to complete the establishment, *vice* Captain King-Harman,—Dated 20th April 1877.

No. 422.—STAFF CORPS—

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

Captain Edwin Colnett Corbyn,—6th May 1877.

Captain Lorne Macdonald,—8th May 1877.

No. 423.—The undermentioned officer having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Lieutenant (Brevet Captain) Edwin Henry Hayter Collen, Bengal Staff Corps,—5th May 1877.

No. 424.—The undermentioned officer of the Staff Corps having completed five years' service as substantive Lieutenant-Colonel, is promoted to the rank of Colonel, by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Andrew Aldcorn Munro, Bengal Staff Corps,—5th May 1877.

No. 425.—The undermentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Henry Thomas George Burne, 63rd Foot, Squadron Officer, 11th (Prince of Wales' Own) Bengal Lancers,—26th April 1876.

No. 426.—LONDON GAZETTE—

The following extract is published for general information:—

"*London Gazette,*" *6th April* 1877, *page* 2470.

India Office, 5th April 1877.

Her Majesty has been pleased to approve of the transfer to the half pay list of the Bengal Staff Corps of the undermentioned officer, *viz.*—

Captain Thomas John Baynes,—dated 27th March 1877.

And that the date of the transfer to the half pay list of the Bengal Staff Corps of Captain Edward Eustace Gibson, notified in the *London Gazette* of the 29th September 1876, be altered from the 22nd August 1876 to the 12th September 1876.

No. 427.—PUNJAB FRONTIER FORCE—

3rd Cavalry.

Surgeon J. Duke, officiating in medical charge, 2nd Punjab Infantry, to the medical charge, *vice* Surgeon O. T. Duke, M.B.

1st Sikh Infantry.

Captain A. G. Ross, 2nd in Command, to officiate as Commandant during the absence on leave of Major H. C. P. Rice.

Captain C. C. Brownlow, Wing Commander, to officiate as 2nd in Command, *vice* Captain Ross.

Captain A. F. Lambe, Adjutant, to officiate as Wing Commander, *vice* Captain Brownlow.

Lieutenant F. R. Begbie, Quartermaster, to officiate as Adjutant, *vice* Captain Lambe.

Lieutenant A. C. Bunny, Wing Officer, to officiate as Quartermaster in addition to his other duties, *vice* Lieutenant Begbie.

No. 428—HYDERABAD CONTINGENT—

Captain J. J. Kennedy, Wing Officer, 2nd Infantry, and officiating Wing Commander, 5th Infantry, to officiate as Assistant Adjutant General, *vice* Major Conway-Gordon transferred to the 5th Infantry.

No. 2, Horse Light Field Battery.

Lieutenant C. M. Smith, Subaltern, No. 1, Horse Light Field Battery, to officiate as Commandant, *vice* Captain J. G. Pollock, on furlough.

5th Infantry.

Major C. V. Conway-Gordon, Assistant Adjutant General, Hyderabad Contingent, to officiate as Commandant, *vice* Lieutenant-Colonel T. T. Turton, on furlough.

6th Infantry.

Major H. A. Justice, Wing Commander, to officiate as Commandant, *vice* Colonel E. W. Dun, on furlough.

No. 429.—NATIVE ARMY—

Jemadar Goordut Singh appointed on probation to the 7th Regiment of Native Infantry in G.G.O. No. 230 of 1875, is confirmed in that rank with effect from the 27th April 1875.

No. 430.—PUNJAB FRONTIER FORCE—

2nd Sikh Infantry.

Jemadar Mahomed Hussain to be Subadar, *vice* Elum Khan, deceased; Havildar Madmir to be Jemadar, *vice* Mahomed Hussain, promoted,—5th March 1877.

No. 431.—PUBLIC WORKS DEPARTMENT—

Sergeant Thomas Davies Bona, Printer, Thomason College Press, to be Sub-Conductor (supernumerary) from the 16th September 1874, and his name will stand in the Army List next below that of Sub-Conductor P. Burke.

No. 432.—VOLUNTEER CORPS—

1st Punjab Volunteer Rifle Corps.

To be Honorary Colonel.

The Hon'ble R. E. Egerton, C.S.I., Lieutenant Governor, Punjab.

No. 433.—The following appointment made by the Hon'ble the Lieutenant Governor of Bengal, is approved :—

Behar Mounted Volunteer Rifle Corps.

Captain J. J. Macleod to officiate as Commandant, *vice* Major F. Collingridge, on furlough.

BENGAL ARMY REGULATIONS.

No. 434.—Paragraph 2784, Bengal Army Regulations, is cancelled, and the following substituted :—

2784. Officers commanding stations only should address the civil district officers direct, while General Officers commanding divisions, districts or brigades should themselves address Commissioners of Divisions and similar high civil authorities, but in addressing a civil officer in charge of a district, may do so through their staff officers.

DISMISSALS AND REMOVALS.

No. 435.—The services of Native Medical Pupil Doonee Chund, No. 1071, attached to the 14th Bengal Lancers, admitted by G. G. O. No. 841 of 1876, are dispensed with.

FURLOUGH AND LEAVE.

No. 436.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave :—

Lieutenant-Colonel Henry Rowband, Infantry, Sub-Assistant Commissary General, 1st class,—private affairs for two years, under Rule IX of the Regulations of 1868.

Captain Thomas Hungerford Holdich, Royal Engineers, Assistant Superintendent, 1st grade, Topographical Survey Department, in charge No. 3 Central Provinces and Vizagapatam Agency Survey,—private affairs for two years, under Rule IX of the Regulations of 1868.

Captain W. P. Hodnett, 54th Foot, Deputy Assistant Adjutant-General (for Musketry), 3rd circle,—private affairs for four months, under the provisions of G. G. O. No. 813 of 1876.

Captain R. H. Grant, R. A., Deputy Assistant Quartermaster-General on the establishment,—medical certificate for six months, under the provisions of G. G. O. No. 813 of 1876.

Captain William Thom Stuart, Bengal Staff Corps, Interpreter and Quartermaster, Sappers and Miners,—private affairs for seven months and eighteen days, under Rule IX of the Regulations of 1868.

No. 437.—Surgeon-Major Henry Francis Williams, M.D., in medical charge 40th (The Shahjehanpore) Regiment of Native Infantry, is allowed furlough in India on medical certificate for twelve months, with effect from the date on which he quitted his station, under Rules XIV, clause I, and XVII of the Furlough Regulations of 1868.

No. 438.—The following extract from List No. 7, dated 13th April 1877, received from the India Office, is published for general information :—

Granted extensions of leave.

Captain R. T. M. Lang, General List, Cavalry,—6 months, medical certificate.

Captain C. L. Woodruffe, S.C.,—6 months, medical certificate.

Captain R. McMeminey, Unattached,—1 month, medical certificate.

No. 439.—With reference to G. G. O. No. 1144 of 1875, Captain A. F. Lambe, Bengal Staff Corps, Wing Officer, 1st Sikh Infantry, Punjab Frontier Force, is granted an extension of furlough to the 22nd November 1876.

No. 440.—REGULATIONS—

Under instructions from the Right Hon'ble the Secretary of State for India, the following alteration and addition are made to the Furlough and Leave Rules published in G. G. O. No. 1316 of 1875 :—

At the beginning of Rule 5, for the word "An" substitute the words *A Commissioned*

The following clause to be added to Rule 5 :—

A Warrant Officer receives half the emoluments of his office, calculated in the same manner as those of Commissioned Officers, no Warrant Officer, however, receiving as furlough pay less than the English furlough pay of his rank.

HOSPITAL SUPPLIES.

No. 441.—In continuation of G. G. O. No. 931, dated 15th September 1875, His Excellency the Governor General in Council is pleased to direct that the following scale of air and water beds and cushions shall be maintained for the hospitals of British and Native troops in the three presidencies as the authorized established proportion of such supplies :—

Air beds and cushions for British troops.

One air bed and two air cushions to be kept at each station of the three presidencies where the head-quarters of a British Regiment or Brigade of Artillery may be stationed, and also at each convalescent depôt, with a reserve of 50 per cent. in addition to be maintained at the medical depôts.

Air beds and cushions for Native troops.

Six air beds and twelve air cushions are allowed for the use of garrison and regimental hospitals of the Native army in the Bengal presidency, and half these numbers or three air beds and six air cushions in the Madras and Bombay presidencies, respectively, to be issued on special requisitions as required; the medical depôts maintaining a stock to the above extent to meet requirements, and indenting annually for such quantities as may be necessary for that purpose.

Water beds and cushions for British troops.

Twelve water beds and twelve water cushions to be kept up for the use of British troops in the Bengal presidency, distributed equally between the three medical depôts for issue on special requisitions approved by the Surgeon-General, Her Majesty's British Forces, and one-third of this supply or four water beds and four water cushions will in like manner be kept up and issued by the medical depôts in the Madras and Bombay presidencies, respectively.

ORDNANCE.

No. 442.—The following clause in List of changes in War Matériel is made applicable to India :—

Dated 1st December 1876.

2979. Knife, clasp, with marline spike (mark II).

PAY AND ALLOWANCES.

No. 443.—PAY CODE—

His Excellency the Governor General in Council having been pleased to approve of the following rule, it will be entered as Article, 2098*a*, Vol. I (immediately *above* the heading "Royal Engineers and Sappers and Miners") and Article 432*a*, Vol. II (immediately above the "Rules for the classification of Sappers and Miners") of the Pay Code for India :—

"Should a soldier employed on works be guilty of misconduct, or show himself negligent or inefficient, the British officer in principal charge of the works may stop the whole or any portion of his working pay on the days on which he is guilty of such misconduct, provided the offence be committed while on the duty for which he is in receipt of working pay."

Article 439, Vol. II of the Pay Code is cancelled.

PENSIONS.

No. 444.—The undermentioned men of the Bhopal Battalion are transferred to the Invalid Pension Establishment from the dates of their discharge :—

Rank.	Names.	Amount per mensem. Rs.	A.	P.
Subadar-Major	Ram Lall Misser* ...	18	0	0
Havildar ...	Rampurgus Opudhiah ...	6	0	0
" ...	Emam Khan ...	6	0	0
" ...	Dulmust Khan ...	6	0	0
" ...	Ram Churn ...	6	0	0
" ...	Lalla Doorga ...	6	0	0
" ...	Lutchmun Sing ...	6	0	0
" ...	Keleedeen Sukul ...	6	0	0
" ...	Nundkisore Awastie ...	6	0	0
" ...	Shaik Fujoo ...	6	0	0
Naick ...	Shaik Punchum ...	5	0	0
" ...	Nundlall Tewarie ...	5	0	0
" ...	Gungadeen ...	5	0	0
Sepoy ...	Shaik Ackbar ...	3	8	0
" ...	Bhugwandeen Tewarie...	3	8	0
" ...	Poorun ...	3	8	0
" ...	Pirthee Sing ...	3	8	0
Lascar ...	Mohun ...	3	0	0

* Is also allowed a continuance of the Brevet pay of his rank, *viz.*, Rs. 50 per mensem.

No. 445.—Sahibjan, widow of the late Sepoy Zurreen Khan, 6th Regiment, Punjab Infantry, Punjab Frontier Force, is admitted to the 3rd class Order of Merit pension, *viz.*, Rs. 1-13-4 per mensem for three years, from the 2nd November 1876, payable in the Punjab circle.

SUBORDINATE MEDICAL DEPARTMENT.

No. 446.—The sentence of imprisonment under G. G. O. No. 1185 of 1875. which first class Hospital Assistant Nubbie Bux was dismissed the service, having been, on appeal, annulled, he is reinstated in the service, with effect from the 31st August 1875.

TRANSFER OF OFFICERS.

No. 447.—The services of Lieutenant-Colonel W. Howey, Infantry, are replaced at the disposal of His Excellency the Commander-in-Chief.

No. 448.—The services of Captain R. H. Grant, Royal Artillery, Deputy Assistant Quartermaster-General, are, with reference to notification by the Foreign Department, No. 805 G., dated the 3rd April 1877, replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 15th April 1877.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th May 1877.

Statement of Deposits on account of Estates from the 28th April to 4th May 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					*Rs. a. p.*		
Richard George Frederick Henegan (*a*).	Colonel ...	Royal (late Madras) Artillery.	17th December 1876.	Will in England. Codicil in this country.	3,357 5 10	.....	

(*a*) *Widow.*—Mrs. Mary Anna Henegan, Brentwood, Essex.
Children.—1 boy, John.
2 girls, names not known.
2 boys (twins) Patrick and Loughlin.
Executors under Codicil—
Henry Anthoney Harrison, Esq., Magistrate of Fatehgarh.
David Limond Gilmore, Esq., Indigo Planter of Fatehgarh.

W. M. LEES, *Colonel*,
Offg. Secy. to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATIONS.

Simla, the 11th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 6.—Mr. William Aves is appointed a 3rd Class Officer in the Indian Marine.

RESIGNATIONS.

No. 7.—Mr. G. R. C. Smythe, 2nd Officer of the Indian Government Ship *Czarewitch*, is permitted to resign the service.

SALVAGE MONEY.

No. 8.—The following statement shewing the amount of salvage money admissible to each of the several classes of officers and crew of the Indian Government Steamer *Hugh Rose* for salvage services rendered to the Steamer *Mesopotamia* in February 1873, is published for general information :—

NOTE.—*Claims to the salvage money will be paid by the Accountant General, Marine Department, Bombay, on the production by claimants of certificates from the Commander of the* "Hugh Rose."

Rank.	Amount admissible.
	Rs. As. P.
Commander	899 6 6
Acting 1st Officer, 2nd Officer, 1st class Engineer.	532 8 8
Assistant Apothecary, 2nd class Engineer ...	355 0 6
Quartermaster, Gunner's mate, Carpenter's mate, Syrang, Tindal of Lascars, Tindal of Stokers.	177 8 3
Seacunnies, Pursers Steward, Ship's Cook, Naique.	124 4 2
Lascars, Commander's Butler, Officer's Butler, Officer's Cook, 1st, 2nd and 3rd class Stokers, Coal-trimmers, Privates.	71 0 1
Bundary of Lascars, Bundary of Stokers, 2nd Officer's servant, Engineer's servant, Warrant Officer's servant, Topases.	35 8 0
Boys	17 12 0

TABLE MONEY.

No. 9.—It is hereby notified that Marine Notification No. 32 of 1876 laying down the rates to be paid by the Indian Government for the entertainment of its officers and their families on board Her Majesty's ships of War, is from the date hereof applicable to all Indian Government ships and vessels in similar cases.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 5th May 1877.

No. 203.—The Governor General in Council is pleased to make the following promotions with effect from the dates specified :—

Lieutenant-Colonel and Brevet Colonel J. G. Medley, R. E., Chief Engineer 3rd Class, to Chief Engineer 2nd Class, *temporary*, from 11th April 1877, *vice* Lieutenant-Colonel H. A. Brownlow, R. E., appointed Inspector General of Irrigation and Deputy Secretary to the Government of India, Public Works Department.

Lieutenant-Colonel W. S. Trevor, V.C., R.E., temporary Chief Engineer 3rd Class, to Chief Engineer 2nd Class, *officiating*, from 26th April 1877, *vice* Mr. T. W. Armstrong, on privilege leave.

The 7th May 1877.

No. 204.—Baboo Keshub Chunder Chutterjee is appointed to the Public Works Department as an Accountant 3rd Grade, on probation, and posted to the Office of Storekeeper for State Railways, Calcutta.

No. 205.—Captain W. H. Pierson, R. E., Executive Engineer 2nd Grade, Military Works Branch, on return from furlough was granted subsidiary leave from 12th to 14th November 1876, both days inclusive.

No. 206.—Balakistna Moodeliar, Accountant 2nd Grade (temporary rank), is transferred from Hyderabad to the Western Rajpootana State Railway.

No. 207.—The undermentioned Accountants are permanently promoted to the 3rd Grade with effect from the 4th November 1876, consequent on the retirement on pension of Baboo Bonomally Chatterjee :—

Baboo Obhoy Churn Moytro, Office of Examiner, Guaranteed Railway Accounts, Calcutta.

Sub-Conductor M. Shanahan, Rajpootana.

The 8th May 1877.

No. 208.—Captain G. T. Skipwith, R. E., Assistant Secretary to the Government of India, Public Works Department, is on return from furlough granted subsidiary leave from 26th April 1877 to 1st May 1877, inclusive.

Captain Skipwith assumed charge of his duties from Captain Marshall on the forenoon of the 2nd May 1877.

The 10th May 1877.

No. 209.—Mr. N. A. R. Chambers, Assistant Engineer 2nd Grade, Military Works Branch, is transferred to the establishment under the Director of State Railways.

No. 210.—Captain W. A. J. Wallace, R. E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, is appointed to officiate as Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, until further orders.

No. 211.—The Governor General in Council is pleased to make the following temporary and permanent promotions with effect from the dates specified :—

Mr. A. Grant, Chief Engineer III Class, to *temporary* Chief Engineer II Class, from 17th December 1876, *vice* Colonel H. W. Gulliver, R.E., on furlough.

Lieutenant-Colonel H. A. Brownlow, R. E., temporary Chief Engineer III Class to *temporary* Chief Engineer II Class, from 9th February 1877, *vice* Colonel C. Pollard, R.E., appointed Deputy Secretary to the Government of India.

Major R. C. B. Pemberton, R. E., Superintending Engineer 2nd Grade, Railway Branch, to Superintending Engineer 1st Grade, *permanent*, with effect from 9th February 1877.

No. 212.—Kundun Lall, Overseer 3rd Grade, on the establishment under the Director of State Railways, is temporarily transferred to Bombay, for employment on the Dhoond and Manmar Railway.

The 11th May 1877.

No. 213.—Sergeant F. O. A. Baker, R. E., is appointed to the Public Works Department as an Overseer 1st Grade, and posted to the Military Works Branch.

No. 214.—With reference to Notification by Department of Revenue, Agriculture and Commerce, No. 414 of 7th May 1877, the services of Captain W. S. S. Bisset, R. E., are placed at the disposal of the Director of State Railways.

No. 215.—The services of Colonel A. F. Baird, S. C., Executive Engineer 1st Grade, Military Works Branch, are replaced at the disposal of the Military Department under the provisions of Public Works Department Notification No. 278 of 23rd May 1872, with effect from the date of his being relieved of his duties in the Public Works Department.

W. A. CROMMELIN, *Major-Genl., R. E.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 20] SIMLA, SATURDAY, MAY 19, 1877. [Register No. 33.

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

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SUPPLEMENT No. 20.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 14th May 1877.

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL will hold a Levée at Peterhoff at 11 A. M. on Saturday, 2nd June 1877, the day appointed for the celebration of Her Majesty's Birthday.

All Civil and Military Officers are invited to attend.

Other gentlemen purposing to attend the Levée are requested to send their cards to the Aide-de-Camp in waiting on or before Wednesday the 30th May 1877. Those gentlemen who have not already been presented at the Court of St. James, or at Government House, Calcutta or Simla, are requested in sending their cards to give their addresses, and to add the names of the gentlemen who will present them.

All officers and gentlemen attending the Levée are requested to bring with them two cards with their names legibly written on them, one to be delivered on entering Peterhoff, and the other to the Aide-de-Camp in waiting at the time of presentation.

The Levée will be closed by the presentation to His Excellency the Viceroy of the Native Officers of the detachment of the 4th Goorkhas by their Commanding Officer.

Gentlemen wearing uniform will appear in full dress.

Gentlemen not wearing uniform will appear in evening dress.

By Command,

G. POMEROY COLLEY, *Colonel,*
Military Secretary to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

CORRIGENDA.—In the Code of Civil Procedure (published in the *Gazette of India*, Part IV, of 31st March, 7th and 14th April 1877), section 322, in the parenthesis, *for* "section 303" *read* "section 304"; section 332, last paragraph, *for* "section 330" *read* "section 331"; section 441, line four, *for* "section 451" *read* "section 449".

Simla, the 16th May 1877.

No. 21.—In exercise of the power conferred by the Statute 24 & 25 Vic., cap. 67, section 17, the Governor General in Council has been pleased to appoint Wednesday the 30th instant at noon, as the time, and the Council Chamber in the Government House, Simla, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

A. PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 15th May 1877.

No. 424.—The Hon'ble C. Pontifex, a Judge of the High Court of Judicature at Fort William in Bengal, reported his departure from India per steamer *Nepaul*, which was left by the Pilot at sea on the 5th ultimo.

No. 426.—The Hon'ble F. B Kemp, a Judge of the High Court of Judicature at Fort William in Bengal, reported his departure from India per steamer *Mira*, which was left by the Pilot at s a on the 15th ultimo.

The 17th May 1877.

No. 430.—The following promotions of Extra Assistant Commissioners in Assam are sanctioned:—

From 4th to 3rd grade.

Babu Purnananda Barua,—from 1st April 1877.
Mr. W. G. Black, ditto.

From 5th to 4th grade.

Babu Haranath Ghosh,—from 1st April 1877.
,, Harish Chandra Chaki, ditto.
,, Rajmohon De, ditto.
Mr. H. M. Hinde,—from the date on which Babu Gunganath Sarma Barua may retire from service.

From 6th to 5th grade.

Babu Jogesh Chandra Chatterjee,—from 1st April 1877.

No. 431.—The following officers are confirmed in the 5th grade of Extra Assistant Commissioners in Assam, with effect from the date specified against their names:—

Babu Shambhu Narain Singh,—from 1st April 1877.
Babu Guruprasad Dass,—from 1st April 1877.
Babu Holiram Barmah,—from the date on which Babu Gunganath Sarmah Barua may retire from service.

No. 432.—APPOINTMENTS.—Babu Ram Gopal Khan, B.L., to be an Extra Assistant Commissioner of the 6th grade in Assam, with effect from the date of assuming charge.

Moulvie Nujmul Hossein Ahmed to officiate as Extra Assistant Commissioner of the 5th grade, with effect from the date of assuming charge.

Mr. G. J. Pogose to officiate as Extra Assistant Commissioner of the 5th grade, with effect from the date of assuming charge.

Mr. Kasinath Barua to officiate as Extra Assistant Commissioner of the 6th grade, with effect from the date of assuming charge.

The 18th May 1877.

No. 441.—Mr. F. G. Millett is permitted to resign Her Majesty's Bengal Civil Service.

MEDICAL.

The 14th May 1877.

No. 332.—The services of 3rd grade Assistant Surgeon Kedar Nath Bose are placed temporarily at the disposal of the Chief Commissioner of British Burma.

SANITARY.

The 18th May 1877.

No. 96.—The services of Surgeon-Major G. S. Sutherland, M.D., are placed at the disposal of the Foreign Department.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATION.—COMMERCE AND TRADE.

Simla, the 18th May 1877.

No. 6 of 1877.—The following Notice to Mariners is published for general information:—

NOTICE TO MARINERS.

INDIAN OCEAN, SEYCHELLES, MAHÉ ISLAND.

Exhibition of fixed red lights at Port Victoria.

Information has been received from Her Britannic Majesty's Chief Commissioner of the Seychelle Islands that, on the 1st March 1877, a *fixed red* light was exhibited from a lighthouse recently constructed on the north-west edge of the Southern reef at the entrance to Port Victoria.

The light is exhibited at an elevation of 37 feet above the level of high water, visible through an arc of 142°; or, from S. 1° E. through south and west, to N. 39° W., except where obscured by the outlying islands, and in clear weather should be seen from a distance of 9 miles.

The illuminating apparatus is *catoptric* or by reflectors.

The building is of granite, 42 feet from base to vane, and painted white. Position as given, latitude 4° 36′ 48″ S., longitude 55° 31′ E.

The same authority has also notified that a *fixed red* light is shown towards the anchorage in the Inner harbour at Port Victoria.

Directions.—A vessel entering St. Anne's road at night when about 3 cables distant from the north-west point of St. Anne's island, should steer S. W., observing to keep the lighthouse between the bearings of S. W. by W. and S. W. by W. ½ W., until the south point of St. Anne's island bears E. S. E.; thence a S. W. ½ S. course to the anchorage, with the light bearing from W. by S. ¾ S. to W. by S. At this position, the channel into the Inner harbour will be open, but at night should never be attempted by strangers without the aid of a Pilot.

At the entrance to the Port, moorings are laid, N. 55° E. 3½ cables from the lighthouse, for the steamers of the Messageries Maritimes, with an iron buoy, painted *red*, to support the bridles. Caution therefore is necessary in anchoring near the vicinity of this buoy, which should have a berth of half a cable to avoid fouling the moorings, the anchors of which are placed nearly East and West.

[*All Bearings are Magnetic. Variation* 4°40′ *W.*]

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 14th May 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,
G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice affects the following Admiralty Charts:—Seychelles, Port Victoria, Mahé Island No. 722; Seychelle group, &c., No. 721; and Indian Ocean Sheet 2, No. 748 *b*; also Admiralty List of Lights in South Africa, &c., 1877, and Taylor's Sailing Directory, Vol. I, page 541.

If this Notice is received on boardship, the substance of it should be inserted on the charts affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 14th May 1877.

No. 1175*G*.—Mr. J. C. Edwards, Officiating Political Assistant 1st Class and 2nd Assistant to the Resident, Persian Gulf, is granted leave on private affairs for 6 months, with the usual subsidiary leave, with effect from the date on which he may avail himself of the same.

No. 1176*G*.—Lieutenant T. Hope, Officiating Political Assistant 2nd Class, to officiate as Political Assistant 1st Class, with effect from the date on which Mr. Edwards proceeded on furlough.

No. 1177*G*.—APPOINTMENT.—Captain E. A. Fraser, Political Assistant 3rd class, substantive *pro tem*, is appointed to officiate as Political Assistant 2nd class, and is posted to the Persian Gulf, with effect from the date of assuming charge, *vice* Mr. Edwards on leave.

The 15th May 1877.

No. 1207*G*.—The following Brigade Orders, dated 12th April 1877, issued by the Commandant of the Central India Horse, are confirmed, with effect from the 2nd April 1877.

1st Regiment.

Captain A. H. S. Neill, Adjutant, to be 3rd Squadron Commander, *vice* Captain R. J. H. Wyllie appointed permanently to the Commissariat Department, but to continue to officiate as 2nd Squadron Commander during Major H. M. Buller's absence on furlough.

Lieutenant H. A. Vincent, 1st Squadron Officer, to be Adjutant, *vice* Captain A. H. S. Neill.

Lieutenant G. E. Money, 2nd Squadron Officer, to be 1st Squadron Officer, *vice* Lieutenant H. A. Vincent.

Lieutenant A. G. A. Durand to be 2nd Squadron Officer, *vice* Lieutenant Money.

No. 1208*G*.—The following extracts from Force Orders issued by the Commandant Deolie Irregular Force on the 2nd and 5th April 1877, are confirmed:—

Captain P. W. Smith, officiating 2nd in Command and Squadron Officer, to officiate as Adjutant in addition to his other duties, pending the arrival of Lieutenant F. Rundall, or until further orders.

Lieutenant C. Herbert, 45th Foot, having arrived on duty as Officiating Adjutant, to take over charge of the Adjutant's Office from Captain P. W. Smith.

No. 1212*G*.—The subsidiary leave from 1st to 28th February 1877 granted by the Bombay Government under Notification dated 17th January 1877, to Mr. J. Jardine, Acting Judge and Sessions Judge of Khandesh, is converted into joining time, in consequence of the appointment of that officer to be Secretary to the Delegates commissioned to discuss the terms of a Commercial Treaty with the Portuguese Government, with effect from 1st March 1877.

The 18th May 1877.

No. 1243*G*.—APPOINTMENT.—Major C. Martin, 2nd in Command, 2nd Regiment Central India Horse, to be Commandant of the Central India Horse and Political Agent in Western Malwa, with effect from the date of assuming charge, *vice* Colonel J. Watson appointed Resident of 2nd class.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNT AND FINANCE.

Simla, the 18th May 1877.

No. 706.—Mr. F. J. Atkinson, Officiating Assistant to the Comptroller General, is confirmed in this appointment with effect from the 1st May 1877.

No. 733.—Mr. C. E. Crawley is appointed to officiate as Assistant to the Accountant General, Madras.

MINT AND CURRENCY.

The 18th May 1877.

No. 765.

READ the Report of the Head Commissioner of the Department of Issue of Paper Currency, received on the 21st April 1877.—(NOTE.—This Report will be published in Calcutta.)

OBSERVATIONS.—The average amount of notes issued by the Paper Currency Department outstanding in circulation during the year was Rs. 11,35,26,621, being more by Rs. 68,22,550 than the average of 1874-75 (Rs. 10,67,04,071), but less by Rs. 13,69,460 than the average of the five years 1871-76 (Rs. 11,48,96,081).

2. The average circulation in 1875-76 may be considered to be a fair normal amount undisturbed by any special circumstances. The total money reserves in the Government Treasuries and in the Presidency Banks during the year were moderate, and no special circumstances are known to have occurred which were calculated to inflate the circulation beyond the actual immediate requirements of the Country.

3. As remarked last year, the Paper Currency system of British India is believed to be based on sound principles, the convertibility of the notes at the places of issue being absolutely secured. Facilities are, indeed, given for the encashment of the notes elsewhere than at the place of issue, (1) by the law, which requires that every note, wherever issued, shall be payable at the Presidency town of the Presidency within the limits of which, as defined under the Paper Currency Act, it is issued; and (2) by executive orders under which (*a*) all notes, wherever issued, are received everywhere as legal tender against the Government and at all Railway stations, and (*b*) silver is given for notes at most Government Treasuries.

4. The circulation of the Paper Currency of India may, therefore, be held to be self-regulating, and its amount to depend, not upon any State interference, but solely upon the requirements of the people; in this aspect, the steadiness of the circulation during recent years is remarkable, the lowest point reached since 1870 even under the influence of the great and rapid outflow of the Government reserves in the operations against the Bengal Famine being Rs. 9,20,06,685 (March 15th, 1874). The maximum circulation during the same period was Rs. 13,66,08,720 (15th May 1872); but this was during a time of inflation, which lasted from January 1872 to January 1873, and which was due to the investment, in January 1872, of 2¾ crores of rupees of the Currency Reserves on the occasion of the discharge of the Five per cent. Loan of 1856-57.

5. The maximum circulation in 1875-76 was Rs. 12,16,12,235 (on the 22nd September 1875), the minimum Rs. 10,66,86,280 (on the 7th May 1875). The maximum in the preceding year was Rs. 11,32,76,075 (on the 7th February 1875), the minimum Rs. 9,22,14,380 (on the 7th April 1874); but the circulation was, at that time, still under the abnormal influence of the rapid depletion of the Government balances for the operations against the Bengal Famine. Comparing the calendar years 1875 and 1876, the latter year shows a slightly lower minimum, *viz.*, Rs. 10,53,22,945 against Rs. 10,66,86,280 in 1875. Both these calendar years may, however, be considered normal years, and the difference, in each, between the maximum and the minimum circulation of each year, Rs. 1,74,13,135 in 1876, and Rs. 1,49,25,955 in 1875, may be regarded as a fair measure of the ebb and flow of the metallic reserves of the Country out of and into the Treasury of the Currency Department according as coin is required for the purchase of produce in the interior, or is redeposited after fulfilling that duty.

6. Only 132 lakhs of rupees of notes were issued against silver bullion during the year, against 455 lakhs in 1874-75. The measure adopted for the relief of the Treasury in consequence of which all bullion intended for the Mint now passes through the Currency Department, was not introduced till November 1876; its effects will be reviewed next year.

7. Under the peculiar requirements of the law to which reference has been already made, Allahabad and Lahore notes were cashed in Calcutta to the amount of Rs. 2,74,58,850, being Rs. 16,17,845 more than last year. The extent to which the law thus throws upon the State the cost of remittances from Upper India to Calcutta is not fully shown by these figures, as the authorities are sometimes driven to make arrangements with remitters, the result of which does not appear in the transactions over the counters of the Currency Department. Whenever the exchange between Calcutta and Bombay makes, as it often does, the remittance of coin from Bombay to Calcutta expedient, remitters have it in their power, by presenting their coin brought from Bombay, to the Currency Department at Allahabad, to compel the State to pay the cost of its transport from Allahabad to Calcutta. And it is frequently convenient to do this at once, without insisting upon the intermediate form, and so save trouble both to the Currency Department and the remitters. It may be questioned whether the operation of this provision of the law is reasonable or convenient.

8. The transactions with the public in Home Circle notes were rather smaller in 1875-76 than in 1874-75, thus—

	1874-75.	1875-76.	Less in 1875-76.
Notes issued	68,25,78,760	62,69,70,815	5,56,07,945
Notes discharged	63,66,57,570	62,17,81,655	1,48,75,915

The decrease of issues appears to have been almost entirely in the notes for Rs. 1,000 and Rs. 10,000. All the smaller denominations except the Rs. 100 notes show increases.

9. The number of notes cancelled and not re-issued increased from 8,094,063 to 8,506,818, or from 65 per cent. to 66·43 per cent. of the whole.

The Governor General in Council hopes that the departmental authorities are careful not to cancel notes needlessly, especially in Calcutta, where more than half of the whole cancellations took place. Some explanation should be given of the rapid increase in the number of notes cancelled in Calcutta as follows: it may probably be connected with remittance transactions:—

Daily average number of notes cancelled in Calcutta.

1872-73	3,773	1874-75	6,478
1873-74	4,853	1875-76	8,303

The average daily number of notes cashed in Calcutta has increased from 8,686 in 1872-73 to 11,659 in 1875-76, or by only 34¼ per cent.; the average daily number cancelled from 3,773 to 8,303 or by 120 per cent. The Governor General in Council especially desires to know why it was necessary to cancel 913 of the 996 notes for Rs. 10,000 received in Calcutta: the wear and tear from circulation of these notes must be very slight.

10. The daily average turnover of notes continues to be much larger in Calcutta than at Bombay, or, of course, elsewhere, thus—

	Cashed.	Issued.
Calcutta, daily average ...	11,659	11,306
Bombay, ditto ...	4,107	4,136

This is understood to be due to the practice of the Bank of Bengal in Calcutta of re-issuing no notes that it receives, but paying all into the Currency Department.

11. Explanation is required of how it happened that, on the 31st March 1875, no notes for Rs. 10,000 of the Calcutta Circle were in circulation. The Statement No. II shows that these notes, which, for many purposes, must have a special convenience, are much more used in Bombay (issue 4,601 notes) than in Calcutta (issue 955 notes). The Head Commissioner should ascertain and report the cause of this.

12. It has been noticed that, under the requirements of the law, notes for Rs. 2,74,58,850 issued at Allahabad and Lahore were cashed in CALCUTTA. In the same way, notes for Rs. 62,76,540 issued at Calicut and Cocanada, were cashed at MADRAS, and notes for Rs. 73,91,815 issued at Nagpur, Akola and Kurrachee, were cashed at BOMBAY. Besides this, notes for Rs 1,85,36,715 were cashed at offices other than the place of issue, in excess of the requirements of the law. Thus Rs. 5,96,63,920 were remitted from one centre of issue to another through the Currency Department as compared with Rs. 6,16,82,885 last year.

13. Moreover, notes were cashed for all comers throughout the year at 60 treasuries and usually at 47 treasuries more; at only 27 treasuries was this accommodation seldom available; notes for Rs. 4,74,74,715 were thus issued at the [illegible] treasuries in exchange for silver, and notes for Rs. 3,52,80,715 were [illegible] transaction. These transactions are much larger than the corresponding [illegible] 1874-75, in which year notes for Rs. 4,15,59,690 were [illegible] Rs. 2,66,37,885 cashed.

14. Altogether, it is evident that the Government Currency notes, though they are not, strictly speaking, intended for the purpose, do largely fulfil the functions of an instrument of internal remittance.

15. It is interesting to observe that, though Rs. 1,11,970 were paid under bonds of indemnity, for lost notes during the year, not a single claim has yet been made good against the Department for lost notes thus paid. In his future Reports the Head Commissioner will be good enough to state the total number and amount of lost notes paid from the beginning of the system to the end of the year of report, and the total number and amount of claims preferred for the payment of notes thus discharged, as well as of such claims (if any) made good.

16. The continued absence of forgery is satisfactory.

17. Small silver to the value of Rs. 28,37,979 was supplied to the public during the year through the Currency Department, being more by Rs. 9,71,721 than the amount thus disseminated last year.

18. No additional Currency Agencies were opened during the year; the transactions at the 21 Agencies opened previously amounted to Rs. 59,52,400 against Rs. 45,05,300 in 1874-75 and Rs. 49,61,500 in 1873-74.

19. The net profits of the Department amounted to Rs. 20,32,190 as compared with Rs. 19,80,151 in 1874-75 and Rs. 19,15,608 in 1873-74.

20. Mr. E. F. Harrison directed the operations of the Department, as Head Commissioner, throughout the year, to the entire satisfaction of the Government of India, which has always reposed complete confidence in Mr. Harrison's management of the Department, and never found this confidence misplaced.

ORDERED, that these Observations be communicated to the Head Commissioner of the Department of Issue of Paper Currency, and published in the *Gazette of India*.

PENSIONS AND GRATUITIES.

The 18th May 1877.

No. 761.—In supersession of Notification No. 555, dated 11th May 1877, published at page 247 of Part I of the *Gazette of India* of the 12th idem, the Governor General in Council directs that the following be inserted as Rule 3 under Section 3 of Supplement C to the Civil Pension Code :—

> A Chaplain belonging to the Bengal Establishment, who wishes to obtain pension from the authorities in India, must submit his application to the Government of India in the Home Department, through the Venerable the Archdeacon or the Right Reverend the Lord Bishop of Calcutta. A Chaplain belonging to the Madras or Bombay Establishment must submit his application to the Government of Madras or the Government of Bombay, as the case may be, through the Venerable the Archdeacon or the Right Reverend the Lord Bishop of his Diocese.

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

MILITARY DEPARTMENT.

Simla, the 18th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 449.—ARMY COMMISSARIAT DEPARTMENT—

Temporary.

Captain W. R. Bunbury, Sub-Assistant Commissary General, 1st class, to officiate as Deputy Assistant Commissary General, 2nd class.
Captain R. J. H. Wyllie, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 2nd class, to officiate as Sub-Assistant Commissary General, 1st class.

} From 5th April 1877, *vice* Lieutenant-Colonel A. W. Montagu, Deputy Assistant Commissary General, 2nd class, on furlough.

No. 450.—

RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.
Permanent.			
Officiating Sub-Conductor Charles Harris.	Sub-Conductor.	9th January 1877.	Sub-Conductor F. W. Muller, deceased.
Temporary.			
Sergeant Henry Pike *(on furlough.)*	Officiating Sub-Conductor.	Do.	Officiating Sub-Conductor C. Harris, confirmed in that grade.
Sub-Conductor Thomas Donlea.	Officiating Conductor.	4th March 1877.	Conductor W. A. Armstrong, on furlough.
Sergeant Alexander Paterson.	Officiating Sub-Conductor.		
Sergeant Andrew Lyttle	Do.	11th March 1877.	Officiating Sub-Conductor H. Pike, on furlough.

No. 451.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant William Octavius Harris, 1st Battalion, 17th Foot, Wing Officer, 20th (Punjab) Regiment of Native Infantry,—2nd May 1876.

No. 452.—PUNJAB FRONTIER FORCE—

3rd Cavalry.

Major W. C. Anderson, Squadron Commander, to officiate as 2nd in Command, *vice* Major A. Vivian appointed to officiate as Commandant, 4th Cavalry.

Captain J. D. Macpherson, Squadron Officer and Adjutant, to officiate as Squadron Commander, *vice* Major Anderson.

Lieutenant C. C. Egerton, Squadron Officer, to officiate as Squadron Commander, *vice* Captain R. B. Lockwood appointed temporarily to the Quartermaster-General's Department.

Lieutenant F. Mardall, Squadron Officer, to officiate as Adjutant in addition to his other duties, *vice* Captain Macpherson.

No. 453.—NATIVE ARMY—

6th Bengal Cavalry.

Duffadar Ahmed Khan to be Jemadar, *vice* Kurreem Oodeen, dismissed,—1st May 1877

38th (The Agra) Regiment of Native Infantry.

Havildar Gyana to be Jemadar, *vice* Boota Sing, promoted by transfer,—21st April 1877.

FURLOUGH AND LEAVE.

No. 454.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave :—

Major Charles Henry Luard, Royal Engineers, temporary Superintending Engineer, 2nd grade, Public Works Department, Officiating Consulting Engineer to Government of India for Guaranteed Railways, Lucknow,—private affairs, for nine months, under Rules IX and XV of the Regulations of 1868.

Captain George Brehon, Bengal Staff Corps, Wing Officer, 17th (The Loyal Poorbeah) Regiment of Native Infantry,—private affairs, for one year and one month, under Rule IX of the Regulations of 1868.

Captain (Brevet Major) Arthur Haldimand Prinsep, late 4th European Light Cavalry, Squadron Commander, 11th (Prince of Wales' Own) Bengal Lancers,—private affairs, for six months, under Rule IX of the Regulations of 1868.

Lieutenant Lewis Dening, Bengal Staff Corps, Wing Officer, 26th (Punjab) Regiment of Native Infantry,—medical certificate, for 18 months, under Rule IX, Note 1, of the Regulations of 1868.

Lieutenant Cathcart Dempster, Bengal Staff Corps, Wing Officer, 4th Sikh Infantry, Punjab Frontier Force,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

No. 455.—Surgeon Charles Albert Harvey, Madras Medical Department, in medical charge 11th Regiment, Madras Native Infantry, is allowed to proceed to Europe on medical certificate under the Regulations of 1868, in anticipation of the furlough which will be granted to him by the Government of his own presidency.

No. 456.—REPORTS OF ARRIVAL—

Major J. F. N. Mackenzie, Bengal Staff Corps,—Bombay, 17th January 1877.

Lieutenant G. F. Wilson, Royal Engineers, Assistant Engineer, 2nd grade, Public Works Department,—Bombay, 18th April 1877.

No. 457.—REPORTS OF DEPARTURE—

Colonel H. Drummond, Royal Engineers, G. G. O. No. 279 of 1877,—*Nepaul*, 5th April 1877, from Calcutta.

Lieutenant-Colonel (Brevet Colonel) G. W. Fraser, Bengal Staff Corps, G. G. O. No. 191 of 1877,—*Nepaul*, 5th April 1877, from Calcutta.

Lieutenant-Colonel (Brevet Colonel) A. H. Paterson, Bengal Staff Corps, G. G. O. No. 143 of 1877,—*Yorkshire*, 22nd March 1877, from Calcutta.

Lieutenant-Colonel A. W. Montagu, Bengal Staff Corps, G. G. O. No. 167 of 1877,—*Nepaul*, 5th April 1877, from Calcutta.

Surgeon-Major C. E. W. Bensley, M. D., G. G. O. No. 306 of 1877,—*Eldorado*, 27th April 1877, from Calcutta.

Surgeon-Major R. Bird, M. D., G. G. O. No. 1212 of 1876,—*Bokhara*, 26th January 1877, from Calcutta.

Surgeon-Major P. S. Turnbull, M. D., G. G. O. No. 95 of 1877,—9th April 1877, from Bombay.

Major (Brevet Lieutenant-Colonel) F. M. Birch, Bengal Staff Corps, G. G. O. No. 306 of 1877,—*Assyria*, 15th April 1877, from Bombay.

Major O. R. Newmarch, Bengal Staff Corps, G. G. O. No. 75 of 1877,—*Nepaul*, 5th April 1877, from Calcutta.

Major G. S. Hills, Royal Engineers, G. G. O. No. 306 of 1877,—*Nepaul*, 5th April 1877, from Calcutta.

Captain J. Dundas, V.C., Royal Engineers, G. G. O. No. 120 of 1877,—*Persia*, 9th February 1877, from Bombay.

Captain L. Blathwayt, Bengal Staff Corps, G. G. O. No. 279 of 1877,—*Poonah*, 20th March 1877, from Calcutta.

Captain E. H. H. Collen, Bengal Staff Corps, G. G. O. No. 216 of 1877,—*Assam*, 7th May 1877, from Bombay.

Surgeon J. J. Monteath, M. D., G. G. O. No. 410 of 1877,—*Dorunda*, 4th May 1877, from Calcutta.

Conductor B. Morley, Ordnance Commissariat Department, G. G. O. No. 259 of 1877,—*Jumna*, 13th March 1877, from Bombay.

Conductor R. F. Castellari, Ordnance Commissariat Department, G. G. O. No. 356 of 1877,—*Serapis*, 27th March 1877, from Bombay.

PAY AND ALLOWANCES.

No. 458.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops":—

Article 441, clause *c*, page 102. Expunge the fifth line, *viz.*:—

Rs. A. P.

"Ditto ditto in the field (Bengal) 42 0 0"

Article 1162. The first portion of this article is reconstructed as follows:—

G. L. No. 426—29c. of 15th September 1875.

"The mileage rate of allowance being generally granted in consideration of duty involving protracted absence with frequent travelling and its attendant expenses, an officer, who, when travelling on duty connected with his office, is entitled to that rate, cannot draw it when he is removed to another station or charge, or when he proceeds on duty of an ordinary nature."

Article 2452, page 444. After the word "pension" *insert* "provided such decision did not reach India (army head-quarters) till after the soldier's demise."

G. O. No. 371 of 1869.

Article 2003. In the margin, *for* "G. O. No. 24 of 1870," *substitute* "G. O. No. 211 of 1870."

Insert the following article:—

Practice—*Vide* Bengal Controller's No. 5498 of 22nd August 1876.

2006 *a*. A soldier is entitled to free conveyance when proceeding, for the first time, to join an appointment in a military office.

B. A. R.—2293, G. L. Nos. 324 of 16th August and 271—4 of 6th December 1876.

Article 1215. *Add*—"Demurrage will under no circumstances be paid on account of carriage for private baggage."

Article 2009, page 372. After the word "granted" in the last line *add* the words "but see article 1634*a*."

In the margin of article 2012 *insert* "G. O. C. C. of 23rd March 1864, G. O. No. 169 of 1867, G. O. No. 347 of 1874."

Article 652, clause *a*. Expunge the words "captains of troops and companies of British regiments," and *substitute* "the command allowances of batteries of Royal artillery or of troops and companies of British regiments."

G. L. Nos. 64—6 of 2nd November 1876, 1391 of 24th March 1877, and 508 of 2nd May 1877, to Bombay.

In the margin of article 1078 *for* "1847" *substitute* "1874." In the margin of article 1079, enter "G. L. Nos. 1415—16 of 26th June 1874."

Article 2070, clause (*b*). *Add*—"When the aggregate pay of a non-commissioned officer or soldier acting in the warrant grade exceeds a monthly rate of Rs. 100, he shall be permitted to draw this amount; *viz.*, Rs. 100, *plus* the subsistence allowance, or the higher rate of pay without the subsistence allowance, whichever may be most advantageous to him."

G. L. Nos. 201—3C of 6th April 1877.

Article 2086. To read as follows:—

"The wife and family of a trained schoolmaster, also a trained schoolmistress whether the wife of a trained schoolmaster or of a soldier serving in India or not," &c., &c.

Article 1478, page 277. Immediately above "Conductor" *insert* "Senior Apothecary 240-0-0."

In the margin of article 312 enter "G. L. Nos. 126—9 of 3rd September 1870."

Article 370, clause *a*. *Add*—"If on leave at the time—from the date of the general order notifying the arrangement."

Cochrane, 2nd Edition, page 361, G. L. Nos. 1062—3 of 23rd December 1868.

Article 359, clause *c*. Expunge the words "following that" in the third line, and in the margin, substitute "G. G. O. No. 895 of 1874" *for* "G. O. No. 113."

Article 212. In the margin, *substitute* "November" for "March."

Article 1595, page 299. Opposite "Assistant Instructor of Army Telegraphy" quote as authority in the margin, "G. L. No. 1288, dated 23rd March 1877, to Bombay."

Insert the following article:—

"1839 *a*. A non-commissioned officer of the British service, serving with a corps of sappers and miners, is eligible for furlough under the provisions of articles 1627—1629 and 1839, so long as the sappers and miners remain a body for local service."

G. L. Nos. 386—9 S of 30th April 1877.

Article 1473. In the margin enter "G. G. O. No. 225 of 1877, para. 7."

Article 1881. Expunge the words "and gratuities" in the second line, the words "and soldiers" in the third line, also the heading "Gratuities" and the entries subordinate thereto.

G. G. O. No. 225 of 1876.

Article 1882. Expunge the words "and men" in the fifth line, the words "and drummers" in the sixth line. Expunge the seventh line entirely, also the "Note" to this article.

Insert the following article:—

"1890*a*. The classes eligible to receive the medal and gratuity for long service and good conduct are as follows:—

G. G. O. No. 225 of 1877.

European non-commissioned officers and soldiers serving in the ordnance, commissariat, barrack branch of the department public works, steel, telegraph and clothing departments.

Military staff clerks serving in the offices of the adjutant general in India (including the offices of the deputy adjutant general, Royal artillery in India, and the assistant adjutant general for musketry, army head-quarters), quarter master general in India, military secretary to His Excellency the Commander-in-Chief, judge advocate general, surgeon-general, British forces.

Embarkation, transport and bazar sergeants, drill instructors of volunteer corps, non-commissioned staff of hill depôts and of garrisons and forts.

Provost sergeants of garrison cells and of station and military prisons.

Non-commissioned officers and men of the Viceroy's band.

European non-commissioned officers of Native regiments, including drummers, fifers, and buglers of European parentage.

Royal engineers and other European non-commissioned officers and men serving with the corps of sappers and miners.

Non-commissioned officers and men of the European invalid battalion present with their corps.

Staff sergeants of gymnasia.

Note.—Men whose fathers and maternal grandfathers or whose mothers and paternal grandfathers were of pure European origin, are considered to be of European parentage, and a certificate to the effect that the individual recommended fulfils these conditions, is to be inserted at the foot of the rolls of drum, fife or bugle majors, and of drummers, fifers and buglers, of Native corps."

Article 1890. *For* the words "in articles 1881-1882" *substitute* "in article 1890*a*."

G. G. O. No. 225 of 1877.

Article 1898. *Substitute* the words "a soldier" *for* "the discharged soldier."

G. G. O. No. 225 of 1877.

Article 1906. In the margin, *for* "G. G. O. No. 32 of 1874" *substitute* "G. G. O. No. 354 of 1877."

Article 1909. In the first line, after the word "discharged" *insert* the words "either free, by purchase, or."

G. G. O. Nos. 778 of 1874 and 354 of 1877.

Article 1910. After the word "sergeant" *insert* "which term includes sergeants-major and all other grades of sergeants."

G. G. O. No. 354 of 1877.

Article 1915. In the fifth line, *for* the word "of" *substitute* "or."

G. G. O. No. 354 of 1877.

Article 61, clause *a*, page 24. Expunge the words "and Madras" in the tenth item.

Rs.

For "Deputy Assistant Adjutant General, Head-Quarters ... ... 500"

Substitute "Deputy Assistant Adjutant General, Head-Quarters, Bengal ... 400

G. G. O No. 372 of 1877.

Ditto—special extra allowance to the officer actually performing the duties, whether permanently or officiating ... 100"

Article 61, clause *b*, page 25. Immediately under "Deputy Judge Advocate of Division" *insert* "Deputy Assistant Adjutant General (District), Bengal ... 400"

G. G. O. No. 372 of 1877.

Article 81, page 33. After "Assistant Adjutant General of Division" insert "Deputy Assistant Adjutant General (District)."

G. G. O. No. 372 of 1877.

Article 93. Immediately under "Assistant Adjutant General of Division," &c., *enter* "Deputy Assistant Adjutant General (District)."

G. G. O. Nos. 336 of 1873 and 372 of 1877.

Articles 100 and 123, clause *d*. To the words "Brigade Major" affix an asterisk (*, and enter the following at foot of page:—

G. G. O. No. 272 of 1877.

* "Designation changed, in Bengal, to deputy assistant adjutant general (District).

G. G. O. No. 372 of 1877.

Make a similar alteration in article 124, page 43, first item only; also in articles 221 and 222.

Insert the following article:—

"2363*a*. If the report of a marriage or of the birth of a child be not made within one month of the occurrence, the donation payable in each case will be increased 2½ per cent., and interest thereon charged from the date of marriage or birth of the child. After six months' delay, donation will be increased 5 per cent. and interest charged in the usual manner."

G. G. O. No. 381 of 1877.

RESIGNATIONS.

No. 459.—Captain James Bruce, Calcutta Volunteer Rifle Corps, resigns his commission at his own request, but is permitted to retain his rank and to continue to wear the uniform of his regiment on his retirement.

No. 460.—Third Class Hospital Assistant Madub Chunder Banerjee, admitted by G. G. O. No. 632 of 1869, is permitted to resign the service.

RETIREMENTS.

No. 461.—Surgeon-Major Isaac Newton is permitted to retire from the service on a pension of £220 per annum, from the 6th July 1877.

TRANSFER OF OFFICERS.

No. 462.—The services of Lieutenant-Colonel P. Wheeler, Infantry, are placed temporarily at the disposal of the Home Department.

No. 463.—The services of 1st Class Apothecary J. Slane, Civil Tura, are placed at the disposal of the Government of Bengal.

No. 464.—The services of 1st Class Apothecary W. Wade, late of the Presidency General Hospital, are replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 30th March 1877.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 14th May 1877.

No. 216.—Mr. C. D. Hawes, Accountant 3rd Grade, is transferred from the Rajpootana to the Western Rajpootana State Railway.

No. 217.—Lieutenant G. F. Wilson, R. E., Assistant Engineer 2nd Grade, on the Establishment under the Director of State Railways, is, on return from furlough, granted subsidiary leave from the 18th to 24th April 1877.

No. 218.—Kanta Pershad is appointed an Accountant 4th Grade on probation, and posted to British Burmah.

No. 219.—The undermentioned Accountants are transferred to British Burmah:—

Mr. S. Kiddle, Accountant 3rd Grade, Rajpootana State Railway.
Baboo Kader Nath Chatterjee, Accountant 3rd Grade, Punjab.
Pundit Kanhai Lall, Accountant 4th Grade, Oudh and Rohilkund Railway.

No. 220.—Lieutenant M. C. Brackenbury, R. E., Assistant Engineer 1st Grade, temporarily attached to the Public Works Department Secretariat, is promoted to Executive Engineer 4th Grade, temporary rank, with effect from the 19th March 1877.

No. 221.—Major J. G. Forbes, R. E., Superintending Engineer 1st Grade (temporary rank), is appointed to officiate as Chief Engineer 3rd class and Joint Secretary to the Government of Bengal, Public Works Department, Irrigation Branch, during the absence of Colonel Haig, R. E., on privilege leave, or until further orders.

The 15th May 1877.

No. 222.—ERRATUM.—In Public Works Department Notifications Nos. 194 and 202, dated respectively the 27th April and 4th May 1877, regarding Mr. J. F. Mackenzie, for "Assistant Engineer 2nd Grade" read "Assistant Engineer 1st Grade (temporary rank)."

The 16th May 1877.

No. 223.—The transfer of Lieutenant C. Hoskyns, R. E., Assistant Engineer 1st Grade, from the Punjab Provincial Establishment to the Military Works Branch (Public Works Department Notification No. 59 of 5th February 1876), is cancelled.

No. 224.—Baboo Trilok Nath Mukhopadhia, a passed student of the Thomason College, Roorkee, is appointed to the Public Works Department as an Engineer Apprentice, and posted to the Punjab Provincial Establishment.

No. 225.—The services of Mr. W. P. Lynam, Executive Engineer 4th Grade, Coorg, are placed at the disposal of the Foreign Department for employment as Officiating Principal of the School of Engineering and Natural Science, Baugalore.

The 17th May 1877.

No. 227.—Lieutenant J. B. Sharpe, R. E., attached to the Corps of Sappers and Miners, Roorkee, has passed the examination in the Native languages according to the departmental standard.

No. 229.—Mr. C. S. Warwick, Storekeeper 1st Grade, is promoted to be Chief Storekeeper, Indus Valley State Railway, with retrospective effect from 1st January 1875.

No. 230.—Baboo Ramessur Nath, Assistant Engineer 1st Grade, is transferred from the Military Works Branch to the Establishment under the Director of State Railways.

The 18th May 1877.

No. 231.—Public Works Department Notification No. 522 of 17th December 1875, removing Mr. J. F. Victor, Supervisor 1st Grade on the Establishment under the Director of State Railways from the Department, is cancelled.

No. 232.—Mr. P. M. Flannery is appointed to the Department as an Accountant 4th Grade on probation, and posted to British Burmah.

No. 233.—Captain F. Firebrace, R. E., is appointed to Class I of the Revenue Establishment of State Railways, and is confirmed in the appointment of Manager, Rajputana State Railway, with effect from 9th April 1877, *vice* Captain K. C. Pye, R. E., deceased.

No. 234.—During the absence on furlough of Colonel H. Drummond, R. E., or until further orders, Lieutenant-Colonel E. C. S. Williams, R. E., Director of State Railways, is appointed to officiate as Deputy Secretary to the Government of India, Public Works Department, Railway Branch, from 7th March 1877, and in addition to his own duties until relieved of them.

No. 235.—With reference to Public Works Department Resolution No. 91—93 E. R., dated 28th February 1877, the Governor General in Council is pleased to make the following provisional appointments and postings in the Railway Branch of the Public Works Department:—

Lieutenant-Colonel E. C. S. Williams, R. E., Director of State Railways, is posted to the Central System.

Mr. W. C. Furnivall, M. Inst. C. E., Under Secretary to the Government of India, Public Works Department, Railway Branch, is appointed to officiate as a Director of State Railways, with the rank of Chief Engineer III Class, during the absence of Lieutenant-Colonel E. C. S. Williams, R. E., and is posted to the Central System.

Lieutenant-Colonel and Brevet Colonel F. W. Peile, R. E., Assoc. Inst. C. E. (on furlough), is appointed a Director of State Railways, with the rank of Chief Engineer II Class, and is posted to the Western System.

Mr. A. Grant, M. Inst. C. E., is appointed a Director of State Railways, with the rank of Chief Engineer III Class, and is posted to the North-Eastern System, but will officiate in the Western System, with the rank of Chief Engineer II Class, until the return from furlough of Lieutenant-Colonel and Brevet Colonel F. W. Peile, R. E., or until further orders.

Lieutenant-Colonel F. S. Stanton, R. E., Assoc. Inst. C. E., is appointed to officiate as a Director of State Railways, with the rank of Chief Engineer III Class, and is posted to the North-Eastern System.

Mr. William Harvey, Assoc. Inst. C. E., Executive Engineer 4th Grade, is appointed to be an Assistant Director of State Railways, and is posted to the Central System.

Lieutenant G. F. Wilson, R. E., Assistant Engineer 2nd Grade, Tirhoot State Railway, is appointed to be an Assistant Director of State Railways, and is posted to the North-Eastern System.

Major R. C. B. Pemberton, R. E., Assoc. Inst. C. E., Superintending Engineer 1st Grade, is appointed Director of State Railway Stores.

Major I. P. Westmorland, R. E., Examiner of Accounts, Punjab Northern State Railway, is appointed Examiner of Accounts, Western System of State Railways, with the direct charge of the Punjab Northern Railway.

Mr. R. B. Duncan, Examiner of Accounts, Rajputana and Sindia State Railways, is appointed Examiner of Accounts, Central System of State Railways, with the direct charge of the Rajputana and Sindia Railways.

Captain E. A. Trevor, R. E., Examiner of Accounts, Northern Bengal State Railway, is appointed Examiner of Accounts, North-Eastern System of State Railways, with direct charge of the Northern Bengal Railway.

Mr. C. C. Harold is appointed Deputy Examiner of Accounts, State Railway Stores.

No. 236.—Major A. LeMessurier, R. E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sindh, is appointed to officiate as Under Secretary to the Government of India, Public Works Department, Railway Branch, during the absence of Mr. Furnivall, or until further orders.

No. 237.—With reference to Financial Department Notification No. 195, dated 27th April 1877, and to Public Works Department Notification No. 235 of this date, Lieutenant-Colonel F. S. Stanton, R. E., Assoc. Inst. C. E., Officiating Director of State Railways, North-Eastern System, will also officiate as Joint Secretary to the Government of Bengal in the Public Works Department for State Railways under that Government.

No. 238.—ADDENDUM.—To Public Works Department Notification No. 427, dated 19th October 1876, appointing Major J. P. Steel, R. E., to officiate as Under Secretary to the Government of India, Public Works Department, Railway Branch, add "with the temporary rank of Superintending Engineer 3rd Grade."

No. 239.—Captain H. W. Clarke, R.E., Executive Engineer 3rd Grade, Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sindh, is transferred in the same capacity to Calcutta.

Captain R. A. Sargeaunt, R. E., Examiner 2nd Class, 2nd Grade, and Examiner of Guaranteed Railway Accounts, Calcutta, is appointed to officiate as a Deputy Consulting Engineer to the Government of India for Guaranteed Railways, and is posted to Calcutta.

Captain H. Doveton, R. E., Executive Engineer 3rd Grade (temporary 2nd Grade), North-Western Provinces and Oudh Provincial Establishment, is appointed to officiate as a Deputy Consulting Engineer to the Government of India for Guaranteed Railways, and is posted to Sindh.

No. 240.—Baboo Ram Gotty Mookerjee, Manager of the Calcutta and South-Eastern and the Nulhattie State Railways, is brought on the strength of the State Railway Revenue Establishment in Class IV.

No. 241.—Major E. Swetenham, S. C., Executive Engineer 1st Grade, is appointed to officiate as Chief Engineer and Secretary to the Agent Governor General for Central India during the absence of Colonel Cadell, R. E., on privilege leave, or until further orders. Major Swetenham assumed charge of his duties on the forenoon of the 7th May 1877.

TELEGRAPH.

The 16th May 1877.

No. 226.—Mr. H. F. Melhuish officiated as Superintendent of the 3rd Grade from the 2nd to the 19th February, both days inclusive.

The 17th May 1877.

No. 228.—Mr. R. F. Dallas, Superintendent, 3rd Grade, and Mr. W. Williamson, Assistant Superintendent, 1st Grade, are appointed to officiate as Superintendents of the 2nd and 3rd Grade respectively, with effect from 4th April 1877, during the absence on privilege leave of Mr. Brookes, or until further orders.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 21.} SIMLA, SATURDAY, MAY 26, 1877. {Register No. 33.

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

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SUPPLEMENT No. 21.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 21st May 1877.

No. 448.—With reference to Notification No. 306, dated 29th March last, the following despatch from Her Majesty's Secretary of State for India, is published for general information:—

No. 36 (Public), dated London, the 29th March 1877.

MY LORD,—I have to inform Your Excellency in Council that Her Majesty the Queen has been pleased to approve of the appointment of Mr. Robert Eyles Egerton, C.S.I., of the Bengal Civil Service, to be Lieutenant-Governor of the Punjab in succession to Sir Henry Davies.

I have, &c.,
(Sd.) SALISBURY.

No. 451.—The services of Mr. C. E. Bernard, C.S.I., Commissioner of the Nagpur Division in the Central Provinces, are temporarily placed at the disposal of the Department of Revenue, Agriculture and Commerce.

JUDICIAL.

The 21st May 1877.

No. 796.—The services of Lieutenant-Colonel P. Wheeler are placed temporarily at the disposal of the Government of the North-Western Provinces for appointment as Officiating Cantonment Magistrate of Bareilly.

PATENTS.

The 23rd May 1877.

No. 28.—Specifications of the under-mentioned Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India, in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India, in the Home Department, at the Presidency, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 85 of 1876.—Mr. D. Hawkesworth, of Acacia Valley Tannery, in the County of Digby, Tanner, and Mr. H. Colford, of the City of Halifax, Insurance Agent, both in the Province of Nova Scotia and Dominion of Canada, for improvements in spark-arresters.

No. 97 of 1876.—William Martin, the younger, Director, David Russell Dawson, Secretary, both of Laing's Patent Overhead Hand Stitch Sewing Machine Company, "Limited," and Robert Orchar, Engineer, all of Dundee, in the County of Forfar, North Britain, for improvements in Laing's Overhead Sewing Machine.

No. 98 of 1876.—Mr. H. J. Cole, of Wandsworth Road, in the County of Surrey, England Engineer, for improvements in apparatus con

nected with cleansing the bottoms of ships and other submerged structures.

No. 3 of 1877.—Mr. E. Korting, of Hanover, in the German Empire, and of Manchester, in the County of Lancaster, in England, Engineer, for improvements in the mode of and apparatus for forcing and raising liquids and for other useful purposes.

No. 6 of 1877.—Mr. J. Lewtas, of Manchester, in the County of Lancaster, lamp manufacturer, for improvements in apparatus for lighting, heating and cooking purposes.

No. 11 of 1877.—Mr. A. Butler, of Durbhungah, Tirhoot, Civil Engineer, for an improvement in apparatus required for the manufacture of indgo.

No. 21 of 1877.—Mr. W. Adams, one of the Deputy Registrars of the High Court of Judicature at Bombay, residing at Bombay, for fusing metals, melting ores, melting or vetrifying mineral substances, baking bricks, tiles, bread, &c., cooking food, generating steam in boilers for driving machinery, the cremation of deceased Hindus and others, and for most of the purposes for which heat is generally used, by solar heat.

No. 22 of 1877.—Mr. J. C. Kinmond, Manufacturer of Leamington, in the County of Warwick, England, at present of Calcutta, for improvements in machinery or apparatus for rolling tea leaves.

No. 24 of 1877.—Mr. J. W. Brown, of No. 18, Leadenhall Street, London, England, Electrician, for improvements in Electric Telegraphs.

No. 25 of 1877.—Mr. G. Allan, Civil Engineer, and J. W. Brown, Electrician, both of No. 18 Leadenhall Street, England, for improvements in Electric Telegraphs.

No. 28 of 1877.—Mr. R. F. Strong, of Sunderland, in the County of Durham, in that part of the United Kingdom of Great Britain and Ireland known as England, Timber Merchant, for improved machinery for making patent safety railway keys for securing railway rails to the chairs.

No. 31 of 1877.—Captain G. H. Marshall, of Weedon, in the County of Northampton, England, Royal Artillery, for improvements in apparatus for working punkhas.

No. 33 of 1877.—Mr. F. A. Bonnefin, of the Mauritius, at present residing at the Royal Hotel, Blackfriars Bridge, London, for improvements in extracting and treating juice from sugarcanes and other vegetable substances.

No. 34 of 1877.—Mr. J. Holloway, of the firm of Holloway Brothers, of Jeffrey's Square, in the City of London, in that part of the United Kingdom of Great Britain and Ireland, called England, Merchant, for certain improvements in the production of metals or metallic alloys and in the process employed therefor.

No. 35 of 1877.—Mr. J. Gordon, of No. 67 Strand, London, for improvements in signals and signalling.

No. 39 of 1877.—Mr. W. Greig, at present residing at No. 22, Park Street, Calcutta, for drying tea by heat instead of by charcoal as heretofore generally done, and for preparing green leaf for rolling.

No. 184.—His Excellency the Governor General in Council is pleased to authorize the extension for a period of seven years from 19th February 1878 of the term of the exclusive privilege granted to Major-General Francis Applegath, late of the Madras Staff Corps, on 19th February 1864, in respect of his invention for iron anicuts and iron undersluices.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SURVEYS.

Simla, the 23rd May 1877.

No. 321.—Subject to the approval of Her Majesty's Secretary of State for India in Council, Colonel Henry Edward Landor Thuillier, C.S.I., who vacated his appointment on the 27th February last on admission to Colonel's allowances, is reappointed to be Surveyor General of India from the same date, and permitted to retain office up to the 31st December 1877.

COMMERCE AND TRADE.

The 25th May 1877.

No. 7 of 1877.—The following Notice to Mariners is published for general information:

NOTICE TO MARINERS.

AFRICA, GULF OF ADEN.

Intended exhibition of light at Port Berberah.

The Egyptian Government has notified that, on and after the 1st June 1877, it is intended to exhibit a light from the lighthouse now under construction at Port Berberah.

The light will be a *fixed white dioptric* light of the 4th order, elevated 76 feet above the level of high water, and in clear weather should be visible from a distance of 14 miles.

The lighthouse is on the mainland. Position as given, latitude 10° 23′ N., longitude 45° 7′ E.

Vessels making for the port at night will, by keeping the light to the eastward of South (magnetic), avoid the spit extending from Ras Tamar.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 21st May 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice will affect the following Admiralty Charts: Port Berberah, No. 675; Jibul Jarne to Sayara, &c., No. 253 *b*; Gulf of Aden, No. 6 *b*; Juba Islands to Muscat, &c., No. 598, and Indian Ocean, Sheet 2, No. 748 *b*: also Admiralty Gulf of Aden Pilot, page 58; the Admiralty Light List for 1877, and Taylor's Sailing Directory, page 114.

If this Notice is received on board ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 25th May 1877.

No. 56J.—The Assistant Commissioners of Ajmere and Mhairwarra for the time being appointed to be Magistrates of the 1st Class, are invested with the powers of a Magistrate of a district for the purposes of the Code of Criminal Procedure within their respective jurisdictions.

MILITARY.

The 19th May 1877.

No. 48M.—PROMOTIONS.—The following promotions are made in the Infantry Branch, Deolee Irregular Force, with effect from 9th April 1877:—

Jemadar Ram Roop Sing to be Subadar, *vice* Muttra Pursad, deceased.
Havildar Mungulla to be Jemadar, *vice* Ram Roop Sing, promoted.

POLITICAL.

The 22nd May 1877.

No. 1157P.— Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. William Thorburn as Consular Agent for Italy at Kurrachee.

No. 1159P.—With reference to a Notification of the Government of Bombay in the Judicial Department, No. 823, dated 5th February 1877, prohibiting the transport of arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition from the Island of Bombay, or from any place in the territories under the Government of Bombay to any other place in the said territories, except according to the rules and conditions therein specified, His Excellency the Governor General in Council is pleased to cancel the Notification of this Department, No. 14, dated 7th January 1869, on the same subject.

GENERAL.

The 19th May 1877.

No. 1283G.—Surgeon R. E. Ross, 20th Madras Native Infantry, is appointed to the medical charge of the Bundelcund Political Agency, in addition to his other duties, with effect from the date of assuming charge.

The 21st May 1877.

No. 1291G.—LEAVE.—Surgeon-Major W. H. Colvill, Surgeon of the Baghdad Political Agency, is granted privilege leave for three months, with effect from the 5th November 1876.

The 22nd May 1877.

No. 1301G.—Lieutenant-Colonel J. C. Berkeley, Political Agent, 2nd Class, to officiate as Political Agent, 1st Class, *vice* Lieutenant-Colonel Miles proceeding on furlough.

No. 1302G.—APPOINTMENT.—Mr. P. J. C. Robertson, Vice-Consul at Bussora, is appointed to officiate as Political Agent, 2nd Class, and is posted to Muscat, with effect from the date of assuming charge, *vice* Lieutenant-Colonel Miles proceeding on furlough.

No. 1304G.—APPOINTMENT.—Surgeon N. J. Halpin, of the Bengal Medical Establishment, to officiate as medical officer in charge of the Erinpoora Irregular Force, with effect from the date of assuming charge, *vice* Surgeon W. Beatson.

The 24th May 1877.

No. 1350G.—LEAVE.—In supersession of Notification of this Department, No. 183G, dated 26th January 1877, the privilege leave for three months granted therein to Mr. R. B. Shaw, Officiating Political Agent, 2nd Class, and British Joint Commissioner, Ladakh, is converted into six months' special leave on private affairs.

The 25th May 1877.

No. 1373G.—With reference to Resolution of the Government of India in the Foreign Department, No. 674P., dated 27th March 1877, directing certain changes in the Administration of the district of Ajmere and Mhairwarra, the following

appointments are made, with effect from 1st June 1877 :—

Mr. Leslie Saunders to be Commissioner of Ajmere and Mhairwarra and Resident of the 3rd Class.

Mr. James White to be Assistant Commissioner of Ajmere and Political Agent of the 3rd Class.

Captain J. H. Lassalle to be Assistant Commissioner of Mhairwarra and Political Assistant of the 1st Class.

Lieutenant Donald Robertson to be Cantonment Magistrate of Nusseerabad and Political Assistant of the 2nd Class.

No. 1374*G.*—APPOINTMENT.—Captain A. Conolly, 2nd in Command, Erinpoora Irregular Force, to officiate as 2nd in Command, Meywar Bheel Corps, with effect from the date of assuming charge, *vice* Major Gunning.

Captain R. H. F. Rennick, Bengal Staff Corps, to officiate as 2nd in Command of the Erinpoora Irregular Force, with effect from the date of assuming charge, *vice* Captain Conolly.

No. 1376*G.*—Consequent on the departure on furlough of Major A. G. Mayne, Captain F. H. Maitland will officiate as Political Agent, 3rd Class.

No. 1381*G.*—Major C. Hayter, Madras Staff Corps, to officiate as Political Assistant, 1st Class, and as Cantonment Magistrate, Secunderabad, with effect from 9th March 1877, *vice* Major Mayne on furlough, or until further orders.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS AND FINANCE.

Simla, the 25th May 1877.

No. 833.—Mr. H. G. H. Keene is appointed to officiate as Assistant to the Deputy Accountant General, Central Provinces, with effect from the 1st May 1877.

MINT AND CURRENCY.

The 25th May 1877.

No. 869.—Mr. L. G. Hynes is appointed to officiate as Master of Her Majesty's Mint at Bombay during the absence on privilege leave of Lieutenant-Colonel J. H. White, R.E., or until further orders.

Mr. Hynes received charge of the office of Master of Her Majesty's Mint at Bombay from Lieutenant-Colonel White, afternoon, on the 8th May 1877.

No. 887.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1877 :—

	Bullion or Coin received.		
	From the Paper Currency Department (petty amounts) from Government Officers.	From Merchants.	Coined and examined.
In the month of April 1877.			
Calcutta	36,38,470	731	29,74,411
Bombay	59,45,603	..	1,00,19,063
TOTAL ..	95,84,073	731	1,29,93,474
First four months.			
Calcutta	92,76,878	731	1,06,02,794
Bombay	3,00,38,547	..	2,61,09,740
TOTAL ..	3,93,15,425	731	3,67,12,534

Imports and Exports of Gold and Silver during the calendar year 1877.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net.	Imports.	Exports.	Net.	Imports.	Exports.	Net.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of April ..	23,91,801	7,840	23,83,961	92,66,179	4,21,652	88,44,527	1,16,57,980	4,29,492	1,12,28,488
First four months ..	99,59,333	60,966	98,98,367	4,01,07,746	55,05,757	3,46,01,989	5,00,67,079	55,66,723	4,45,00,356

PENSIONS AND GRATUITIES.

The 25th May 1877.

No. 847.—The Governor General in Council directs that the following be inserted as cases (*b1*) and (*b2*) under Section 39 of the Civil Pension Code :—

(*b1*). Any officer appointed to be Chairman of the Commissioners of the town of Calcutta, Chairman of the Municipal Corporation of the City of Bombay, or President of the Municipal Commission for the town of Madras. The exemption of these officers from the operation of the rules in this chapter is held to be a substantial contribution by the Government to Municipal revenues granted in consideration of the fact that the Local Government retains in its own hand the nomination and appointment of officers to these offices.

(*b2*). Political officers employed in the Sawant Wari and Kolhapur States on the 18th August 1875, and also those who may be thereafter appointed to offices held by British officers in those States on the 18th August 1875.

No. 849.—The Governor General in Council directs that the following be added to Rule 13 under Section 38 of the Civil Pension Code :—

"except when an officer is exempted from the payment of the contribution prescribed in Section 38, *e.g.*, the Chairman of the Commissioners of the town of Calcutta, the Chairman of the Municipal Corporation of the City of Bombay, the President of the Municipal Commission for the town of Madras, and an officer holding political appointment in the Sawant Wari or Kolhapur State which was on the 18th August 1875 held by a British officer. In this case the saving should be paid to Government."

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

MILITARY DEPARTMENT.

Simla, the 25th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 465.—MEDICAL DEPARTMENT—

Surgeon-Major W. B. Beatson, M.D., Civil Surgeon, Nagpur, to be a Deputy Surgeon-General with temporary rank, with effect from the date on which he may take up the duties of the office, *vice* Deputy Surgeon-General E. C. Thorp, M.D., proceeding on furlough.

Surgeon-Major A. J. Dale, M.B., in medical charge, 1st Bengal Cavalry, to be a Deputy Surgeon-General with temporary rank, with effect from the date on which he may take up the duties of the office, *vice* Deputy Surgeon-General G. H. Ray, M.D., proceeding on furlough.

No. 466.—The following Military letter from the Right Hon'ble the Secretary of State for India is published for general information :—

Military, No. 101. INDIA OFFICE; *London, 15th March* 1877.

To His Excellency the Right Honorable the Governor General of India in Council.

MY LORD,—Para. 1. Mr. R. J. Taaffe, a successful candidate for the Indian Medical Service at the examination held in February last, having already gone through a course of instruction at the Army Medical School at Netley, has been exempted from undergoing a second course, and has been appointed a Surgeon on your establishment. His commission will be dated the 31st March 1877, but his relative position on the list of Surgeons will be determined hereafter.

2. In order that Mr. Taaffe may not obtain an undue advantage over the other candidates who are about to join at Netley, by being allowed to proceed to India before them, he will not be permitted to reckon as service for full pay pension the period he passed at the Army Medical School.

I have, &c.,
(Signed) SALISBURY.

No. 467.—STAFF CORPS—

The undermentioned officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

Lieutenant Lyndon Bolton Irwin, Bengal Staff Corps.
Lieutenant John Corse-Scott, Bengal Staff Corps.
} 16th May 1877.

No. 468.—LONDON GAZETTE—

The following extract is published for general information :—

"*London Gazette*," *the 20th April* 1877, *page* 2676.

War Office, Pall Mall, 20th April 1877.

BREVET.

The undermentioned officers having completed the qualifying service to be Colonels in the army, *viz.* —

Lieutenant-Colonel Charles Nedham, Bengal Staff Corps. Dated 28th February 1876.

Lieutenant-Colonel William Harington Hawes, Bengal Staff Corps. Dated 7th January 1877.

Lieutenant-Colonel Browne William Ryall, Bengal Staff Corps. Dated 14th January 1877.

Lieutenant-Colonel Edward Dandridge, Bengal Staff Corps. Dated 14th January 1877.

Lieutenant-Colonel Edmund Lewin Taverner, Bombay Staff Corps. Dated 17th January 1877.

Lieutenant-Colonel John Norman Maclean, Madras Staff Corps. Dated 26th January 1877.

Lieutenant-Colonel Pritzler James Pakenham Wetherall, Madras Staff Corps. Dated 26th January 1877.

No. 469.—PUNJAB FRONTIER FORCE—

2nd Punjab Cavalry.

Lieutenant E. M. L. Inman, 10th Hussars, Officiating Squadron Officer, on probation, 3rd Bengal Cavalry, to be Officiating Squadron Officer, on probation.

4th Punjab Cavalry.

Lieutenant C. G. Mansel, Bengal Staff Corps to be 2nd Squadron Officer, with effect from the 23rd March 1877.

2nd Punjab Infantry.

Lieutenant C. B. Brownlow, 1st Battalion, 17th Foot, Officiating Wing Officer, on probation, 31st (Punjab) Regiment of Native Infantry, to be Officiating Wing Officer on probation.

No. 470.—VOLUNTEER CORPS—

Allahabad and Naini Tal Volunteer Rifle Corps. To be Honorary Colonel..

The Hon'ble *Sir* G. E. W. Couper, Bart., K.C.S.I., C.B., Lieutenant-Governor of the North-Western Provinces and Chief Commissioner for Oudh.

ARMY CIRCULARS.

No. 471.—In continuation of G. G. Orders, Nos. 780 and 837 of 1874, the following clause 38 of Army Circulars, dated the 1st March 1877, is declared applicable to India, and published for general information :—

This cancels G. G. O. No. 105 of 1877.

CLOTHING AND NECESSARIES.

Clothing.—Spurs.

Clause 38.—1. A pair of hunting spurs will be supplied free to all recruits joining Cavalry Regiments, Royal Horse Artillery, Riding Establishment Royal Artillery, mounted men of Field Brigades Royal Artillery, mounted men of the Royal Engineer Train, and mounted men of the Army Service Corps.

2. Hunting spurs will be required to last five years, the rowells being renewed when necessary at the expense of the men.

3. Hunting spurs that have been five years and upwards in wear will, if condemned as unserviceable by a Board of Survey, be replaced at the public expense, and instructions as to the disposal of the old spurs will be obtained from the Director of Clothing.

4. Hunting spurs in possession of men who are non-effective, of men transferred from one mounted corps to another, or transferred from

mounted to dismounted services, will be taken into the regimental store, and those that have not been five years in wear, will be retained for re-issue to recruits, or transfers from dismounted services, for the further periods of wear required of them. The remainder will be disposed of as directed in paragraph 3.

5. The date of issue of the hunting spurs in possession of each man will be shown against his name in the Annual Nominal Clothing Roll, which accompanies the Clothing Account, in the same manner as is prescribed for cloaks and great-coats.

6. Each recruit joining Cavalry Regiments, Royal Horse Artillery, Riding Establishment Royal Artillery, Royal Engineer Train, mounted men of Field Brigades Royal Artillery, and mounted men of the Army Service Corps, will also be supplied with a pair of swan-neck spurs as part of his kit.

7. Hunting and swan-neck spurs will be marked by the Armourer-Sergeant without charge, the ⅛ inch stamps supplied for marking iron being used for the purpose. He will also without charge fit the swan-neck spurs issued under paragraph 6.

8. Demands for the issue and exchange of spurs, together with all correspondence on the subject, will be addressed to the Director of Clothing, Army Clothing Department, Grosvenor-road, London, S. W.

9. Clause 14, Army Circulars, 1871, and Clause 89, Army Circulars, 1874, are hereby cancelled.

DISMISSALS AND REMOVALS.

No. 472.—The services of Native Medical pupil Kumar Ooddeen, No. 1246, admitted by G. G. O. No. 841 of 1876, are dispensed with.

EQUIPMENT TABLES.

No. 473.—With reference to G. G. O. No. 56 of 1875, the entry "Bellows, 20 lbs, 21″ × 11″, F S," at page 12 of the Equipment Tables for British Infantry, is to be erased, and the following substituted :—

"Bellows, smith's, small, 24 inch.
Frame, wood, for bellows, smith's."

No. 474.—ERRATUM—

In G. G. O. No. 409 of 1877, in the last line opposite "Weights, Avoirdupois, iron," for "¼ lbs. 1" read ¼ lbs. "2".

No. 475.—In G. G. O. No. 190 of 1877, for "No. 2 Mountain Battery" read No. "1" Mountain Battery.

FURLOUGH AND LEAVE.

No. 476.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave :—

Deputy Surgeon-General George Hutchinson Ray, M. D.,—medical certificate, for six months, under the provisions of G. G. O. No. 872 of 1876.

Deputy Surgeon-General Edward Courtenay Thorp, M. D.,—medical certificate, for six months, under the provisions of G. G. O. No. 872 of 1876.

Captain Augustus Keith Abbott, Bengal Staff Corps, Wing Officer, 42nd (Assam) Regiment of Native (Light) Infantry,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 477.—The furlough granted to Captain W. A. Roberts, Remount Agent at the Presidency, in G. G. O. No. 410 of 1877, is cancelled at his own request.

No. 478.—The following extract from List No. 8, dated 27th April 1877, received from the India Office, is published for general information :—

Permitted to return to duty.

Captain R. McMeminey, Unattached.
" H. H. Cole, R.E.
Lieutenant-Colonel B. R., Branfill, Cavalry.

Granted extensions of leave.

Captain S. W. Jenner, R.E.,	6	months,	medical certificate.
Major H. M. Repton, S.C.,	2	"	private affairs.
Apothecary W. B. Grassby,	6	"	medical certificate.
Colonel W. W. H. Greathed, C.B., R.E.,	6	"	"
Colonel R. N. Tronson, S.C.,	6	"	"
Major H. W Gordon, S.C.,	4	"	"
Surgeon F. M. Mackenzie,	2	"	"

No. 479.—Lieutenant-Colonel G. C. Lloyd, Infantry, has been permitted by the Secretary of State to reside in England under the terms of G. G. O. No. 797 of 1872.

No. 480.—REGULATIONS—

Under instructions from the Right Hon'ble the Secretary of State for India, it is hereby notified that furlough on medical certificate, under Rule 6 of the furlough Rules of 1875, does not count as service for pension until it has been paid off as provided for in the Rule.

G. G. O. No. 1316 of 1875.

GOOD SERVICE PENSIONS.

No. 431.—ERRATUM—

In G. G. O. No. 274 of 1877, under the appointments of Colonel E. J. Lawder, opposite to "Deputy Quartermaster General," read *28th September* 1861, and opposite to Officiating 2nd in Command and Wing Officer, 28th Native Infantry," read *27th September* 1866, instead of the dates therein given.

PAY AND ALLOWANCES.

No. 482.—His Excellency the Governor General in Council is pleased to notify, in supersession of G. G. O. No. 374 of 1st April 1873, that a British officer (including a Royal engineer officer returning to England after the expiration of his tour of service) proceeding from India to England under circumstances entitling him to a free passage, will, from the date he quits his station, if struck off pay and Indian allowances, be granted a daily personal allowance at the rate and under the conditions specified, to cover extra expenses incurred in travelling to the port of embarkation and during his necessary detention, at the port, awaiting embarkation.

2. The rates are as follow :—

	Rs.	A.	P.
For a General officer ...	10	0	0
" Field " ...	7	8	0
" other officers ...	5	0	0

3. The issue of the above rates will be regulated by substantive rank in the case of a combatant officer, and by relative rank in the case of a medical officer or veterinary surgeon.

4. The foregoing rates will be issued for each day that an officer may be necessarily on the journey from his station to the port of embarkation. If necessarily detained at the port of embarkation, or at any intermediate place *en route* to the port, an officer will receive the full rate, provided the detention at any one place does not exceed seven clear days, exclusive of the days of arrival at and departure from such place.

5. When the necessary detention at any one place exceeds seven days, half rates only will be issued for the remainder of the period of detention.

6. After the receipt of the order recalling an officer from India, consequent on his promotion, transfer, or removal under any circumstances, or on the expiration of his tour of service, he should be required to proceed to England by the first available opportunity, in a troopship or other vessel according to the season of the year; and in the case of a regimental officer, or a medical officer not on the administrative staff, he should remain at his station on the pay and Indian allowances (which will include the British pay of advanced rank, if promoted) he was drawing when the order reached him, until it is necessary for him to proceed to the port of embarkation to ensure his arriving there in time. But the Indian allowances in question cannot be admitted unless the officer proceeds, as above, by the first available opportunity, nor under circumstances which involve a double payment, *viz.*, to the officer proceeding to England, and to his successor who may have already come out to relieve him: in such cases British pay only of rank will be passed.

Should an officer be absent on leave in India when the order necessitating his removal from the Indian establishment is received at his regiment or station, he will cease to draw Indian allowances from the date of the general order notifying the arrangement, but will be granted the personal allowance until his departure from the country, provided he proceeds to the port of embarkation with the least practicable delay.

The provisions of this paragraph are not applicable to a general officer, or to a surgeon-general and deputy surgeon-general, whose pay and allowances prior to embarkation, after removal from the Indian establishment, or on the expiration of tour of service, will be regulated by existing rules.

7. The journey should be so timed that no unnecessary detention shall take place at the port of embarkation.

8. As a rule, detention at ports should not exceed three clear days.

9. An officer who fails to embark in the ship appointed for his conveyance, will not be entitled to further detention allowance while awaiting another passage, unless the delay arises from causes beyond his control.

10. An officer is not entitled to any allowance for the day on which he embarks.

11. Personal allowance will not be issued for detention at any one place, for a period exceeding fifteen days, without the special sanction of the Governments of India, Madras, or Bombay, or as the case may be.

12. This order is not applicable to an officer, who, on being struck off Indian allowances, is not entitled to British pay.

PENSIONS.

No. 483.—The undermentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, from the dates they cease to receive regimental pay :—

Sergeant Robert Ferguson, late 1st Battalion, 3rd Foot,—two shillings and three pence per diem.

Thomas Beale, late 89th Foot,—one shilling and one penny per diem.

Lance Corporal Agumbraham, late Ceylon Gun Lascars,—6 rupees per mensem.

Hospital Sergeant William Turner, late Royal Horse Artillery,—two shillings per diem.

QUEEN'S REGULATIONS.

No. 484.—The following paragraph 150, Section 7, of the Queen's Regulations is declared applicable to India and published for general information :—

Paragraph 150, *Section* 7.—Transfers are to take place as a general rule from the last day of the month; to which date inclusive, the men will be settled with in their old corps. They will be struck off the strength of the old regiment, and taken on that of the new, in the monthly return of the following day.

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

MARINE DEPARTMENT.

NOTIFICATIONS.

Simla, the 25th May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 10.—Mr. E. Monk, from the Indian Government steamer *Irrawaddy* to the Indian Government Steamer *Sir William Peel* as Second Class Engineer, *vice* Mr. Delanay, resigned.

Mr. K. P. Cook to be Engineer in charge of the Indian Government Steamer *Irrawaddy, vice* Mr. Monk.

With effect from the dates they assume charge of their respective appointments.

SALVAGE MONEY.

No. 11.—The following statement shewing the amount of salvage money admissible to each of the several classes of officers and crew of the Indian Government Steamer *Dalhousie*, for salvage services rendered to the S.S. *Azalia* in August 1873, is published for general information :—

NOTE.—*Claims to the salvage money will be paid by the Accountant General, Marine Department, Bombay, on the production by claimants of certificates from the Commander of the* "Dalhousie."

Rank.	Amount admissible. Rs.	A.	P.
Commander	4,812	3	8
2nd Class	2,165	8	0
3rd "	1,856	2	4
4th "	1,237	6	11
5th "	742	7	4
6th "	618	11	5
7th "	433	1	7
8th "	247	7	9
9th "	123	11	11
10th "	61	14	0

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS—ESTABLISHMENT.

Simla, the 19th May 1877.

No. 242.—The following is republished for information and guidance in the Public Works Department:—

Financial Department Notification No. 451, *dated 11th May* 1877.

The Governor General in Council is pleased to decide that an officer who, while absent from duty on privilege leave or examination, leave is transferred to a new station, may draw travelling allowances for the journey direct from the place in India where the order reaches him, to his new station, at the rate (if any) to which he would have been entitled if he had been on duty: provided that the allowances thus drawn shall not exceed the total sum which he might have charged for the journey direct from his old station to his new one.

No. 243.—Mr. T. Macpherson, Sub-Engineer 3rd Grade, Central Provinces, is transferred to the Central System State Railways.

The 21st May 1877.

No. 245.—Nubbee Ahmed, Overseer 1st Grade (temporary rank), Central Provinces (Railway Branch), is confirmed in that grade.

The 22nd May 1877.

No. 246.—The services of Mr. J. Robinson, Executive Engineer 4th Grade (temporary rank), Military Works Branch, are placed at the disposal of the Government of Bengal, Public Works Department, for employment under the Rungpur District Road Cess Committee with effect from 25th October 1876.

The 23rd May 1877.

No. 247.—Mr. H. E. Grant, Engineer Apprentice, is promoted to the rank of Assistant Engineer 3rd Grade.

No. 248.—Mr. G. Brown, Assistant Examiner, Guaranteed Railway Accounts, Madras, is granted one month's privilege leave with effect from such date as he may be permitted to avail himself of it.

The 25th May 1877.

No. 249.—The orders of the Government of the North-Western Provinces in the Public Works Department, Irrigation Branch (Notification No. 662E. of 28th March 1877), transferring Mr. J. Sheldon, Executive Engineer 3rd Grade, temporarily to Hyderabad, are confirmed.

No. 250.—Sergeant J. Wilson, Overseer 1st Grade, Bengal, is remanded to military duty.

No. 251.—Mr. W. R. Newman, Assistant Accountant General, Public Works Department, rejoined the Office of the Accountant General, Public Works Department, from privilege leave, on the forenoon of the 16th May 1877.

No. 252.—Mr. F. Morrison, Deputy Examiner of Public Works Accounts, attached to the Office of the Accountant General, Public Works Department, is appointed Government Examiner of Guaranteed Railway Accounts, Calcutta, with the temporary rank of Examiner 3rd Class, 1st Grade, *vice* Captain R. A. Sargeaunt, R. E.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 22.] SIMLA, SATURDAY, JUNE 2, 1877. [Register No. 33.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—
The Military Lunatics Act, 1877.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22. *(Nothing for publication.)*

SUPPLEMENT No. 22.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 29th May 1877.

No. 463.—With reference to Notification No. 56C., dated the 5th January last, the following despatch from Her Majesty's Secretary of State for India is published for general information:—

(Public) INDIA OFFICE, LONDON,
No. 33. *The 29th March* 1877.

MY LORD,—I have to acknowledge the receipt of the despatch of Your Excellency in Council, dated the 26th of January, No. 3 of 1877, stating that, subject to Her Majesty's approval, the Honorable Ashley Eden, C.S.I., had been appointed to officiate as Lieutenant-Governor of Bengal during the absence of Sir R. Temple, Bart., K.C.S.I., on special duty.

2. In reply I have now to intimate that Her Majesty has been pleased to approve of the appointment of the Honorable Ashley Eden, C.S.I., to be Lieutenant-Governor of Bengal in succession to Sir R. Temple, who has been appointed Governor of Bombay.

I have, &c.,

(Sd.) SALISBURY.

The 1st June 1877.

No. 471.—Under the authority conveyed by the 29th Section of the Act 21 and 22 Vic., Cap. 106, His Excellency the Viceroy and Governor General of India is pleased, with the approbation of Her Majesty the Queen, Empress of India, to appoint the Honorable Ashley Eden, C. S. I., of the Bengal Civil Service, to be Lieutenant-Governor of the Bengal Division of the Presidency of Fort William.

No. 472.—His Excellency the Viceroy and Governor General in Council is pleased to confirm Mr. A. Rivers Thompson, of the Bengal Civil Service, in the office of Chief Commissioner of British Burma with effect from the 1st ultimo.

No. 475.—APPOINTMENT.—Lieutenant-Colonel A. E. Campbell, Deputy Commissioner of the 3rd grade in Assam, to officiate as Deputy Commissioner of the 2nd grade with effect from the 31st January 1877, during the absence on furlough of Colonel H. S. Bivar, or until further orders.

No. 477.—APPOINTMENTS.—Mr. A. C. Campbell, Officiating Deputy Commissioner of the 4th grade in Assam, to officiate in the 3rd grade, with effect from the 8th March last, during the absence on furlough of Mr. H. Luttman-Johnson, C. S., or until further orders:

Captain M. O. Boyd, Officiating Assistant Commissioner of the 1st grade, to officiate as Deputy Commissioner of the 4th grade, *vice* Mr. Campbell:

Mr. J. Knox Wight, B. A., C. S., Officiating Assistant Commissioner of the 2nd grade, to officiate in the 1st grade, *vice* Captain Boyd:

Lieutenant M. A. Gray, B. A., Officiating Assistant Commissioner of the 3rd grade, to officiate in the 2nd grade, *vice* Mr. Wight.

No. 479.—APPOINTMENTS.—Captain M. O. Boyd, Officiating Deputy Commissioner of the 4th grade in Assam, to officiate in the 3rd grade, with effect from the 6th April last, during the period that Captain W. J. Williamson may officiate as Inspector General of Police and Prisons, Commissioner of Abkari Revenue, and Superintendent of Stamps in Assam, or until further orders.

Mr. G. H. Damant, C. S., Assistant Commissioner of the 2nd grade, to officiate as Deputy Commissioner of the 4th grade, *vice* Captain Boyd.

No. 481.—APPOINTMENT.—Mr. H. F. Matthews, C. S., Assistant Commissioner of the 3rd grade in Assam, to be Assistant Commissioner of the 2nd grade, with effect from the 22nd November 1876.

JUDICIAL.

The 30th May 1877.

No. 826.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Babu Ram Gopal Khan, Extra Assistant Commissioner in Assam, with the powers of a Munsif in the District of Nowgong.

No. 828.—In exercise of the power conferred by Section 10, Act VI of 1871, the Governor General in Council is pleased to invest Babu Lakshimi Lall Barooah, Extra Assistant Commissioner in Assam, with the powers of a Munsif in the District of Goálpára.

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

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 29th May 1877.

No. 1242*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Adolphe Aubert as Acting Consul for Belgium at Rangoon during the absence of Mr. L. Hernandez.

No. 1244*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Adolphe Aubert as Acting Consul for Italy at Rangoon during the absence of Mr. L. Hernandez.

The 30th May 1877.

No. 1247*P.*—Major E. Mockler, Assistant Political Agent, Gwadur, is brought on the Classified List of the graded Political Service, and will take rank with Political Agents of the 3rd Class with effect from this date.

The 1st June 1877.

No. 1272*P.*—It is hereby notified that HER MOST GRACIOUS MAJESTY THE QUEEN, EMPRESS OF INDIA, has been pleased to permit the Imperial Assemblage commemorative medal to be worn by the recipients on all occasions of State ceremony of a civil character, which may be held in India on Her Majesty's Birthday, and on the First day of January in each year, as well as at Durbars and State entertainments given by the Viceroy, the Governors of Madras and Bombay, and Heads of Provinces and Administrations.

By order of His Excellency the Viceroy and Governor General.

GENERAL.

The 29th May 1877.

No. 1430*G.*—**PROMOTIONS.—The following promotions are made in the Berar Commission, with effect from the 4th March 1877, consequent on the departure on furlough of Major R. H. Hudleston, Officiating Deputy Commissioner, 1st Class Hyderabad Assigned Districts:—**

Major J. T. Bushby, Officiating Deputy Commissioner, 2nd Class, to officiate as Deputy Commissioner, 1st Class.

Captain H. C. A. Szczepanski, Deputy Commissioner, 3rd Class, to officiate as Deputy Commissioner, 2nd Class.

Major C. T. O. Mayne, Assistant Commissioner, 1st Class, to officiate as Deputy Commissioner, 3rd Class.

Bymanji Jamasjee, Assistant Commissioner, 2nd Class, to officiate as Assistant Commissioner, 1st Class.

Mr. A. Elliott, Assistant Commissioner, 3rd Class, to officiate as Assistant Commissioner, 2nd Class.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

No. 485.

From Secretary to the Government of India, to the Chief Commissioner of the Central Provinces,—dated Simla, 31st May 1877.

In accordance with the general policy announced in Sir John Strachey's Financial Statement for 1877-78, the Governor General in Council has resolved, upon certain conditions stated in this letter, to surrender and entrust the following additional Revenues and Services to the use, management and responsibility of the Administration of the Central Provinces.

2. The *Excise* Revenue of the Central Provinces is estimated to be in 1876-77 Rs. 13,90,000; but, upon an examination of the accounts of recent years, it will be found that this Revenue is increasing steadily at the rate of about Rs. 60,000 a year. The Government of India will, therefore, surrender the Excise Revenue of the Central Provinces for provincial uses for a payment to the Imperial Treasury of the following sums—in 1877-78, Rs. 14,50,000; in 1878-79, Rs. 15,10,000; and in 1879-80, Rs. 15,70,000.

3. *Stamps* are estimated to yield, in 1876-77, Rs. 9,70,000, and the revenue from this source may be expected to grow at the rate of Rs. 5,000 a year. The revenue of the Imperial Treasury from *Stamps* in the Central Provinces has, therefore, been settled at Rs. 9,75,000 in 1877-78, Rs. 9,80,000 in 1878-79, and Rs. 9,85,000 in 1879-80.

4. The Revenue estimated under *Law and Justice* (present Imperial portion) is Rs. 1,67,000, and the revenue from this source may be expected to grow at the rate of Rs. 8,000 a year. The sum due to the Imperial Treasury under this head has, therefore, been fixed at Rs. 1,75,000 in 1877-78, Rs. 1,83,000 in 1878-79, and Rs. 1,91,000 in 1879-80.

5. The *Miscellaneous* revenue, excepting *Premium on Bills* and *Undrawn Bills of Exchange* (which must remain Imperial), is estimated at Rs. 7,000, and will be transferred for this sum. Henceforth, only *Premia on Bills*, *Undrawn Bills of Exchange*, and any item exceeding Rs. 10,000, which cannot be classified under any existing sub-division of this Head in the Public Accounts of the Central Provinces, will belong to the Imperial Treasury.

6. Thus, the additional revenue to be assigned for provincial uses in the Central Provinces is as follows:—

	Revenue due to the Imperial Treasury.		
	In 1877-78.	In 1878-79.	In 1879-80.
	Rs.	Rs.	Rs.
Excise	14,50,000	15,10,000	15,70,000
Stamps	9,75,000	9,80,000	9,85,000
Law and Justice	1,75,000	1,83,000	1,91,000
Miscellaneous (excepting *Premium on Bills, Undrawn Bills of Exchange,* and unenumerated Items exceeding Rs. 10,000 each)	7,000	7,000	7,000
TOTAL ...	26,07,000	26,80,000	27,53,000

7. The Imperial Government must claim half of any further increase of net revenue from *Excise*, *Stamps*, and *Law and Justice*, which may result under provincial administration. The calculation of this further increase for the year 1877-78 is to be made as follows:—

	Rs.
Revenue due to the Imperial Treasury from *Excise, Stamps,* and *Law and Justice* in 1877-78	26,00,000
DEDUCT—	
Refunds	41,000
Charges	66,000
	1,07,000
NET REVENUE ...	24,93,000

If the net revenue in 1877-78 thus calculated exceeds Rs. 24,93,000, half the excess must be surrendered to the Imperial Treasury; if it falls short of this amount, half the deficit will be borne by the Imperial Treasury.

8. The additional Services to be transferred to your management are as follows:—

	Grants as already settled for 1877-78.
	Rs.
Refunds of the following revenue:—*Excise, Stamps, Law and Justice*, and *Miscellaneous*	47,000
Land Revenue (excluding *Settlement charges*)	6,66,000
Excise	52,000
Stamps	14,000
Administration (excluding *Account and Currency Office*) ...	3,89,000
Minor Departments (excluding *Meteorology* and *Archæology*)...	4,000
Law and Justice	6,91,000
Stationery and Stamps	69,000*
Miscellaneous (excepting *Remittance of Treasure* and *Discount on Supply Bills*)	5,000
	18,87,000
Add existing allotment for Provincial Services ...	27,73,000
Thus the total grant for the Services to be administered by you would be	46,60,000

But, from this total sum of Rs. 46,60,000, the Government of India is obliged, in the interests of the Imperial Treasury, to retrench Rs. 90,000, being a little more than five per cent. upon Rs. 17,74,000, the additional grant now made excluding *Refunds*, *Excise* and *Stamps*.

9. Thus the net grant from the Reserved Imperial Revenues for the Delegated Services will be as follows, subject only to adjustment in respect to any sum by which the net revenue from *Excise*, *Stamps*, and *Law and Justice* may differ from the amount calculated for each year in the manner in which the sum of Rs. 24,93,000 is calculated for 1877-78:—

	In 1877-78.	In 1878-79.	In 1879-80.
	Rs.	Rs.	Rs.
Consolidated grant for Delegated Services	45,70,000	45,70,000	45,70,000
Assigned Revenue	26,07,000	26,80,000	27,53,000
To be supplied from the Reserved Imperial Revenues	19,63,000	18,90,000	18,17,000

10. You will, accordingly, be entitled to add to your balance in the Imperial Treasury any sum by which your net expenditure upon the Delegated Services falls short of Rs. 19,63,000 in 1877-78, Rs. 18,90,000 in 1878-79, and Rs. 18,17,000 in 1879-80; while you must make good from that balance or from other provincial resources, any amount by which your net expenditure in any of these years exceeds these sums.

11. The arrangement thus made will be reconsidered at the end of three years. The conditions under which all the Delegated Revenues and Services are, for the future, to be administered by the Local Government are defined in the Resolution of the Government of India in this Department, No. 1709, dated 22nd March 1877.

* NOTE.—This is the average cost of the supply of Stationery and Stamps for use in the Central Provinces for the last four years.

No. 1027.—*Bills drawn upon India by the Secretary of State*, 1877-78:—

	£	Rs.	Average rate.	Loss compared with outturn at an exchange of 2s. the rupee.
Estimated for the whole year.	12,250,000	13,85,00,000	1s. 9·23d.	1,60,00,000
In the month of May	1,183,730	1,35,90,000	1s. 8·90d.	17,52,700
To the end of the month of May.	2,348,683	2,68,60,939	1s. 8·98d.	33,74,109
Remains to make estimate good.	9,901,317	11,16,39,061	1s. 9·28d.	1,26,25,891

Estimated expenditure in excess of the cost at 2s. the rupee in raising £2,348,683 @ 1s. 9·23d. ... Rs. 28,36,145
Actual expenditure in excess of the cost at 2s. the rupee in raising £2,348,683 @ 1s. 8·98d. ... ,, 33,74,109
Expenditure in excess of estimate ... Rs. 5,37,964

The 1st June 1877.

No. 1026.—*Cash balances in the Government Treasuries in India on the last day of the month of April* 1877, *compared with those on the same date in* 1876 *and* 1875:—

	1875.	1876.	1877.
	Rs.	Rs.	Rs.
Govt. of India	3,13,42,630	3,02,85,519	2,05,28,968
Bengal ...	2,35,62,124	2,09,71,295	1,49,77,151
Assam ...	28,77,001	32,30,959	26,03,860
British Burmah	61,61,590	44,83,206	38,67,000
N.-W. Provinces	1,48,28,079	1,70,42,588	1,58,14,512
Oudh ...	51,17,477	67,55,805	52,27,246
Punjab ...	1,10,12,349	98,74,162	1,07,16,821
Bombay ...	2,75,75,392	3,88,56,352	3,31,39,328
Central Provs.	49,63,834	46,15,626	51,78,571
Madras ...	2,80,32,980	3,03,34,409	2,48,94,490
TOTAL ...	15,54,73,456	16,64,49,921	13,69,47,947

No. 948.—The following Financial despatch from Her Majesty's Secretary of State for India, to His Excellency the Hon'ble the Governor in Council, Bombay, No. 45, dated 19th April 1877, is published for general information:—

Para. 1.—"I have considered in Council para. 2 of your Marine letter dated the 10th February 1877, No. 7, inquiring, with reference to my Financial despatch to the Government of India, dated the 19th November 1874, No. 598, whether remittances made by mechanics and others in India for the benefit of their families should be payable *only* to families residing in the United Kingdom.

"2. There are not likely to be many cases in which family money will be required to be issued in a foreign country, and I see no reason why the privilege should not be allowed to persons entitled thereto when the money can be readily paid. It will be necessary, however, that I should be furnished, in all instances in which such payment is desired, with the name and full address of the person who is to receive the money, and care should be taken that timely notice is given of the date when payment is to cease.

"3. In the case of Mr. J. Balbi, First Class Engineer, Bombay Marine, arrangements have been made for paying his family money at £8 per mensem, as he requests from the 1st April 1877 (being for the month ended 31st March 1877), to his brother-in-law Mr. Francesco Garbagui at Lugo per Fusiguano, Italy."

LEAVE, LEAVE ALLOWANCES, &c.

The 31st May 1877.

No. 921.—The Governor General in Council directs that the following be added to Section 4 (*b*) of the Civil Leave Code:—

"but includes leave without allowances granted under Section 9 of Supplement F."

The 1st June 1877.

No. 1039.—The Governor General in Council directs that the following be inserted as Rule 2A. in Chapter IX of the Civil Leave Code:—

"2A. An officer whose appointment is changed while he is in transit from one appointment to another must join his new office within a period, beginning from the day on which the order changing his appointment reaches him, and calculated in the manner prescribed in Rule 2: except that, without the special orders of the Local Government, the six days allowed, by that Rule, in addition to the time calculated by distance, shall not be granted afresh to an officer in these circumstances.

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

MILITARY DEPARTMENT.

Simla, the 31st May 1877.

APPOINTMENTS AND PROMOTIONS.

No. 485.—PUNJAB FRONTIER FORCE—

That portion of G. G. O. No. 469 of 1877, appointing Lieutenant E. M. L. Inman, 10th Hussars, Officiating Squadron Officer, on probation, 3rd Bengal Cavalry, to be Officiating Squadron Officer, on probation, 2nd Punjab Cavalry, is cancelled.

The 1st June 1877.

No. 486.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the following casualties, the names of the undermentioned officers are placed on the Indian Gradation List as specified:—

In consequence of the death of General W. N. T. Smee, Bombay Infantry, on the 7th February 1877.

Major-General C. Prior, Bengal Infantry, is placed on the list of Lieutenant-Generals, that of—

Colonel E. T. Dalton, C.S.I., Bengal Staff Corps, is placed on the list of Major-Generals, and that of—

Major M. M. Prendergast, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.

In consequence of the death of Lieutenant-General W. R. A. Freeman, Madras Infantry, on the 7th February 1877.

Major-General G. DeSansmarez, Madras Infantry, is placed on the list of Lieutenant-Generals, that of—

Colonel D. S. Dodgson, C.B., Bengal Infantry, is placed on the list of Major-Generals, that of—

Major C. V. Conway-Gordon, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels, and that of—

Captain T. H. Lewin, Bengal Staff Corps, is placed on the list of Majors on the Indian Gradation List.

No. 487.—The following promotion is made, subject to Her Majesty's approval:—

Brevet.

Rank, Name and Corps.	To what rank promoted.	From what date.	In succession to
Captain Atwill Curtois, Madras Cavalry.	Major ...	8th February 1877.	General W. N. T. Smee, Bombay Infantry, deceased.

No. 488.—STAFF CORPS—

The undermentioned officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Lieutenant Charles Francis Massy, Bengal Staff Corps.
Lieutenant Robert Alexander Swetenham, Bengal Staff Corps. } 26th May 1877.

No. 489.—ARMY COMMISSARIAT DEPARTMENT—

Erratum.—The temporary promotions in G. G. O. No. 449 of 1877, will have effect from the "4th" and not "5th April 1877," as therein notified.

DISMISSALS AND REMOVALS.

No. 490.—Under the authority of Her Majesty's Government, Lieutenant-Colonel George Archibald Galloway, Cavalry, is removed from Her Majesty's Indian Army, and placed on the retired list with an allowance of £200 per annum.

FURLOUGH AND LEAVE.

No. 491.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Major Henry Constantine Evelyn Ward, Bengal Staff Corps, Deputy Commissioner, 4th class, Jubbulpore, officiating 3rd class, Central Provinces,—for twenty months; one year, two months and twenty-eight days on private affairs, under Rules IX and XV, and the remaining period on medical certificate, under Rule XIV, Clause 2 of the Regulations of 1868.

Major John Eckford, Royal Engineers, Superintendent, 2nd grade, Store Branch, Telegraph Department, officiating 1st grade, and Officiating Director of Construction,—private affairs, for twelve months, under Rule IX of the Regulations of 1868.

Surgeon-Major John Berry White, in medical charge, 44th (Sylhet) Regiment of Native (Light) Infantry,—urgent private affairs, for six months, under Rule XI of the Regulations of 1868.

Major William Ewbank Chambers, Bengal Staff Corps,—urgent private affairs, for six months, under Rule XI of the Regulations of 1868.

No. 492.—The undermentioned Warrant Officers are granted extensions of furlough as specified:—

Conductor F. Edmonds, Overseer, Small Arm Ammunition Factory, from the 26th November 1876 to the 27th February 1877.

Sub-Conductor R. Orr, Assistant Overseer, Small Arm Ammunition Factory, from the 22nd to the 27th February 1877.

No. 493.—Honorary Surgeon R. G. Griffith, East Indian Railway Volunteer Rifle Corps, is allowed leave of absence for fifteen months to proceed to Europe.

No. 494.—REPORTS OF ARRIVAL—

Lieutenant-Colonel (Brevet Colonel) F. R Maunsell, C. B., Royal Engineers (Honorary Aide-de-Camp to the Governor General), Commandant, Corps of Bengal Sappers and Miners,—Bombay, 21st December 1876.

Lieutenant-Colonel W A. Franks, Infantry,—Bombay, 7th May 1877.

Major A. M. Brandreth, Royal Engineers, Executive Engineer, 1st grade, Public Works Department,—Bombay, 18th April 1877.

Surgeon-Major S. Mackertich, M.D., in medical charge, 5th Punjab Infantry, Punjab Frontier Force,—Bombay, 7th May 1877.

Surgeon C. W. S. Deakin, officiating in medical charge, 34th (The Futtehgurh) Regiment of Native Infantry,—Bombay, 19th February 1877.

Lieutenant (Local Captain) F. V. Corbett Royal Engineers, Executive Engineer, 3rd grade, Public Works Department,—Bombay, 21st February 1877. (Date of departure on furlough, 3rd May 1876.)

No. 495.—REPORTS OF DEPARTURE—

Lieutenant-Colonel (Brevet Colonel) B. T. Reid, Bengal Staff Corps, G. G. O. No. 1272 of 1876,—*Sumatra*, 19th March 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) J. S. Davies, Bengal Staff Corps, G. G. O. No. 51 of 1877,—*Sumatra*, 19th March 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) W. D. Dickson, Bombay Staff Corps, Bombay G. O. No. 815 of 1876,—*Trinacria*, 21st March 1877, from Bombay.

Lieutenant-Colonel A. B. Cumberlege, Madras Staff Corps, Madras G. O. No. 43 of 1877,—*Sumatra*, 19th March 1877, from Bombay.

Lieutenant-Colonel C. C. Minchin, Madras Staff Corps, Madras G. O. No. 130 of 1877,—*Persia*, 31st March 1877, from Bombay.

Lieutenant-Colonel R. S. Graves, Bengal Staff Corps, G. G. O. No. 279 of 1877,—*Pekin*, 12th March 1877, from Bombay.

Lieutenant-Colonel T. T. Turton, Madras Staff Corps, Madras G. O. No. 353 of 1877,—9th April 1877, from Bombay.

Lieutenant-Colonel W. E. D. Broughton, Infantry, G. G. O. No. 355 of 1877,—*Eldorado*, 27th April 1877, from Calcutta.

Major A. A. Johnson, Madras Staff Corps, Madras G. O. No. 227 of 1877,—*Australia*, 1st March 1877, from Bombay.

Major R. F. Firth, Bengal Staff Corps, G. G. O. No. 143 of 1877,—*Trinacria*, 21st March 1877, from Bombay.

Major R. H. Hudleston, Bengal Staff Corps, G. G. O. No. 22 of 1877,—*Trinacria*, 21st March 1877, from Bombay.

Major C. T. Haig, Royal (late Bombay) Engineers, Bombay G. O. No. 122 of 1877,—*Persia*, 31st March 1877, from Bombay.

Surgeon-Major J. M. Cuningham, M. D., G. G. O. No. 95 of 1877,—*Venetia*, 5th March 1877, from Bombay.

Surgeon-Major W. E. Allen, G. G. O. No. 167 of 1877,—*City of Baltimore*, 14th March 1877, from Bombay.

Surgeon-Major J. E. Tuson, M. D., G. G. O. No. 191 of 1877,—*Cytore*, 21st March 1877, from Bombay.

Surgeon-Major E. A. Fitzgerald, G. G. O. No. 259 of 1877,—*Indus*, 3rd May 1877, from Calcutta.

Captain H. F. H. Sewell, Madras Staff Corps, Madras G. O. No. 235 of 1877,—*Venetia*, 5th March 1877, from Bombay.

Captain C. H. Bridges, Bengal Staff Corps, G. G. O. No. 1235 of 1876,—*Pekin*, 12th March 1877, from Bombay.

Captain L. Macdonald, Bengal Staff Corps, G. G. O. No. 51 of 1877,—*City of Baltimore*, 14th March 1877, from Bombay.

Captain J. Dundas, V. C., Royal Engineers, G. G. O. No. 120 of 1877,—*Persia*, 31st March 1877, from Bombay.

That portion of G. G. O. No. 457 of 1877 which refers to this officer is cancelled.

Surgeon J. H. Newman, M. D., G. G. O. No. 120 of 1877,—*Mongolia*, 26th March 1877, from Bombay.

Lieutenant (Local Captain) H. H. Cole, Royal Engineers, G. G. O. No. 95 of 1877,—*Venetia*, 5th March 1877, from Bombay.

Conductor W. A. Armstrong, Army Commissariat Department, G. G. O. No. 279 of 1877,—*Jumna*, 13th March 1877, from Bombay.

PAY AND ALLOWANCES.

No. 496.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops":—

Articles 1158, page 220, and 1165, page 221. Immediately under "Superintendent of Army Schools," &c., insert "Assistant Superintendent of British and Native Army Schools, Madras."

G. L. No. 110-118. of 5th May 1877

In the margin of article 1175, clause *b*, enter as an additional authority, "G. L. No. 349-51S. of 14th May 1877."

Article 2004. *Add* "A chief civil armourer when on duty at an outstation, is also allowed conveyance expenses at the mileage rate, from his temporary residence to the place of duty and back."

G. L. No. 1634 of 29th March 1877. Military Department, Account Branch, Nos. 7G. of 17th April and 145G. of 25th May 1877, to Bombay Controller.

Article 315*a*. *Add* "An officer on attaining colonel's allowance, should at once make over command of his regiment to the next senior officer, unless directed by superior authority to retain it temporarily."

G. L. No. 395-8S. of 30th April 1877. G. O. No. 101 of 1877.

Article 1661. To the concluding sentence, after the word "authorized," *add* "except for a married passed hospital apprentice when travelling by rail on duty of a permanent nature and accompanied by his family, who is allowed one servant."

G. L. No. 1306-7 of 23rd March 1877.

Article 1662, clause *b*, page 314. To the footnote "†" after "bombardier," add the words—

"but is not entitled to the increased pay granted to the latter after two years' service in the rank."

G. L. No. 1339 of 23rd March 1877.

Article 1341 *a*. In clauses II and III, instead of the word "continuously" substitute the words "whether continuously or not."

G. L. No. 828-44C. of 30th April 1877.

Article 48. After the words "Native artillery" insert "(including subaltern officers appointed to officiate in appointments with batteries in place of officers absent on furlough to Europe)."

G. L. No. 744-7 of 13th March 1877.

Article 52. *Add* "When an artillery officer is removed from his battery to officiate in the ordnance department, and it is known that his services will be required in that department for more than a year, he will be placed on the supernumerary list; but when required for a shorter period he will be retained on the establishment of his battery."

G. L. No. 335-8 of 10th April 1877.

Article 2069, clause (*f*) is cancelled and the following substituted:—

"(*f*). To the wife (if she is of good character, continues to live in barracks, and is borne on the married establishment) of a soldier sentenced, either by court martial or by award of his commanding officer, to a term of imprisonment of less than one year."

G. L. No. 1295-8 of 23rd March, and G. O. No. 76 of 1877.

Article 2069, clause (*f*), page 381, is cancelled and the following substituted:—

"(*f*). To the wife (if she is of good character continues to live in barracks, and is borne on the married establishment) of a soldier sentenced to penal servitude, or to imprisonment for one year and upwards,—for twelve months from date of sentence, or to date of embarkation, should she wish to return to England. Should the relief of the regiment be expected within the second year of imprisonment, and the wife elect not to go home, the special sanction of government must be obtained to a continuance of the subsistence allowance. The allowance will not be extended beyond one year in the case of penal servitude."

G. O. No. 76 of 1877.

Article 2070, clause (*g*). *Add* the words "unless continued under article 2069, clause (*f*)."

Article 2080, clause (*b*) is cancelled and the following substituted:—

"(*b*). To the child of a soldier whose wife is entitled to subsistence allowance under article 2069, clauses (*f*) and (*g*), and for the same periods."

G. O. No. 76 of 1877.

Article 2085, clause (*c*). Expunge the letter "(*f*)" in the first line, also the portion of the clause commencing with the word "provided" and ending with "least."

G. O. No. 76 of 1877.

No. 497.—The following corrections are to be made in the Pay Code for India, Volume II, "Native Troops":—

Article 470, clause *c*, page 93. In the second line of the heading of this clause, expunge the words "Malwa and"

Article 636, clause *c*. *For* the words "or in Scinde" *substitute* "and to *enlisted* followers only serving in Scinde."

Bombay G. G. O., No. 711 of 1873.

Article 112. *Add* "The provisions of this article are not applicable to any of the classes mentioned, who may have been enlisted as privates in Native corps."

G. G. O. Nos. 960 of 1853 and 665 of 1854, G. L. No. 344-5 of 10th April 1877.

Article 391. *Enter*, "Syrang of store, and tent-lascars (Bombay), Rs. 2-8-0."

G. L. No. 429-80 of 8th March 1877.

Article 111. In the Note, *for* "Section III" *substitute* "Section II."

Article 89 (*a*). *Add*, "This rule is not applicable to a kote-duffadar of the Bombay cavalry who retains the staff pay when on leave to which he is entitled, *viz.*, once in three years: any leave beyond that will be without staff pay."

G. L. No. 652 of 12th March 1877.
Bombay Government Resolution No. 1792 of 24th April 1877.

Article 559, page 112. Substitute the following for the existing foot-note "(2):"—

"Mates and dooly-bearers stationed in the Punjab proper (including Umballa and Ferozepore) and at Chuckrata receive rupee 1 a month extra, in addition to compensation for dearness of food. Dooly-bearers at the Darjeeling depôt receive Rs. 8 each, inclusive of hill batta and compensation for dearness of food."

G. L. Nos. 1735 of 26th February, and 665 of 10th April 1873, 179 of 4th May 1874, 1057 of 25th January 1877, 353S. of 30th April 1877.

Page 115. In foot-note "*d*," after the word "Punjab," insert "(including Umballa, Ferozepore, and Mooltan) and at Deolee."

G. L. Nos. 485 of 15th September 1868, 255 of 5th February 1869, 679 of 18th November 1870, 1735 of 26th February 1873.

Page 116. Insert the following foot-note:—

"*d*.—See corresponding foot-note at page 115."

Insert the following article:—

"571*a*. Extra batta is not admissible to followers attached to artillery, when moving out of cantonments for practice. In the event of their proceeding to another station for that purpose, extra batta will be granted but only for the period occupied in marching to and from the practice ground.

Bengal Pay Code 1849, section 3, para. 66.
Madras Pay Code, 1861, para. 42, page 77, and Controller's No. 876 of 9th May 1877.
Bombay Controller's No. 1417 of 27th April 1877.

"NOTE.—Followers of the Madras army who may be allowed extra batta under this article, will be restricted to the lower rate of rice money,—article 213."

Article 559, page 111. To the rate of pay "Rs. 10" opposite "compounder, head," affix the letter *c* and enter the following foot-note:—

"*c*. The head compounder, Darjeeling depôt, receives Rs. 12, inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

To the rate of pay "Rs. 5" opposite "Bheestee," affix the *b* and enter the following foot-note:—

G. L. No. 353S. of 30th April 1877.

"*b*. The bheestees at the Darjeeling depôt receive Rs. 8 each, inclusive of hill batta and compensation for dearness of food."

To the rate of pay "Rs. 5" opposite "Coolie, shop," affix the letter *d* and enter the following foot-note:—

"*d*. The shop coolie at the Darjeeling depôt receives Rs. 8, inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

Page 112. To the rate of pay "Rs. 6" opposite "Coolie, head, ward" affix the letter *a* and enter the following foot-note:—

"*a*. The head ward-coolie at the Darjeeling depôt receives Rs. 8, inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

In the second line of foot-note (5), after "Rs. 5" *insert*—

"The ward-coolies at the Darjeeling depôt receive Rs. 7, sweepers Rs. 9, female sweepers Rs. 10 each, all inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

To the rate of pay "Rs. 5" opposite "Cook or assistant", affix the letter *g* and enter the following foot-note:—

"*g*. Cooks at the Darjeeling depôt receive Rs. 8 each, inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

To the rate of pay "Rs. 8" opposite "Dresser", affix the letter "*h* and enter the following foot-note:—

"*h*. The dresser at the Darjeeling depôt receives Rs. 10, inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

To foot-note (3) *add*—

"The head sweeper at the Darjeeling depôt receives Rs. 9 inclusive of hill batta and compensation for dearness of food."

G. L. No. 353S. of 30th April 1877.

Article 5*a*. After the word "recruit", *insert* "(and recruit-boy on being enlisted into the ranks as private)."

G. L. No. 439 43S. of 17th May 1877.

Insert the following article at page 35 immediately above the heading "Special—Madras:"—

"139A. Extra or marching batta is not admissible to a man—

a. Whilst proceeding to a station to appear before an invaliding committee, or returning therefrom."

Bengal Pay Code, 1849, section V, para 26.
G. L. No. 594-58. of 21st May 1877,

Article 423 *a*. In the second line, after the word "parties" *insert* "or for a man proceeding to a station to appear before an invaliding committee, and returning therefrom."

G. L. No. 594-58. of 21st May 1877.

Article 6*a*. *Add* "This article does not apply to a hospital assistant with Madras Native cavalry, who is mounted at the expense of the State."

G. L. No. 254 of 14th May 1877.

PENSIONS.

No. 498.—The undermentioned out-pensioner having been permitted to reside and draw his stipend in the Bengal presidency, payment of pension is to be made and charged accordingly:—

Private Edward Colahan, a pensioner from the 58th Foot,—*rate of pension*, one shilling per diem, paid up to the 31st March 1877.

No. 499.—The undermentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, from the dates they cease to receive regimental pay:—

Robert John Renny, late Royal Horse Artillery,—one shilling per diem.
Edward Morgan, late 1st Battalion, 14th Foot,—one shilling per diem.
George Wrightson, late 4th Hussars,—one shilling per diem.
John Byrne, late 4th Hussars,—one shilling per diem.
James Hunt, late Royal Horse Artillery,—one shilling per diem.
Sergeant Robert Dunlop, late 92nd Foot,—one shilling and ten pence per diem.
William Campbell, late Royal Horse Artillery,—one shilling per diem.

No. 500.—Sowar Hanooman Singh, 3rd Bengal Cavalry, is granted an injury pension in the 3rd degree of Rs. 3 per mensem, payable in the North-Western Provinces circle,

No. 501.—The undermentioned men of the Erinpoorah Irregular Force are transferred to the Pension Establishment:—

Rank.	Name.	In what rank pensioned.	Amount of pension.	Circle of payment.
			Rs. A. P.	
Jemadar ...	Luchmuna ...	Jemadar ...	10 0 0	Erinpoorah.
Duffadar ...	Doondeh Khan...	Duffadar ...	5 0 0	N.-W. P.
Havildar ...	Sadeea ...	Naick ...	5 0 0	Erinpoorah.
,, ...	Boodea ...	Havildar ...	6 0 0	,,
,, ...	Sewuk ...	,, ...	6 0 0	N.-W. P.
,, ...	Chimna ...	,, ...	6 0 0	Beaur.
Naick ...	Nemla ...	Sepoy ...	3 8 0	Erinpoorah.

No. 502.—Gondah, widow of Naick Kullundur Singh, 5th Infantry, Hyderabad Contingent, is admitted to the 3rd class Order of Merit pension, *viz.*, Rs. 3-13-8 per mensem, for three years, from the 6th July 1876, payable at Lucknow, North-Western Provinces circle.

TRANSFER OF OFFICERS.

No. 503.—The services of Captain J. Burne, Bengal Staff Corps, Wing Officer, 2nd Sikh Infantry, Punjab Frontier Force, are placed temporarily at the disposal of the Foreign Department.

No. 504.—The services of Surgeon N. J. Halpin are placed temporarily at the disposal of the Foreign Department.

No. 505.—The services of Lieutenant J. D. Snodgrass, Royal Horse Artillery, are placed temporarily at the disposal of the Government of Bombay.

No. 506.—The services of Lieutenants G. M. Porter and J. G. Day, Royal Engineers, are placed at the disposal of the Public Works Department.

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

MARINE DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st June 1877.

APPOINTMENTS AND PROMOTIONS.

No. 12.—The Right Hon'ble the Governor General in Council is pleased to make the following appointments to the Indian Government Steamer *Ava*:—

Mr. A. Gwyn, R.N., Commander of the Indian Government Steamer *Irrawaddy*, to be Commander.

Mr. J. Clarke, acting 2nd Officer of the Indian Government Steamer *Tenasserim*, to be 2nd Officer.

Mr. J. W. Faichney, 3rd Officer of the Indian Government Steamer *Czarewitch*, to be 3rd Officer.

Mr. J. Bogie, 1st class Engineer of the Indian Government Steamer *Koel*, to be Engineer in charge.

The following appointment is also made:—

Commander the Hon'ble E. M. D. Browne, R.N., to be Commander of the Indian Government Steamer *Irrawaddy*, *vice* Mr. Gwyn.

No. 13.—Mr. E. T. Whipham, First Mate of the Indian Government Pilot Brig *Cassandra*, to be temporary 2nd Officer, on probation, of the Indian Government Ship *Czarewitch*, *vice* Mr. Smythe, resigned.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS—ESTABLISHMENT.

Simla, the 28th May 1877.

No. 253.—The following promotions are made in the Engineer Establishment attached to the Military Works Branch of the Public Works Department with effect from the dates specified:—

Name.	Present grade.		Grade to which recommended.		With effect from	Nature of promotion.	REMARKS.
Mr. J. H. Reid ...	Asstt. Engr.	1st	Exe. Engr.	4th	27th Nov. 1876	Temporary	*Vice* Mr. J. Robinson, transferred to Local Works, Bengal.
Lieut. A. Hildebrand, R. E.	Ditto	2nd	Asstt. Engr.	1st	21st Dec. 1876	Ditto.	
Capt. G. D'A. Jackson, General List, Cavalry ...	Ditto	1st	Exe. Engr.	4th	30th Nov. 1876	Ditto ...	*Vice* Lieutenant Broadbent, R. E., temporary Executive Engineer 4th grade, on furlough.
Capt. T. C. Manderson, R. E.	Tempy. Exe. Engr.	1st	Ditto	1st	1st Dec. 1876	Permanent	*Vice* Colonel F. J. Davies, replaced at disposal of Military Department.
Mr. J. W. Wright ...	Exe. Engr.	2nd	Ditto	1st	Ditto ...	Temporary.	
Capt. G. T. Maitland ...	Tempy. Exe. Engr.	2nd	Ditto	2nd	Ditto ...	Permanent.	
Mr. G. W. Dodsworth ...	Exe. Engr.	4th	Ditto	2nd	Ditto ...	Temporary.	
Mr. G. W. Dodsworth ...	Tempy. Exe. Engr.	3rd	Ditto	3rd	Ditto ...	Permanent.	
Lieut. W. G. Nicholson, R. E. ...	Exe. Engr.	4th	Ditto	3rd	Ditto ...	Temporary.	
Capt. B J. Goldie, R. E. ...	Tempy. Exe. Engr.	3rd	Ditto	4th	Ditto ...	Permanent.	
Capt. A. Hill, R. E. ...	Exe. Engr.	4th	Ditto	3rd	Ditto ...	Temporary.	
Mr. M. Birkbeck ...	Asstt. Engr.	1st	Ditto	4th	Ditto ...	Ditto.	
Mr. H. Bull ...	Ditto	2nd	Asstt. Engr.	1st	Ditto ...	Permanent.	
Lieut. S. C. Turner, R. E. ...	Tempy. Exe. Engr.	3rd	Exe. Engr.	2nd	8th Feb. 1877	Temporary	*Vice* Captain Crawford, R. E., Executive Engineer 2nd grade, on furlough.
Lieut. A. G. Clayton, R. E	Ditto	4th	Ditto	3rd	Ditto ...	Ditto.	
Lieut. E. C. Fanshawe, R. E. ...	Asstt. Engr.	1st	Ditto	4th	Ditto ...	Ditto.	
Mr. W. B. Blaikie ...	Ditto	2nd	Asstt. Engr.	1st	Ditto ...	Ditto.	

No. 254.—Mr. R. E. Wright, Executive Engineer 4th Grade (temporary rank), His Highness the Nizam's State Railway, is transferred to the establishment under the Director of State Railways, Western System.

No. 255.—With reference to Public Works Department Notification No. 122, dated 16th March 1877, Lieutenant-Colonel H. A. Brownlow, R.E., assumed charge of the office of Inspector General of Irrigation, and Deputy Secretary to the Government of India, in the Public Works Department, Irrigation Branch, on the forenoon of the 11th April 1877.

The 30th May 1877.

No. 256.—Mr. A. E. Adie, Assistant Engineer 3rd Grade, Railway Branch, British Burmah, having passed the prescribed examination, is promoted to Assistant Engineer 2nd grade, with effect from 25th April 1877.

No. 257.—The following promotions are made in the Upper Subordinate Establishment attached to the Military Works Branch of the Public Works Department, with effect from the dates specified :—

Baboo Kally Prosono Mozoomdar, Overseer 1st Grade, to Supervisor 2nd Grade, *temporary*, from 13th March 1877, *vice* Sergeant Cameron, on furlough.

Lalla Soonder Lall, Overseer 2nd Grade, to Overseer 1st Grade, *temporary*, from 13th March 1877, *vice* Kally Prosono Mozoomdar.

Baboo Jodo Nath Chowdry, temporary Supervisor 2nd Grade, to Supervisor 2nd grade, *permanent*, from 22nd March 1877, *vice* Sergeant Herbert, remanded to military duty.

Mr. S. J. Newitt, Overseer 1st Grade, to Supervisor 2nd Grade, *temporary*, from 22nd March 1877, *vice* Jodo Nath Chowdry.

Lalla Roodur Pershad, temporary Overseer 1st Grade, to Overseer 1st Grade, *permanent*, from 22nd March 1877, *vice* Jodo Nath Chowdry, permanently promoted.

Soonder Lall, Overseer 2nd Grade, to Overseer 1st Grade, *temporary*, from 22nd March 1877, *vice* Roodur Pershad.

No. 258.—Consequent on the return from furlough of Sergeant E. Daintith, Overseer 1st Grade, Lalla Poonder Lall, temporary Overseer 1st Grade, Military Works Branch, reverted to his substantive rank from 18th March 1877.

No. 259.—Mr. H. Linden, temporary Supervisor 2nd Grade (Local), Port Blair, is brought on the list of the Upper Subordinate Establishment of the Public Works Department in his present grade, with effect from 1st January 1875.

The 31st May 1877.

No. 260.—The Governor General in Council is pleased to make the following postings and promotions in the Railway Branch of the Public Works Department :—

Lieutenant-Colonel J. Bonus, R. E., Engineer-in-Chief, Sindia State Railway, is transferred to the establishment under the Director of State Railways, Western System, as Engineer-in-Chief of the Punjab Northern State Railway, *vice* Mr. A. Grant, appointed a Director of State Railways.

Major A. LeMessurier, R. E., Executive Engineer 1st Grade, is permanently promoted to Superintending Engineer 3rd Grade, with effect from 28th March 1877.

Mr. H. Bell, M. Inst. C. E., Superintendent of Way and Works, Rajputana State Railway, is temporarily promoted to Superintending Engineer 3rd Grade, and is posted to the Sindia State Railway as Engineer-in-Chief, *vice* Lieutenant-Colonel Bonus, R. E.

Mr. E. J. Martin, M. Inst. C. E., Executive Engineer 1st Grade, is temporarily promoted to Superintending Engineer 3rd Grade, *vice* Mr. W. C. Furnivall, appointed to officiate as a Director of State Railways, and is posted to the Rangoon and Irrawaddy Valley State Railway as Engineer-in-Chief during the absence of Mr. H. Prince, or until further orders.

Mr. H. Geoghegan, M. Inst. C. E., Executive Engineer 1st Grade, is temporarily promoted to Superintending Engineer 3rd Grade, and posted to the Mooltan District of the Indus Valley State Railway, *vice* Mr. W. J. Galwey.

Mr. F. L. O'Callaghan, M. Inst. C. E., Executive Engineer 1st Grade, is appointed Engineer-in-Chief of the Tirhoot State Railway, with the powers of a Superintendent of Works, during the absence of Lieutenant-Colonel F. S. Stanton, R. E., appointed to officiate as a Director of State Railways, or until further orders.

Mr. W. J. Galwey, M. Inst. C. E., Executive Engineer 1st Grade, is appointed Superintendent of Way and Works of the Rajputana State Railway, *vice* Mr. H. Bell.

No. 261.—Lieutenants G. M. Porter and J. G. Day, Royal Engineers, are appointed to the Public Works Department as Assistant Engineers 2nd Grade, and posted to the Military Works Branch.

No. 262.—The undermentioned Royal Engineer Non-Commissioned Officers are appointed to the Public Works Department on probation in class E of the State Railway Revenue Establishments, and posted to the Western System of State Railways :—

Sergeant H. Shorey.
Corporal H. Palmer.
" W. Albert.
" J. Woods.

The 1st June 1877.

No. 263.—Mr. P. Heyward, Accountant 1st Grade in the office of the Accountant General, Public Works Department, is granted one month's privilege leave with effect from such date as he may be permitted to avail himself of it.

No. 264.—Baboo Nundo Lall Nundy, Accountant 4th Grade, is transferred from the office of the Store-keeper for State Railways, Calcutta, to that of the Deputy Consulting Engineer and Port Store Officer, Kurrachee.

No. 265.—Sergeant K. Ross, R. E., is appointed to the Public Works Department as an Overseer 1st Grade, and posted to the Western System of State Railways.

No. 266.—ERRATUM.—In Public Works Department Notification No. 243 of 19th May 1877, transferring Mr. T. Macpherson, Sub-Engineer 3rd Grade, from the Central Provinces, for "Central System" of State Railways, read "Western System."

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 23.] SIMLA, SATURDAY, JUNE 9, 1877. [Register No. 33.

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

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SUPPLEMENT No. 23.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 5th June 1877.

No. 488.—The services of Mr. A. M. B. Irwin, of the Bengal Civil Service, Assistant Commissioner, Punjab, are placed at the disposal of the Chief Commissioner of British Burma.

The 6th June 1877.

No. 492.—The Hon'ble E. G. Birch, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained privilege leave for two months, with effect from the 17th proximo, or from any subsequent date on which he may avail himself of it.

The 8th June 1877.

No. 499.—APPOINTMENT.—Mr. S. F. A. Smith, C. S., Assistant Commissioner of the 1st grade in British Burma, to be Deputy Commissioner of the 4th grade, *vice* Mr. R. F. St. A. St. John.

No. 503.—APPOINTMENTS.—Mr. Arthur Howell, of the Bengal Civil Service, to be Commissioner of Jubbulpore in the Central Provinces, with effect from the date of Mr. W. M. Low's retirement, but to continue to officiate as Secretary to the Government of India in the Home Department.

Mr. C. H. T. Crosthwaite, of the Bengal Civil Service, to officiate as Commissioner of Jubbulpore in the Central Provinces, *vice* Mr. Howell.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—FORESTS.

Simla, the 4th June 1877.

No. 635F.—Mr. R. N. Anstruther, Assistant Conservator of Forests of the 3rd Grade in British Burma, is granted furlough to Europe on medical certificate for one year, with effect from the 13th ultimo.

The 5th June 1877.

No. 644F.—The Governor General in Council has been pleased to appoint Captain C. W. Losack, Deputy Conservator of Forests of the 3rd Grade in the Central Provinces, to officiate as a Deputy Conservator of the 2nd Grade; with effect from the 17th April last.

Mr. E. A. Down, Sub-Assistant Conservator of Forests in the North-Western Provinces, and at present temporarily attached to the Forest Survey Branch, is appointed to officiate as an Assistant Conservator of Forests of the 3rd Grade, with effect from the same date.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 5th June 1877.

No. 1294 *P.*—With reference to Notification No. 295P., dated 12th February 1877, the recognition by the Government of India of the appointment of Mr. F. Masotti as Acting Consul for Belgium at Bombay, during the absence of Mr. Groux, has been confirmed by Her Majesty's Government.

The 6th June 1877.

No. 1307 *P.*—With reference to Notification of this Department, No. 622P., dated 21st March 1877, the Governor General in Council is pleased to recognize the appointment of Monsieur LeChevalier Charles Grondona as Consul for Italy at Bombay.

GENERAL.

The 5th June 1877.

No. 1497 *G.*—In supersession of that portion of the Notification of this Department, No. 897G., dated 19th April 1877, which relates to Mahomed Sahibuddin Khan, Bahadoor, Senior Attaché to the Resident, Hyderabad, Mr. E. J. Kitts, Officiating Assistant Commissioner, 3rd Class, Berar Commission, is confirmed in that grade, with effect from 1st April 1877, *vice* Tajuddin Hussain, promoted.

Mahomed Sahibuddin Khan, Bahadoor, Senior Attaché to Resident, to officiate as Assistant Commissioner, 3rd Class, with effect from 1st April 1877, *vice* Mr. Kitts.

No. 1498 *G.*—The following orders issued by the Commandant, Central India Horse, dated 13th April 1877, are confirmed :—

Major C. Martin, 2nd in Command, 2nd Regiment, to officiate as Commandant, Central India Horse, *vice* Colonel Watson.

2nd Regiment.

Lieutenant-Colonel J. D. Hall, 2nd Squadron Commander, to officiate as 2nd in Command, *vice* Major Martin.

Captain J. Colledge, 3rd Squadron Commander, to officiate as 2nd Squadron Commander, *vice* Lieutenant-Colonel Hall.

Captain M. G. Gerard, 1st Squadron Officer, to officiate as 3rd Squadron Commander, *vice* Captain Colledge.

Lieutenant E. D. H. Daly, 2nd Squadron Officer, to officiate as 1st Squadron Officer, *vice* Captain Gerard.

Lieutenant N. F. F. Chamberlain, attached to officiate as 2nd Squadron Officer, *vice* Lieutenant Daly.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 7th June 1877.

No. 1111.—His Excellency the Right Hon'ble the Governor General in Council has resolved to borrow Two-and-a-half Crores of Rupees for the public service in the following manner.

2. Promissory Notes will be issued for the said amount, bearing interest at the rate of four per centum per annum: the form and conditions of these Notes will be those of the Notes of the Consolidated Transfer Loan of 1842-43, of which Loan they will form a part. No Note will be issued for less than one hundred rupees, or for any amount not being a multiple of one hundred rupees: the Notes will be payable to order, and interest thereon will be paid half-yearly, on the First day of February and the First day of August.

3. Tenders for the whole or part of the above-named sum of Two-and-a-half Crores of Rupees will be received by the Comptroller General from this date to noon of Monday, the Ninth day of July next.

4. Each tender must be addressed, in the form annexed to this Notification, to the Comptroller General, Treasury Buildings, Calcutta, and enclosed in a sealed cover superscribed "Tender for Loan."

5. Tenders will be opened at the Office of the Comptroller General in Calcutta, at noon on Monday, the Ninth day of July next.

6. Accepted tenders must be paid, in five equal instalments, on the following dates:—

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877:

but the whole or any part of any tender may be paid at any time after its acceptance is notified.

7. Interest upon each payment will be paid in advance, from the date when such payment is received, to the 31st January next.

8. Payment of any accepted tender may be made to the account of the Government in one of the Presidency Banks of Bengal, Madras or Bombay, or in any Branch of any of the Presidency Banks, or into any Government treasury or treasuries in India that may be named in the tender.

9. Each tender must be accompanied by a receipt from one of the Presidency Banks of Bengal, Madras or Bombay, or one of their Branches, or from an Officer in charge of some Government treasury, or by a cheque on a banker in Calcutta, Madras or Bombay, or by Government Promissory Notes made payable to the Comptroller General, for not less than one-hundredth part of the tender: this deposit of one per cent. will be treated as in part payment of the last instalment, and will be forfeited if the allotment is not fully taken up: a cash deposit may, after the tender in support of which it is made is accepted, be replaced by a Government Promissory Note.

10. Scrip receipts for instalments paid will be given by the Presidency Banks of Bengal, Madras and Bombay, or their Branches, or by the Officers in charge of the Government treasuries at which payment is made: these receipts will, as soon as possible, be exchanged for Promissory Notes.

11. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and placed upon the table, in a sealed envelope, when the tenders are opened, but will not be declared unless tenders for Two-and-a-half Crores of Rupees are received but not accepted.

12. The rate stated in a tender must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. Tenders at the recorded minimum rate, and at rates above the recorded minimum, will be accepted in the order of the rates tendered, beginning with the highest rate: the amount allotted at the lowest rate at which tenders are accepted, will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders.

14. The names of the persons whose tenders are accepted in whole or in part, will be posted, for general information, at the Presidency Banks of Bengal, Madras and Bombay.

FORM OF TENDER.

I hereby tender for rupees of the Loan advertised in the Notification published in the *Gazette of India* Extraordinary, dated the 7th June 1877, and agree to pay for the same, subject to the conditions notified, at the rate of rupees annas*

* Fractions of an anna not allowed.

for every hundred rupees allotted to me.

I enclose a *deposit receipt*† for rupees , and engage, if my offer be accepted, to pay to the account of the Government at the Presidency Bank of‡ [or at the Branch of the Bank of ; or into the Government treasury at‡ as the case may be] the first instalment on or before Monday, the 23rd day of July next, and the several later instalments on or before the dates fixed by the Notification, as follows:—

† Or cheque or Government Promissory Note.

‡ Here enter the name of bank or treasury.

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877.

NOTES.—(1).—*A separate tender must be made at each rate tendered, and a separate deposit must accompany each tender. In order to avoid mistakes, it is desirable that the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English.*

(2).—*This Notification will be published, simultaneously, by the Secretary of State for India, in London.*

SEPARATE REVENUE—STAMPS.

The 9th June 1877.

No. 1150.—In exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the duties chargeable under the said Act on tenders for any portion of the loan advertised in the *Gazette of India* Extraordinary of the 7th June 1877.

PENSIONS AND GRATUITIES.

The 8th June 1877.

No. 1163.—The Governor General in Council directs the publication of the following Addenda to the Codes of the Financial Department:—

CIVIL PENSION CODE.

Section 15 (*Page* 6).

Insert the following as Rule 6:—

6. The service of the officers of the Printing Department of the Bengal Secretariat who before August 1868 were paid partly from the amount saved by the reduction of the copying staff of the Secretariat and partly from Gazette collections, qualifies.

Section 64, *Rule* 1 (*Page* 36).

Insert the following words after the word "duty":—

Whether in substantive or acting service.

SEPARATE REVENUE—OPIUM.

The 8th June 1877.

No. 1093.—*Opium Revenue to date compared with the Estimate for the year* 1877-78:—

PRESIDENCY.	LATEST MONTH.				THREE SALES OF BENGAL OPIUM AND TWO MONTHS' DUTY ON MALWA OPIUM.		
	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.	Estimate.	Actual.	Better than Estimate.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Bengal	45,92,000	49,49,100	3,57,100	...	1,37,76,000	1,49,26,580	11,50,580
Bombay	21,46,110	18,52,800	...	2,93,310	40,47,620	42,94,800	2,47,180
TOTAL ...	67,38,110	68,01,900	63,790	...	1,78,23,620	1,92,21,380	13,97,760

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

MILITARY DEPARTMENT.

Simla, the 8th June 1877.

APPOINTMENTS AND PROMOTIONS.

No. 507.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the following casualties, the names of the undermentioned officers are placed on the Indian Gradation List as specified:—

Major-General F. W. Burroughs, Bengal Infantry, is placed on the list of Lieutenant-Generals, that of
Colonel R. Richards, Bombay Staff Corps, is placed on the list of Major-Generals, and that of
Major C. T. O. Mayne, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.
} In consequence of the death of Lieutenant General F. Rowcroft, C.B., Bengal Infantry, on the 22nd March 1877.

Colonel E. C. Beale, Bombay Infantry, is placed on the list of Major-Generals, and that of
Major E. J. L. Twynam, Bengal Staff Corps, is placed on the list of Lieutenant-Colonels on the Indian Gradation List.
} In consequence of the death of Colonel (Major-General, on the Indian Gradation List) H. D. Innes, Madras Staff Corps, on the 27th March 1877.

No. 508.—The following promotions are made subject to Her Majesty's approval:—

Brevet.

Rank, Names and Corps.	To what rank promoted.	From what date.	In succession to
Captain Irvine Low, Bengal Cavalry.	Major ...	23rd March 1877.	Lieutenant General F. Rowcroft, C.B., Bengal Infantry, deceased.
Captain George Charles Jackson, Bengal Cavalry.	Ditto ...	28th March 1877.	Colonel (Major General on the Indian Gradation List) H. D. Innes, Madras Staff Corps deceased.

No. 509.—LONDON GAZETTE—

The following extract is published for general information:—

London Gazette, 4th May 1877, *page* 2948.
War Office, Pall Mall, 4th May 1877.

BREVET.

The undermentioned promotions to take place in Her Majesty's Indian Military Forces consequent on the death of Lieutenant-General Francis Rowcroft, C.B., Bengal Infantry, on the 22nd March 1877:—

Major-General George De Sansmarez, Madras Infantry, to be Lieutenant-General. Dated 23rd March 1877.

The undermentioned officers of Her Majesty's Indian Military Forces to be granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel James Anthony Steel, Bengal Staff Corps. Dated 5th May 1877.

Lieutenant-Colonel and Brevet Colonel William Nembhard, Bengal Staff Corps. Dated 5th May 1877.

Lieutenant-Colonel and Brevet Colonel John Beresford Smyly, Bengal Staff Corps. Dated 5th May 1877.

To be Colonels.

Lieutenant-Colonel Edward Hanson Paske, Bengal Staff Corps. Dated 5th May 1877.

Lieutenant-Colonel Ralph Ouseley, Bengal Staff Corps. Dated 5th May 1877.

Lieutenant-Colonel William Cavendish Bentinck Ryan, Bengal Staff Corps. Dated 5th May 1877.

To be Deputy Surgeon-General.

Surgeon-Major George Richard Pemberton, Bengal Army. Dated 5th May 1877.

No. 510.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Edward James Nicolls Fasken, 89th Foot, Wing Officer, 3rd Sikh Infantry, Punjab Frontier Force,—12th April 1876.

Lieutenant John William Hogge, 83rd Foot Wing Officer, 14th (The Ferozepore) Regiment of Native Infantry,—23rd May 1876.

No. 511.—MEDICAL DEPARTMENT—

The undermentioned officer having completed twelve years' service, is promoted to the rank of Surgeon-Major from the date specified, under the provisions of the Royal Warrant of the 10th May 1873, and will stand immediately below Surgeon-Major James Cleghorn, M. D., in the list of the Medical Department, subject to Her Majesty's approval:—

G. G. O. No. 673 of 1873.

Surgeon Robert Harvey, M. B.,—31st March 1877.

No. 512.—Her Majesty has been pleased to appoint the undermentioned gentlemen to be Surgeons in Her Majesty's Indian Military Forces in the Presidency of Bengal. They are accordingly admitted into the service:—

Surgeon J. Moorhead, M.D. } arrived at Fort William, 12th May 1877.
,, R. J. Taaffe. }

Surgeon G. S. Griffiths,—arrived at Fort William, 17th May 1877.

No. 513.—PUNJAB FRONTIER FORCE—

3rd Sikh Infantry.

Surgeon T. Moloney, M.D., officiating in medical charge, is confirmed in that appointment.

No. 514.—HYDERABAD CONTINGENT—

2nd Infantry.

Lieutenant E. C. M. Lushington, 33rd Foot, a candidate for the Bengal Staff Corps, to officiate as Wing Officer, on probation.

No. 515.—SUBORDINATE MEDICAL DEPARTMENT—

Rank.	Name.	To what rank promoted.	From what date.	In succession to
Assistant Apothecary	John Holden ...	Apothecary	1st May 1877.*	Apothecary W. Price, promoted.
Passed Hospital Apprentice.	W. A. Fullam ...	Assistant Apothecary.	23rd February 1877.	Assistant Apothecary H. Clinton, dismissed.
Passed Hospital Apprentice.	W. Nugent ...	Ditto	1st May 1877.	Assistant Apothecary J. Holden, promoted.

* Date of passing prescribed examination.

No. 516.—NATIVE ARMY—

1st Regiment of Native Infantry.

Color. Havildar Bhugwan Sing, to be Jemadar, *vice* Sewpersad Sing, dismissed,—23rd May 1877.

2nd (Prince of Wales' Own) Goorkha Regiment. (The Sirmoor Rifles.)

Jemadar Bulbeer Sahie, to be Subadar, *vice* Soorbeer Rana, deceased; Havildar Chumpa Sing Thappa, to be Jemadar, *vice* Bulbeer Sahie, promoted,—16th April 1877.

FURLOUGH AND LEAVE.

No. 517.—The undermentioned officer is granted furlough to Europe, with the necessary subsidiary leave:—

Captain Henry Paterson, Bengal Staff Corps, Wing Officer, 23rd (Punjab) Regiment of Native Infantry (Pioneers),—urgent private affairs, for four months, under Rule XI of the Regulations of 1868.

No. 518.—Conductor Zachariah Holland, Ordnance Commissariat Department, is allowed leave of absence for six months with effect from the

16th May 1877, or from such date as he may have availed himself of it, to visit Murree and Ferozepore on medical certificate, under the Regulations of 1868.

No. 519.—REPORTS OF DEPARTURE—

Lieutenant-Colonel T. Buttanshaw, Bengal Staff Corps,—G. G. O. No. 259 of 1877, *Penguin*, 23rd April 1877, from Calcutta.

Lieutenant-Colonel G. T. Jones, Infantry,—G. G. O. No. 355 of 1877, *City of Canterbury*, 14th May 1877, from Calcutta.

Captain R. A. Price, General List Infantry,—G. G. O. No. 216 of 1877, *Sirius*, 15th May 1877, from Calcutta.

Captain C. D. Swete, Bengal Staff Corps,—G. G. O. No. 167 of 1877, *Indus*, 3rd May 1877, from Calcutta.

Captain R. H. Grant, Royal Artillery,—G. G. O. No. 436 of 1877, *Peshawar*, 20th April 1877, from Calcutta.

Captain T. H. Holdich, Royal Engineers,—G. G. O. No. 436 of 1877, *Thibet*, 14th May 1877, from Bombay.

No. 520.—The following extract from List No. 9, dated the 11th May 1877, received from the India Office, is published for general information :—

Granted extension of leave.

Lieutenant-Colonel J. J. H. Gordon, S.C.,—3 months,—urgent private affairs.

HONORS AND REWARDS.

No. 521.—ORDER OF BRITISH INDIA—

His Excellency the Governor General in Council is pleased to admit the undermentioned Native Officer to the 2nd Class of the Order of British India, under the operation of G. G. O. No. 2 of 1877, with effect from the 6th April 1877 :—

BOMBAY.

To the 2nd Class with the title of "Bahadur."

Subadar Shaik Lall, 16th Regiment Native Infantry, *vice* Ressaldar Major Shadee Khan "Bahadur," deceased.

ORDNANCE.

No. 522.—The following clauses in List of Changes in War Materiel are made applicable to India :—

Dated 1st December 1876.

2810.—Drums, side, brass.

2811.—Case, drum, side, brass.

The new pattern drum and cover will be introduced when the present stock is exhausted.

PENSIONS.

No. 523.—Ranee, widow of Sepoy Culloo Raie, 22nd Regiment Native Infantry, is admitted to the 3rd Class Order of Merit pension, *viz.*, Re. 1-13-4 per mensem, for three years from the 25th October 1875, payable at Lucknow, North-Western Provinces circle.

TRANSFER OF OFFICERS.

No. 524.—The services of Major C. Hayter, Madras Staff Corps, are placed temporarily at the disposal of the Foreign Department.

No. 525.—The services of Surgeon J. C. Shircore, attached to the 5th Bengal Cavalry, are placed temporarily at the disposal of the Government of the North-Western Provinces and Oudh.

The 9th June 1877.

RETIREMENTS.

No. 526.—The undermentioned officer in civil employ is permitted to retire from the service on a pension of £456-5-0 per annum, with an additional annuity of £410-14-0, with effect from the 9th June 1877, under the terms of the Secretary of State's despatch in the Home Department No. 81, dated the 13th July 1876.

The pension and annuity are payable in England :—

Lieutenant-Colonel (Brevet Colonel) Henry Ferrers Waddington, Bengal Staff Corps, Deputy Commissioner, 1st Class, Nagpur, Central Provinces.

No. 527.—In continuation of G. G. O. No. 396, dated the 28th April 1877, the undermentioned officer is permitted to retire from the service, from the date specified, under the provisions of G. G. O. No. 8 of the 1st January 1877 :—

No.	RANK AND NAME.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
13	Lieutenant-Colonel George Charles Lloyd.	Bengal Infantry.	365 0 0	.....	5,222 0 0	9th June 1877.	England.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 1st June 1877.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 28th April to 1st June 1877 :—

Corps.	RANK AND NAME.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
General List Infantry	Captain C. Mercer	22nd May 1877.	Dharmsala.	Will left, unattested.	

Statement of Deposits on account of Estates from 5th May to 1st June 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. a. p.		
British Military Service.							
Wardlaw Manderson (a) ...	Major ...	Royal (late Madras) Artillery.	3rd February 1876.	Intestate ...	2,643 7 2	.....	

(a) *Widow.*—Mrs. Emilia Mary Manderson, care of Messrs. Arbuthnot, Latham and Co., 33, Great St. Helens—London. Administrator General, Bengal, administering.

W. M. LEES, *Colonel*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS—ESTABLISHMENT.

Simla, the 4th June 1877.

No. 268.—In modification of Notification No. 219, dated 14th May 1877, the transfer to British Burmah of Accountants Kader Nath Chatterjee and Pundit Kunhya Lall is cancelled.

Mr. T. R. Edmondson, Accountant, 2nd Grade, on probation, Holkar and Neemuch State Railway, is transferred to British Burmah.

No. 269.—The appointment of Kamta Persbad as an Accountant, 4th Grade, on probation, in Notification No. 218, dated 14th May 1877, is cancelled.

No. 270.—With reference to Public Works Department Notification No. 230 of 17th May 1877, Baboo Ramessur Nath, Assistant Engineer, 1st Grade, is posted to the Establishment under the Director of State Railways, North-Eastern System.

The 5th June 1877.

No. 271.—Lieutenant J. S. Biscoe, Deputy Examiner, Indus Valley State Railway, is transferred to the Punjab Northern State Railway.

No. 272.—Mr. J. Cameron, Accountant, 3rd Grade (temporary rank), Rajpootana State Railway, is permanently promoted to that grade, with effect from the 14th May 1877.

No. 273.—The undermentioned changes are ordered in the postings of superior Officers of the Accounts Branch :—

Mr. I. S. Hubbard, Assistant Examiner, Guaranteed Railway Accounts, Calcutta, to be Assistant Examiner, Telegraph Accounts.

Mr. F. E. Godfrey, Deputy Examiner (temporary rank), Central Provinces, temporarily attached to the Office of the Examiner, Guaranteed Railway Accounts, Bombay, is transferred to the Office of the Examiner, Guaranteed Railway Accounts, Calcutta.

The 7th June 1877.

No. 274.—ERRATUM.—In Public Works Department Notification No. 259, dated 30th May 1877, regarding Mr. Linden, omit the words "with effect from 1st January 1875."

No. 275.—The following promotions are made in the Railway Branch of the Public Works Department, with effect from the dates specified :—

Mr. C. Cheyne, Superintending Engineer, 3rd Grade (temporary 1st Grade), to Superintending Engineer, 2nd Grade, *permanent*, from 9th February 1877, *vice* Major R. C. B. Pemberton, R.E., promoted.

Major J. G. Lindsay, R. E., Superintending Engineer, 3rd Grade, to Superintending Engineer, 2nd Grade, *temporary*, from 11th May 1877, *vice* Major C. H. Luard, R.E., on furlough.

The 8th June 1877.

No. 276.—Mr. H. Buchan, Accountant, 3rd Grade, Hyderabad, is transferred to Mysore.

No. 277.—Mr. W. Palmer, Examiner of Telegraph Accounts, is granted furlough for fourteen months under section 12, and subsidiary leave for thirty days under section 24 of the Civil Leave Code, with effect from the 4th July 1877, or such date as he may be permitted to avail himself of the same.

No. 278.—The following changes are ordered in the postings of officers of the Superior Account Establishment, consequent on the approaching departure on furlough of Mr. W. Palmer, Examiner of Telegraph Accounts:—

Mr. P. Phillips, Examiner of Accounts, Western Rajpootana State Railway, to be Examiner of Telegraph Accounts in temporary succession to Mr. Palmer.

Captain J. Grierson, Examiner, Public Works Accounts, Oudh, to be Examiner of Accounts, Western Rajpootana State Railway.

No. 279.—The Governor General in Council is pleased to make the following *temporary* promotions in the Railway Branch of the Public Works Department, with effect from the dates specified:—

Names.	Present grade.		Grade to which promoted.		With effect from		
					1876.		
Blood, B. W. ...	Exe. Engr.	4th	Exe. Engr.	3rd	April	20	*Vice* Mr. G. R. Clark, promoted.
Addis, H. B. ...	Asstt. „	1st	„ „	4th	„	20	
McCudden, E. G. J. ...	„ „	2nd	Asstt. „	1st	„	20	
Downing, Major A. E., *B.I.*	Exe. „	3rd	Exe. „	2nd	„	20	*Vice* Mr. J. W. Buyers, on furlough.
Swappe, C. ...	„ „	4th	„ „	3rd	„	20	
Floyd, W. C. L. ...	Asstt. „	1st	„ „	4th	„	20	
Mehtab Chunder Mullick...	„ „	2nd	Asstt. „	1st	„	20	
Lloyd, J. A. D. ...	„ „	1st	Exe. „	4th	May	17	*Vice* Mr. W. C. Hennessey on furlough.
Peel, W. deW. ...	„ „	2nd	Asstt. „	1st	„	17	
Croudace, C. H. ...	Exe. „	4th	Exe. „	3rd	June	1	*Vice* Captain C. E. Shepherd, on furlough.
Chalmers, J. B. ...	Asstt. „	1st	„ „	4th	„	1	
Baxter, B. ...	„ „	2nd	Asstt. „	1st	„	1	
Bagley, F. R. ...	„ „	2nd	„ „	1st	„	30	*Vice* Mr. W. A. Bell, on furlough.
Campion, J. M. ...	„ „	1st	Exe. „	4th	August	15	*Vice* Mr. T. W. Miles, temporarily transferred to Foreign Department.
Bagley, F. R. ...	„ „	2nd	Asstt. „	1st	„	15	
Taylor, W. B. ...	Exe. „	4th	Exe. „	3rd	September	16	*Vice* Mr. W. Quarry, deceased.
Birkenshaw, J. F. ...	Asstt. „	1st	„ „	4th	„	16	
Braham, F. S. ...	„ „	2nd	Asstt. „	1st	„	16	
Sedgwick, Captain W., *R.E.*	Exe. „	4th	Exe. „	3rd	October	8	*Vice* Mr. W. B. Taylor, on furlough.
Wiseman, W. ...	Asstt. „	1st	„ „	4th	„	8	
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	8	
Bagley, F. R. ...	„ „	2nd	„ „	1st	November	17	*Vice* Mr. W. K. Stent, promoted.
Luff, J. M. ...	Exe. „	2nd	Exe. „	1st	„	23	*Vice* Mr. J. L. Gallott, on furlough.
Downing, Major A. E., *B.I.*	„ „	3rd	„ „	2nd	„	23	
Croudace, C. H. ...	„ „	4th	„ „	3rd	„	23	
Campion, J. M. ...	Asstt. „	1st	„ „	4th	„	23	
Braham, F. S. ...	„ „	2nd	Asstt. „	1st	„	23	
Braham, F. S. ...	„ „	2nd	„ „	1st	December	1	*Vice* Lieutenant H. S. F. Haynes, R. E., on furlough.
Croudace, C. H. ...	Exe. „	4th	Exe. „	3rd	„	1	
Campion, J. M. ...	Asstt. „	1st	„ „	4th	„	1	*Vice* Mr. J. R. Bell, promoted.
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	1	
Downing, Major A. E., *B.I.*	Exe. „	3rd	Exe. „	2nd	„	19	*Vice* Mr. T. B. Walker, on furlough.
Croudace, C. H. ...	„ „	4th	„ „	3rd	„	19	
Campion, J. M. ...	Asstt. „	1st	„ „	4th	„	19	
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	19	
Engledue, Captain W. J., *R.E.*	Exe. „	3rd	Exe. „	2nd	„	26	*Vice* Mr. S. deV. H. Alexander, on furlough.
Cloëtte, H. N. C. ...	„ „	4th	„ „	3rd	„	26	
Gilchrist, W. G. ...	Asstt. „	1st	„ „	4th	„	26	

Consequent on the return of Lieutenant C. C. C. Barlow, *R. E.*, Assistant Engineer, 1st grade, from furlough on the 31st July 1876—

Mr. F. R. Bagley,

reverted to Assistant Engineer, 2nd grade.

Consequent on the return of Mr. E. J. Moore, Executive Engineer, 4th grade, from furlough on 11th October 1876, the following officers reverted to their substantive grades:—

Wiseman, W., to Assistant Engineer, 1st grade.
Wynne, T. R., to „ „ 2nd „

Consequent on the return of Mr. W. C. Hennessey, Executive Engineer, 4th grade, from furlough on 27th October 1877, the following officers reverted to their substantive grades:—

Birkenshaw, J. F. to Assistant Engineer, 1st grade.
Braham, F. S. to „ „ 2nd „

Consequent on the return of Mr. J. W. Buyers, Executive Engineer 2nd grade, from furlough on 6th November 1876, the following officers reverted to their substantive grades:—

Downing, Major A. E., *B. I.*, to Executive Engineer, 3rd grade.
Croudace, C. H., to „ „ 4th „
Campion, J. M., to Assistant „ 1st „
Bagley, F. R., to „ „ 2nd „

Consequent on the return of Captain G. F. O. Boughey, *R. E.*, Executive Engineer, 2nd grade, from furlough on 25th November 1876, the following officers reverted to their substantive grades:—

Croudace, C. H., to Executive Engineer, 4th grade.
Campion, J. M., to Assistant „ 1st „
Braham, F. S., to „ „ 2nd „

Consequent on the return of Mr. W. Scott, Executive Engineer, 2nd grade, from furlough on 18th December 1876, the following officers reverted to their substantive grades:—

Downing, Major A. E., *B. I.*, to Executive Engineer, 3rd grade.
Croudace, C. H., to „ „ 4th „
Campion, J. M., to Assistant „ 1st „
Wynne, T. R., to „ „ 2nd „

Consequent on the return of Mr. W. B. Carter, Executive Engineer, 2nd grade, from furlough on the 30th December 1876, the following officers reverted to their substantive grades:—

Engledue, Captain W. J., *R. E.*, to Executive Engineer, 3rd grade.
Cloëtte, H. N. C. to „ „ 4th „
Gilchrist, W. G. to Assistant „ 1st „

No. 280.—With reference to Public Works Department Notification No. 252, dated 25th May 1877, Mr. F. Morrison was relieved of his duties of Deputy Examiner of Accounts in the Office of the Accountant General, Public Works Department, on the afternoon of the 22nd May 1877.

W. A. CROMMELIN, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 24.] SIMLA, SATURDAY, JUNE 16, 1877. [Register No. 33.

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

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SUPPLEMENT No. 24.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 13th June 1877.

No. 1136.—In exercise of the power conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act, 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner of Coorg is pleased to extend the Indian Registration Act, III of 1877, to the Chief Commissionership of Coorg.

ESTABLISHMENTS.

The 11th June 1877.

No. 511.—Home Department Notification No. 451, dated the 21st ultimo, placing the services of Mr. C. E. Bernard, C.S.I., Commissioner of the Nagpur Division in the Central Provinces, at the disposal of the Department of Revenue, Agriculture and Commerce, is cancelled.

The 14th June 1877.

No. 534.—The services of Babu Kristo Kumar Sen, Extra Assistant Commissioner, Sylhet, are placed at the disposal of the Government of Bengal.

No. 535.—The services of Moulvie Mujeed Bukht Mozoomdar, Acting Deputy Magistrate and Deputy Collector of Rajshahye, are placed at the disposal of the Chief Commissioner of Assam.

No. 538.—The following list of Civil Servants on the Bengal Establishment, absent on furlough, special or subsidiary leave, on the 31st March 1877, is published for general information :—

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		GOVERNMENT OF INDIA.			
		FURLOUGH.			
1	E. F. Harrsion	Comptroller General ...	March 19, 1877 ...	January 18, 1879.	
2	H. A. Maagles	Accountant General, Bengal ..	March 5, 1877 ..	April 4, 1878.	
3	C. U. Aitchison, C. S. I. ...	Secretary to the Government of India, in the Foreign Department.	February 11, 1876 ..	October 10, 1877.	
4	F. R. Hogg	Post Master General, Bengal ...	April 24, 1876 ...	April 23, 1878.	
5	R. Taylor	Inspector of Local Offices of Account...	March 13, 1877 ..	October 12, 1878	
6	J. Westland	Accountant General, Central Provinces	April 10, 1876 ...	November 9, 1877.	
7	C. E. R. Girdlestone ...	Resident, Nepal	Furlough for one year and 10 months		Date of departure not known.
		SPECIAL LEAVE.			
		Nil.			
		LOWER PROVINCES.			
		FURLOUGH.			
1	H. L. Dampier	Member, Board of Revenue ...	April 11, 1876 ...	November 25, 1877.	
2	E. W. Molony	Commissioner, Patna	March 29, 1875 ...	March 28, 1877 ...	Since returned.
3	W. J. Money, C. S. I. ...	District and Sessions Judge, Mymensingh.	March 24, 1876 ...	November 23, 1877.	
4	W. V. G. Tayler	Magistrate and Collector, Pubna ...	April 23, 1875 ...	April 22, 1877 ...	Since returned.
5	F. G. Millett	.....	April 21, 1876 ...	April 20, 1877 ...	Has since been permitted to resign the service.
6	J. S. Drummond	.....	April 26, 1875 ...	October 25, 1877.	
7	W. Wavell	Magistrate and Collector, Moorshedabad	May 9, 1876 ...	August 7, 1877.	
8	J. Geoghegan	Secretary, Board of Revenue ...	October 23, 1876 ...	June 22, 1878.	
9	F. Jones	Senior Superintendent of Survey ...	March 29, 1875 ...	September 28, 1877.	
10	R. D. Hime	Magistrate and Collector, Beerbhoom...	On subsidiary leave from 21st March 1877.		
11	T. T. Allen	District and Sessions Judge ...	April 1876 ...	March 1878.	
12	L. B. B. King	Junior Superintendent of Survey ...	March 1, 1877 ...	September 30, 1878.	
13	E. G. Glazier	Magistrate and Collector	March 21, 1877 ...	November 20, 1877.	
14	A. C. Brett	Joint Magistrate and Deputy Collector, Burdwan.	One year's furlough.		
15	F. Wyer	Joint Magistrate and Deputy Collector, 1st Grade.	March 16, 1876 ...	August 15, 1877.	
16	J. A. Hopkins	Inspector of Schools, Eastern Circle ...	March 17, 1876 ...	March 16, 1879.	
17	T. W. Gribble	Joint Magistrate and Deputy Collector, 1st Grade.	Furlough for 8 months.		
18	F. W. R. Cowley	Joint Magistrate and Deputy Collector, 1st Grade.	June 30, 1876 ...	January 29, 1878.	
19	G. K. Webster	Assistant Magistrate and Collector ...	October 1, 1875 ...	September 30, 1877.	
20	W. H. Verner	Joint Magistrate and Deputy Collector, 24-Pergunnahs.	March 27, 1876 ...	September 26, 1877.	
21	R. F. Rampini	Assistant and Joint Sessions Judge, Darjeeling and Julpigoree.	February 9, 1877 ...	February 8, 1878.	
22	W. F. Meres	Joint Magistrate and Deputy Collector	February 16, 1876 ...	December 15, 1877.	
23	J. Scobell Armstrong ...	Assistant Magistrate and Collector ...	November 23, 1874 ...	April 22, 1877 ...	Since returned.
24	C. H. Vowell	Ditto ditto, Shahabad ...	March 11, 1876 ...	November 10, 1877.	
25	A. W. Cochran	Assistant Magistrate and Collector ...	April 11, 1876 ...	April 10, 1878.	
26	A. W. B. Power	Political Agent, Hill Tipperah ...	May 7, 1876 ...	May 6, 1878.	
27	J. E. B. Jeffery	Assistant Magistrate and Collector ...	April 1, 1876 ...	October 31, 1877.	
28	P. Nolan	Ditto ditto ...	March 1876 ...	November 1877.	
29	J. Whitmore	Ditto ditto ...	March 21, 1877 ...	December 20, 1877.	
30	W. Fiddian	Ditto ditto ...	Two years' furlough with subsidiary leave from 10th November 1876.		
31	R. Cornish	Ditto ditto ...	April 21, 1876 ...	April 20, 1877 ...	Since returned.
32	E. M. Money	Ditto ditto ...	December 31, 1875 ...	June 30, 1877.	
33	G. E. Manisty	Ditto ditto ...	June 5, 1876 ...	December 8, 1877.	
34	W. R. Millar	Ditto ditto ...	June 16, 1876 ...	December 15, 1877.	
		SPECIAL LEAVE.			
		Nil.			

NOTE.—Total absent 34
Total of Civil Servants employed in the Lower Provinces 235
Percentage of absentees ... ... 14·4

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		NORTH-WESTERN PROVINCES AND OUDH.			
		FURLOUGH.			
1	Sir T. D. Forsyth, C.B., K.C.S.I.	Commissioner, Fyzabad Division ...	February 20, 1876 ...	February 19, 1878.	
2	H. W. Dashwood	Judge	January 15, 1877 ...	August 14, 1878.	
3	J. Simson	Magistrate and Collector	April 10, 1876 ...	November 9, 1877.	
4	R. M. King	Deputy Commissioner, 1st Grade ..	March 15, 1876 ...	December 14, 1877.	
5	C. J. Powlett	Joint Magistrate, 1st Grade ...	December 1, 1876 ...	November 30, 1877.	
6	C. F. Hall	Ditto ditto, 2nd ,, ...	March 15, 1877 ...	December 14, 1877.	
7	A. H. Harington	Assistant Commissioner, 1st Grade ...	March 21, 1877 ...	December 20, 1878.	
8	H. F. D. Moule	Assistant Magistrate	February 27, 1877 ...	February 26, 1878.	
9	R. J. Crosthwaite... ...	None	June 9, 1876 ...	June 8, 1877.	
10	R. Evans	Assistant Magistrate	March 1, 1876 ...	February 28, 1877.	
11	R. S. Aikman	Ditto ditto	March 6, 1876 ...	November 5, 1877.	
12	H. F. Evans	Employed in the Settlement Department previous to departure on furlough.	April 8, 1876 ..	November 7, 1877.	
13	W. C. Benett	Assistant Commissioner, 3rd Grade ...	April 15, 1876 ...	April 14, 1878.	
14	E. White	Assistant Magistrate	November 6, 1876 ...	November 5, 1877.	
15	J. A. Marcel	Ditto ditto	March 1, 1877 ...	February 28, 1878.	
16	R. D. Alexander	Ditto ditto	March 21, 1877 ...	November 20, 1878.	
17	F. Baker	Ditto ditto	March 22, 1875 ...	August 21, 1877.	
18	J. W. Harris	Ditto ditto	April 8, 1876 ...	April 7, 1878.	
19	F. Giles	Ditto ditto	April 17, 1876 ...	April 16, 1877.	
		SPECIAL LEAVE.			
1	W. R. Benson	Judge	February 12, 1877 ...	August 11, 1877.	
2	W. Lambe	Assistant Magistrate	February 5, 1877 ...	August 4, 1877.	
		SUBSIDIARY LEAVE.			
1	Hon'ble R. A. J. Drummond	Commissioner	March 20, 1877.		
2	E. S. Robertson ...	Magistrate and Collector	March 26, 1877 ...	... ...	Preparatory to resigning the service.
3	T. F. Harkness	Assistant Magistrate.			
4	D. T. Roberts	Ditto ditto	March 15, 1877.		

NOTE.—Total Absent 25
Total of Civil Servants employed in the North-Western Provinces and Oudh ... 203
Percentage of absentees ... ... 12·3

		PUNJAB.			
		FURLOUGH.			
1	T. W. H. Tolbort... ...	Judicial Assistant, 3rd Grade ...	March 29, 1876 ...	March 28, 1878.	
2	C. R. Hawkins	Ditto ditto 3rd ,, ...	March 21, 1877 ...	November 20, 1878.	
3	P. DeL. H. Johnstone ...	Assistant Commissioner, 3rd Class ...	November 1, 1875 ...	October 31, 1877.	
		SPECIAL LEAVE.			
		Nil.			
		SUBSIDIARY LEAVE.			
1	W. O. Clark	Assistant Commissioner, 3rd Class ...	March 15, 1877 ...	14th April 1877 ...	Preparatory to special leave.

NOTE.—Total absent 4
Total of Civil Servants employed in the Punjab 85
Percentage of absentees ... ... 4·7

		CENTRAL PROVINCES.			
		FURLOUGH.			
1	G. J. Nicholls	Assistant Commissioner, 3rd Class ...	July 29, 1875 ...	July 28, 1877.	
2	F. C. Anderson	Ditto ditto (Supernumerary)	February 12, 1877 ...	February 11, 1878.	
3	A. U. Fanshawe	Ditto ditto (ditto)...	January 3, 1877 ...	January 2, 1878.	
		SPECIAL LEAVE.			
		Nil.			

NOTE.—Total absent 3
Total of Civil Servants employed in the Central Provinces 30
Percentage of absentees 10

		BRITISH BURMA.			
		FURLOUGH.			
1	S. F. A. Smith	Assistant Commissioner, 1st Grade ...	April 18, 1876 ...	October 17, 1877	
		SPECIAL LEAVE.			
		Nil.			

NOTE.—Total absent 1
Total of Civil Servants employed in British Burma 20
Percentage of absentees 5

No.	NAMES.	Substantive appointment.	Date of commencement of furlough or leave.	Date of expiry of furlough or leave.	REMARKS.
		MYSORE AND COORG.			
		Nil.			
		HYDERABAD.			
		Nil.			
		ASSAM.			
		FURLOUGH.			
1	O. G. R. McWilliam ...	Deputy Commissioner, 3rd Grade ...	April 24, 1876 ...	October 23, 1877.	
2	H. Luttman-Johnson ...	Ditto ditto (Supernumerary)...	On subsidiary leave.		
3	A. Forbes	Assistant Commissioner, 1st Grade ...	May 22, 1876 ...	January 21, 1878.	
		SPECIAL LEAVE.			
		Nil.			

NOTE.—Total absent 3
Total of Civil Servants employed in Assam 14
Percentage of absentees ... ... 21·4

NOTE.—Grand Total of absentees 77
Grand Total of Civil Servants employed on the Bengal Establishment ... 632
Percentage of absentees ... ... 12·1

MEDICAL.

The 11th June 1877.

No. 362.—The services of the undermentioned Assistant Surgeons are placed temporarily at the disposal of the Government of Madras with effect from the 1st instant:—

Assistant Surgeon Kedarnath Sein.
" Davendronath Roy.
" Rajindronath De.
" Akshoy Kumar Pain.
" Gopal Chunder Chatterjee.
" Kanai Lall Mullick.
" Rammoy Roy.
" Prokash Chunder Mookhopadhya.

The 13th June 1877.

No. 368.—Assistant Surgeon Hem Chunder Mookerjee is dismissed from the service of Government.

The 14th June 1877.

No. 372.—Third Grade Assistant Surgeon Muhammad Hussain Khan is promoted to the 2nd grade with effect from the 1st May.

ECCLESIASTICAL.

The 9th June 1877.

No. 172.—Her Majesty's Secretary of State for India has appointed the Reverend Charles Swinnerton to be a Junior Chaplain on the Bengal Establishment.

PATENTS.

The 14th June 1877.

No. 3S.—Specifications of the undermentioned Inventions have been filed, under the provisions of Act XV of 1859, in the office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open, at all reasonable hours, at the office of the Secretary to the Government of India in the Home Department, at the Presidency, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 84 of 1876.—Mr. B. Dickenson, of Calcutta, a member of the firm of Ahmuty and Company, of Calcutta, Ironmongers and Contractors, &c., for a machine for preparing heated air to be applied in the withering and drying of tea leaf.

No. 87 of 1876.—Mr. G. A. DePenning, of Calcutta (Patent Agent), for an improved means, method and apparatus for generating superheated steam or expansive vapour and suitable engines for the use thereof, also of making it an explosive force and for suitable apparatus for making use thereof.

No. 7 of 1877.—Mr. E. Judson, of the City and County of San Fransisco, in the State of California, one of the United States of America, gentleman, for improvements in the manufacture of explosive compounds.

No. 23 of 1877.—Mr. J. C. Kinmond, at present residing at the Great Eastern Hotel, in the Town of Calcutta, for an improvement in the mode of drying tea and in the apparatus used therefor.

No. 26 of 1877.—Mr. A. B. Walker, of Gateacre Grange, Liverpool, in the County of Lancaster, England, for improvements in machinery, plant, utensils, arrangements and buildings of breweries and distilleries, and in the working of such machinery and plant, which improvements are also applicable in whole or in part to other purposes.

No. 40 of 1877.—Mr. J. C. Kinmond, Civil Engineer, at present residing at the Great Eastern Hotel, Calcutta, for an improved mode of sifting tea by machinery, whereby the amount of tea broken during the operation is greatly reduced and the rate of sifting increased.

No. 41 of 1877.—Mr. W. Carter, of Masham, in the County of York, England, for improvements in packing cases.

No. 42 of 1877.—Mr. C. J. Davis and Mr. J. T. C. Thomas, both of Whitefriars Street, Fleet Street, in the City of London, England, for improvements in railway and other lamps.

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

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

NOTIFICATIONS.—SALT.

Simla, the 11th June 1877.

No. 117.—Mr. W. Synnott, Personal Assistant to the Commissioner of Inland Customs, is promoted from the 2nd to the 1st grade of Assistant Commissioners, with effect from the 25th ultimo, *vice* Mr. T. B. Ray deceased.

FORESTS.

The 11th June 1877.

No. 668F.—Mr. A. L. Home, Deputy Conservator of Forests of the 2nd grade, who in Notification No. 386, dated the 12th March last, was appointed Assistant Comptroller General "Forests," assumed charge of his appointment on the forenoon of the 17th April following.

The 13th June 1877.

No. 683F.—With reference to Notification No. 568, dated the 5th July 1876, Mr. J. T. Jellicoe, Assistant Conservator of Forests of the 1st grade in Mysore, is attached to the Forest Survey Branch for a further period of six months, from the 12th instant.

G. H. M. BATTEN,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 14th June 1877.

No. 71J.—In supersession of Foreign Department Notification No. 146J., dated 20th July 1871, His Excellency the Viceroy and Governor-General of India in Council is pleased to declare that the provisions of Act III of 1877 (The Indian Registration Act) shall be in force in the Province of Mysore from and after the 13th June 1877.

MILITARY.

The 12th June 1877.

No. 64M.—PROMOTION.—The following promotion is made in the Infantry Branch of the Erinpoora Irregular Force with effect from the 1st May 1877:—

Havildar Cheyra to be Jemadar, *vice* Jemadar Luchmuna transferred to the Pension Establishment.

No. 66M.—PROMOTIONS.—The following promotions are made in the Bhopal Battalion with effect from the 1st May 1877:—

Subadar Kurum Shere Khan to be Subadar-Major, *vice* Subadar-Major Rum Lall Misser transferred to the Pension Establishment.

Jemadar Doorga Sing to be Subadar, *vice* Subadar Kurum Shere Khan promoted.

Havildar Mytab Sing to be Jemadar, *vice* Jemadar Doorga Sing promoted.

POLITICAL.

The 12th June 1877.

No. 1356P.—His Excellency the Viceroy and Governor-General in Council is pleased to recognize the appointment of M. Vanvert de Méan as Consul for France at Bombay.

The 13th June 1877.

No. 1373P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. A. Aubert as Acting Vice-Consul for France at Rangoon during the absence of Mr. L. Hernandez.

GENERAL.

The 11th June 1877.

No. 1537G.—With reference to Notification No. 1177G., dated 14th May 1877, Mr. G. Lucas, Uncovenanted Assistant, officiated as Political Assistant 2nd Class and 2nd Assistant to the Political Resident in the Persian Gulf, from the 22nd to the 30th April 1877, both days inclusive.

The 12th June 1877.

No. 1542G.—The following extract from Force Orders, dated 24th March 1877, issued by the Commandant, Erinpoora Irregular Force, consequent on the appointment of Captain Conolly to the officiating 2nd in Command, Meywar Bheel Corps, is confirmed:—

Lieutenant C. E. Wheeler, Adjutant, Erinpoora Irregular Force, to perform the duties of 2nd in Command and Squadron Officer in addition to his own.

No. 1543G.—The following extract from Regimental Orders, dated 26th March 1877, issued by the Commandant, Meywar Bheel Corps, consequent on the departure of Major C. G. Gunning to take up his appointment as Officiating Commandant, Mhairwarra Battalion, is confirmed:—

Captain A. R. T. McRae, Adjutant, Meywar Bheel Corps, to perform the duties of 2nd in Command in addition to his own, with effect from the 25th March 1877.

No. 1544G.—The following extract from the Regimental Orders, dated 26th March 1877, issued by the Commandant, Mhairwarra Battalion, is confirmed:—

Lieutenant O. Moore Creagh, Adjutant, assumed command of the Battalion from Colonel C. R. Blair on the 24th March 1877, in addition to his other duties.

The 15th June 1877.

No. 1607G.—APPOINTMENT.—Captain J. Burne, Wing Officer, 2nd Sikh Infantry, Punjab Frontier Force, is appointed to officiate as Political Assistant, 3rd Class, and is posted as Superintendent of the Rajpootana (State) Railway Police, with effect from the date of assuming charge, *vice* Mr. Tregear.

Captain Burne, while officiating in the above appointment, will exercise the powers of a Magistrate of the 2nd Class, within the limits and under the conditions specified in the notifications of this Department, No. 2199G, dated 11th October 1872, and No. 396G, dated 14th February 1873.

No. 1608*G.*—The following promotions and appointments are made in the Mysore Commission, with effect from the 18th April 1877, in consequence of the appointment of Abdul Kadir, Khan Bahadur, as Town Magistrate, Mysore, and the death of Mr. T. E. Woodcock, Assistant Commissioner, 5th Class :—

R. Vijayendra Rao, Assistant Commissioner, 5th Class, to be Assistant Commissioner, 4th Class.

Syed Nasiruddin, Assistant Commissioner, 6th Class, to be Assistant Commissioner, 5th Class.

T. Ananda Rao, B. A., Assistant Commissioner, 6th Class, to be Assistant Commissioner, 5th Class.

Vijayaraghavelu Naidu, Officiating Assistant Commissioner, 6th Class, is confirmed in that grade.

K. Mahomed Ali, Officiating Assistant Commissioner, 6th Class, is confirmed in that grade.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 7th June 1877.

No. 1111.—His Excellency the Right Hon'ble the Governor General in Council has resolved to borrow Two-and-a-half Crores of Rupees for the public service in the following manner.

2. Promissory Notes will be issued for the said amount, bearing interest at the rate of four per centum per annum: the form and conditions of these Notes will be those of the Notes of the Consolidated Transfer Loan of 1842-43, of which Loan they will form a part. No Note will be issued for less than one hundred rupees, or for any amount not being a multiple of one hundred rupees: the Notes will be payable to order, and interest thereon will be paid half-yearly, on the First day of February and the First day of August.

3. Tenders for the whole or part of the above-named sum of Two-and-a-half Crores of Rupees will be received by the Comptroller General from this date to noon of Monday, the Ninth day of July next.

4. Each tender must be addressed, in the form annexed to this Notification, to the Comptroller General, Treasury Buildings, Calcutta, and enclosed in a sealed cover superscribed "Tender for Loan."

5. Tenders will be opened at the Office of the Comptroller General in Calcutta, at noon on Monday, the Ninth day of July next.

6. Accepted tenders must be paid, in five equal instalments, on the following dates:—

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877:

but the whole or any part of any tender may be paid at any time after its acceptance is notified.

7. Interest upon each payment will be paid in advance, from the date when such payment is received, to the 31st January next.

8. Payment of any accepted tender may be made to the account of the Government in one of the Presidency Banks of Bengal, Madras or Bombay, or in any Branch of any of the Presidency Banks, or into any Government treasury or treasuries in India that may be named in the tender.

9. Each tender must be accompanied by a receipt from one of the Presidency Banks of Bengal, Madras or Bombay, or one of their Branches, or from an Officer in charge of some Government treasury, or by a cheque on a banker in Calcutta, Madras or Bombay, or by Government Promissory Notes made payable to the Comptroller General, for not less than one-hundredth part of the tender: this deposit of one per cent. will be treated as in part payment of the last instalment, and will be forfeited if the allotment is not fully taken up: a cash deposit may, after the tender in support of which it is made is accepted, be replaced by a Government Promissory Note.

10. Scrip receipts for instalments paid will be given by the Presidency Banks of Bengal, Madras and Bombay, or their Branches, or by the Officers in charge of the

Government treasuries at which payment is made: these receipts will, as soon as possible, be exchanged for Promissory Notes.

11. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and placed upon the table, in a sealed envelope, when the tenders are opened, but will not be declared unless tenders for Two-and-a-half Crores of Rupees are received but not accepted.

12. The rate stated in a tender must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. Tenders at the recorded minimum rate, and at rates above the recorded minimum, will be accepted in the order of the rates tendered, beginning with the highest rate: the amount allotted at the lowest rate at which tenders are accepted, will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders.

14. The names of the persons whose tenders are accepted in whole or in part, will be posted, for general information, at the Presidency Banks of Bengal, Madras and Bombay.

FORM OF TENDER.

I hereby tender for rupees of the Loan advertised in the Notification published in the *Gazette of India* Extraordinary, dated the 7th June 1877, and agree to pay for the same, subject to the conditions notified, at the rate of rupees annas* for every hundred rupees allotted to me.

* Fractions of an anna not allowed.

I enclose a *deposit receipt*† for rupees , and engage, if my offer be accepted, to pay to the account of the Government at the Presidency Bank of‡ [or at the Branch of the Bank of ; or into the Government treasury at‡ as the case may be] the first instalment on or before Monday, the 23rd day of July next, and the several later instalments on or before the dates fixed by the Notification, as follows:—

† Or cheque or Government Promissory Note.

‡ Here enter the name of bank or treasury.

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877.

NOTES.—(1).—*A separate tender must be made at each rate tendered, and a separate deposit must accompany each tender. In order to avoid mistakes, it is desirable that the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English.*

(2).—*This Notification will be published, simultaneously, by the Secretary of State for India, in London.*

SEPARATE REVENUE—STAMPS.

The 9th June 1877.

No. 1150.—In exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the duties chargeable under the said Act on tenders for any portion of the loan advertised in the *Gazette of India* Extraordinary of the 7th June 1877.

MINT AND CURRENCY.

The 14th June 1877.

No. 1276.—Lieutenant-Colonel J. H. White, R. E., resumed charge of the office of Mint Master at Bombay, after noon, on the 8th June 1877.

The 15th June 1877.

No. 1259.—*Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—*

Date.	Circles of Issue.	Currency Notes in circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Gold Bullion Reserve.	Reserve in Government Securities.	Total Reserve.
1877.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
31st May.	Calcutta	5,25,68,505	57,36,848	5,66,309	..	2,84,80,903	3,47,84,060
,,	Madras	1,18,03,745	81,66,725	..	..	60,00,000	1,41,66,725
,,	Bombay	3,23,81,440	1,48,82,214	1,40,29,106	..	1,58,00,000	4,47,11,320
,,	Allahabad	45,07,285	32,71,595	..	..	31,00,000	63,71,595
,,	Lahore	63,74,710	32,99,145	..	..	33,00,000	65,99,145
,,	Calicut	23,21,590	21,45,465	..	..	7,00,000	28,45,465
,,	Coconada	23,23,980	17,49,005	..	..	5,00,000	22,49,005
,,	Nagpore	8,53,995	2,97,530	..	..	6,00,000	8,97,530
,,	Kurrachee	17,64,505	7,01,530	..	..	12,00,000	19,01,530
,,	Akola	4,92,600	6,26,080	..	..	3,00,000	9,26,080
	TOTAL ..	11,54,52,455	4,08,76,137	1,45,95,415	..	5,99,80,903	11,54,52,455

PENSIONS, GRATUITIES, &c.

The 15th June 1877.

No. 1309.—The Governor General in Council directs the publication of the following addendum to the Codes of the Financial Department:—

CIVIL PENSION CODE.

SECTION 7 (PAGE 4.)

Insert the following as an example under this section:

Example.—A soldier who obtains his discharge from the Army under *Exception* (4), Section 6, is not entitled to any pension or gratuity in the Military Department for the portion of his military service which he will thereafter count as civil service.

SEPARATE REVENUE—STAMPS.

The 15th June 1877.

No. 1221.—In exercise of the powers conferred by Section 35 of the Court Fees Act, 1870, the Governor General in Council is pleased to direct that the fee payable on plaints presented under the Bombay Mamlatdars Act III of 1876 shall not exceed eight annas.

No. 1173.—In exercise of the powers conferred by Section 16 of the General Stamp Act 18 of 1869, the Governor General in Council is pleased to remit the whole of the duties chargeable under the said Act on instruments executed by ryots or cultivators to secure the repayment of Takavi advances made to them by or under the authority of Government.

This Notification extends only to the following Mouzahs of the Lalitpur District, within the territories subject to the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh, and does not apply to any instrument executed after the 31st December 1877:—

Pargana.	*Mouzah.*
Lalitpur	Pissria Pali.
	Nem Khera.
	Singapur.
	Kulna.
	Kalathra.
Balabahat ...	Barkhera.
	Richha.
	Mohole.
Baupur	Chauki.
	Sindwaho.
	Digwar.
	Goudrapur.
Mahroni	Chyen.
	Cheria Latkanju.
	Midarwaho.
Maraura	Bachranni.
	Bhaúnta.
	Dongra Khurd.
	Gurha.
	Kheria.
	Malona.
	Tarauli.
	Putna.
	Chanora.
	Digwar.
	Guriana.
	Dhaulpura.
	Gaona Gundera.
	Narhat.
	Lamnow.
	Arjun Kheria.
	Dampura.
	Bareja.
	Samaria.
	Garoli Kalan.
	Bamrana.
	Maharajpura.
	Jamunia.
	Gona.

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

MILITARY DEPARTMENT.

Simla, the 15th June 1877.

APPOINTMENTS AND PROMOTIONS.

No. 528.—STAFF CORPS—

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

Major William Siddons Young
Major Willoughby Charles Stanley Clarke. } 13th June 1877.

Major Thomas Walter Rutherfurd
Major Willoughby Henry Garton } 14th June 1877.

No. 529.—The undermentioned officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Thomas Herbert Lewin
Captain William Jackson Stewart
Captain Fitzherbert Coddington } 12th June 1877.

Captain Marshall Pritchard Moriarty
Captain Henry Charles Antony Szczepanski
Captain Stephen Beckett
Captain Thomas Augustus Scott
Captain Travers Dodgson Madden } 13th June 1877.

No. 530.—The undermentioned officers are admitted to the Bengal Staff Corps with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Edward Benjamin James Vaughan, 92nd Foot, Officiating Wing Officer, 6th Punjab Infantry, Punjab Frontier Force,—13th March 1876.

Lieutenant Walter Francis Courtenay Chichelé Plowden, 43rd Foot, Officiating Wing Officer, 6th Punjab Infantry, Punjab Frontier Force,—1st May 1876.

Lieutenant Charles Mordaunt FitzGerald, 1st Battalion, 11th Foot, Officiating Wing Officer, 3rd Regiment of Native Infantry,—2nd May 1876.

No. 531.—BREVET—

The undermentioned officers of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel John Alfred Brereton, Bengal Staff Corps,—12th June 1877.

Lieutenant-Colonel William Henry Paget, Bengal Staff Corps.
Lieutenant-Colonel Charles William Wahab, Bombay Staff Corps.
Lieutenant-Colonel Charles Harry Wilson, Madras Staff Corps.
Lieutenant-Colonel Edward Macalister Gilbert Cooper, Bombay Staff Corps.
Lieutenant-Colonel Malcolm Robert Haig, Bombay Staff Corps.
Lieutenant-Colonel James Gordon, Bombay Staff Corps.
Lieutenant-Colonel Herbert Frederick Disbrowe, Bombay Staff Corps.
Lieutenant-Colonel Charles Shuckburgh Hearn, Madras Staff Corps.
Lieutenant-Colonel George Julius Melliss, Bombay Staff Corps.
Lieutenant-Colonel Theodore Clayton Georges, Madras Staff Corps.
Lieutenant-Colonel William Charles Lester, Bombay Staff Corps.
Lieutenant-Colonel Douglas Gordon Seafield St. John Grant, Madras Staff Corps. } 13th June 1877.

No. 532.—The following promotions by Brevet are made from the dates specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval:—

To be Colonels.

Lieutenant-Colonel Charles Batchelor, Bengal Cavalry,—10th June 1877.

Lieutenant-Colonel Edward John Wild, Bengal Infantry,—13th June 1877.

To be Major.

Captain Henry Charles Kemble, late 3rd European Light Cavalry,—10th June 1877.

No. 533.—ARMY COMMISSARIAT DEPARTMENT—

Lieutenants A. G. Yaldwyn and E. C. C. Sandys, Bengal Staff Corps, who were appointed on probation as Sub-Assistant Commissaries General, 3rd Class, by G. G. O. No. 667 of 1876, having passed the prescribed departmental tests, are permanently attached to the Army Commissariat Department.

No. 534.—ORDNANCE COMMISSARIAT DEPARTMENT—

RANK AND NAMES.	To what rank promoted.	From what date.	In whose room.
Temporary.			
Sub-Conductor Daniel Buckley.	Officiating Conductor.	16th May 1877.	*Vice* Conductor Z. Holland, on leave.
Magazine Sergeant Hugh Corrigan.	Officiating Sub-Conductor.	Do.	

No. 535.—PUBLIC WORKS DEPARTMENT—

Sergeant James H. Fairley, 1st Assistant Master, Thomason College, Roorkee, is promoted to the rank of Sub-Conductor, supernumerary.

No. 536.—HYDERABAD CONTINGENT—

2nd Infantry.

Captain J. G. Proudfoot, Wing Officer and Adjutant, 4th Infantry, to officiate as Wing Commander, *vice* Major H. F. H. Sewell, on furlough.

Lieutenant F. G. Maltby, Wing Officer, to officiate as Adjutant, *vice* Captain J. J. Kennedy, officiating as Assistant Adjutant General, Hyderabad Contingent.

3rd Infantry.

Lieutenant F. D. Welchman, Wing Officer, on probation, 1st Infantry, to officiate as Adjutant, *vice* Lieutenant A. J. Garrett, on furlough.

4th Infantry.

Lieutenant F. S. Sorell, Wing Officer, on probation, to officiate as Adjutant, *vice* Captain Proudfoot transferred to the 2nd Infantry.

5th Infantry.

Lieutenant A. C. LeQuesne, Wing Officer and Adjutant, to officiate as Wing Commander, *vice* Captain F. T. Goad, on furlough.

Lieutenant A. Adye, Officiating Wing Officer, on probation, to officiate as Adjutant, *vice* Lieutenant LeQuesne.

No. 537.—The following order issued by the Brigadier-General Commanding, Hyderabad Contingent, is confirmed:—

Dated 25th April 1877.—Appointing, as a temporary measure, Captain J. T. Cummins,

Adjutant, 4th Cavalry, to officiate as Squadron Commander, 3rd Cavalry, *vice* Major C. J. O. FitzGerald, officiating as Commandant, 4th Cavalry.

No. 538.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps.

Lieutenant Walter Morton Taylor, to be Captain, *vice* H. Figg, resigned.

Lieutenant Edwin Weatherdon, to be Captain, *vice* C. I. Spencer, deceased.

Lieutenant Arthur Benjamin Langham, to be Captain, *vice* W. Comrie, resigned.

Sergeant Charles William Clarke,* to be Sub-Lieutenant, *vice* A. E. Ryles, resigned.

* Subject to his passing the prescribed examination in drill.

No. 539.—

Lucknow Volunteer Rifle Corps.

To be Major.

Captain Sydney Elphinstone Hartwell.

DISMISSALS AND REMOVALS.

No. 540.—The services of the undermentioned Native Medical Pupils, who were admitted into the service by G. G. Orders noted against their respective names, are dispensed with :—

General No.	Names.	General Orders.	Attached to
662	Bhugwan Das 1st ..	No. 1022 of 30th October 1874.	Agra Medical School.
803	Poorun Chund ..		
794	Mohamed Hossein ..		
780	Bakur Hossein ..		
964	Lultoo Ram ..	No. 1046 of 21st October 1875.	
977	Kullun ..		
971	Sirdar Ali ..		
981	Abool Husson ..		
975	Nazeer Mahomed ..		
1034	Ghoolam Mohomed ..		
475	Gazee Khan ..	No. 1054 of 3rd October 1873.	Lahore Medical School.
336	Fyz Ahmud ..	No. 819 of 8th August 1872.	
692	Ram Chund ..	No. 1022 of 30th October 1874.	
1068	Gunga Ram ..	No. 841 of 9th August 1876.	
582	Heeralal ..	No. 1054 of 3rd October 1873.	Nagpore School of Medicine.
551	Mahomed Hoosein ..		
575	Ruheem Bux ..		
597	Walee Mohomed ..		
572	Bissasur Dyal ..		
599	Ameer Hussun ..		
739	Sakhawat Husain ..	No. 1022 of 30th October 1874.	
712	Abdool Rymon ..		
744	Mukarram Husain ..		
768	Chada Lall ..		
890	Shair Zama Khan ..	No. 1046 of 21st October 1875.	Temple Medical School, Patna.
891	Mahomed Abbas ..		
934	Syad Akbar Ali ..		
938	Safdar Ali ..		
941	Inait Hussen ..		
1001	Vinayek Mohadeo ..		
1005	Deedhar Bux ..		
1187	A. Rungiah ..	No. 841 of 9th August 1876.	
637	Baroda Pasad Chuckerbati	No. 1054 of 3rd October 1873.	Temple Medical School, Patna.
608	Meer Fida Hossein ..	Ditto ..	
660	Abdool Lutteef Khan ..	Ditto ..	
640	Dimbesur ..	Ditto ..	

EQUIPMENT.

ROYAL ARTILLERY.

No. 541.—The following rules for the supply and repair of harness, saddlery, line gear, &c., for batteries of Royal horse, field, and mountain artillery, are published in revision of the rules set forth in G. G. O. No. 206 of 25th February 1875.

2. The shoeing allowance fixed of twelve annas per horse per mensem, and the allowance of rupees five per mensem for fuel, &c., for carriage work, will continue in force. These allowances will be paid, as heretofore, to the farrier sergeants of batteries.

3. The equipments of the Royal Artillery in India and materials of all kinds for keeping them in serviceable condition will be supplied at the expense of the State. Each battery will indent on the arsenal on which it is dependent for the supplies necessary to complete its authorised proportion of ordnance stores and materials for repair.

4. Indents from batteries in the Bengal Presidency to complete equipment will be prepared in the form and on the dates laid down in G. O. No. 358 of 1870, and those for materials for repair in the form and on the dates given in this order; and from batteries in the presidencies of Madras and Bombay in the forms and on the dates to be determined on by the Governments of those presidencies.

5. In the Bengal presidency all indents, other than emergent, will be forwarded for sanction to the Ordnance Office, Fort William, addressed to the Assistant to the Inspector-General of Ordnance and Magazines, whence they will be sent for compliance to the arsenal on which the battery is dependent.

6. The rules for emergent indents in Bengal are fully detailed in paragraphs 2834 to 2840, Revised Army Regulations.

7. Such stores as are authorized by this order to be obtained in the local market will be purchased by officers commanding batteries, and contingent bills for the cost incurred, countersigned by the officer commanding the station, and supported by the station price current of materials and labor, under the signature of the officer in charge of the principal Sudder Bazar, will be forwarded, monthly, to the executive commissariat officer on the spot, or at the nearest station, for payment, and subsequent audit by Examiner of Commissariat Accounts.

8. Officers commanding batteries will account in the half-yearly returns submitted to the Examiner of Ordnance Accounts, for all stores thus obtained, either by indent from ordnance stock or by local purchase, with the exception of petty articles, materials for repair, &c., which are excluded from these returns.

9. Materials for the repair of saddle-trees, and repair and preservation of harness and saddlery, will be issued in the following proportions to batteries of Royal horse and field artillery (including head-quarters of brigades), and to heavy field batteries :—

		ANNUAL SUPPLY FOR REPAIR OF			
		8	12	20	50
		Saddle-trees and under.	Saddle-trees.	Saddle-trees.	Saddle-trees.
For universal saddle-trees.					
Arches, wood	Front	1	1	1	3
	Hind	1	1	1	3
Bars, wood, side	Near	1	1	1	3
	Off	1	1	1	3
Burrs, iron, with rivet and roller		1	1	1	3
Glue, common	ozs.	2	3	5	12
Oil, linseed, raw	pints	$\frac{1}{32}$	$\frac{1}{16}$	$\frac{1}{8}$	$\frac{1}{4}$
Paper, glass	sheets	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{3}{4}$	$1\frac{1}{2}$
Plates, iron	*Angle... Near	1	1	1	3
	*Angle... Off.	1	1	1	3
	Front	1	1	1	3
	Gullet	1	1	1	3
	Top and ring	1	1	1	3
Screws, iron, middling	$1\frac{3}{4}$ inch	1	2	2	6
	$1\frac{1}{4}$ "	1	2	2	6
	$\frac{3}{4}$ "	1	2	2	6
Staples, iron	Cloak and plates	1	2	2	6
	Crupper	1	1	1	3
	Front	1	1	1	3
	Girth	1	2	2	6
	Holster or cloak	1	1	1	3
Tongues, wood		1	1	1	3
Wedges, "		1	2	2	6
Wire, iron, for rivets, No. 7 W. G.	ozs.	2	3	5	12

* Fan plates may still be required for old pattern saddle-trees.

	Annual supply for repair of 8		12		20		50	
	Saddle-trees and under.		Saddle-trees.		Saddle-trees.		Saddle-trees.	
	Luggage.	Drivers.	Luggage.	Drivers.	Luggage.	Drivers.	Luggage.	Drivers.
For luggage and drivers' saddle-trees.								
Arches, wood .. Front ...	1	1	1	1	1	1	3	3
Hind ...	1	1	1	1	1	1	3	3
Bars, wood, side ... Near ...	1	1	1	1	1	1	3	3
Off ..	1	1	1	1	1	1	3	3
Plates, iron ... Crupper ...	1	1	1	1	1	1	3	3
Front Inside ...	1	1	1	1	1	1	3	3
Front Outside...	1	1	1	1	1	1	3	3
Gullet ...	1	1	1	1	1	1	3	3
Top ..	...	1	...	1	...	1	...	3
„ and hook ..	1	...	1	...	1	...	3	...
Rings ... With bolts ...	1	...	2	...	2	...	6	...
„ staples ...	1	...	2	...	3	...	7	...
Screws, iron, middling. $1\frac{3}{4}$ inch ...	1	1	2	2	2	2	6	6
$1\frac{1}{4}$ „ ...	1	1	2	2	2	2	6	6
$\frac{3}{4}$ „ ...	1	1	2	2	2	2	6	6
Staples, iron ... Crupper ...	1	1	2	2	2	2	6	6
Flank ...	2	2	2	2	3	3	8	8
Front ...	1	1	2	2	2	2	6	6
Girth ...	2	2	2	2	3	3	8	8
Wallet Inside ...	1	1	2	2	3	3	8	8
Wallet Outside...	1	1	2	2	3	3	8	8
Tongues, wood	1	1	1	1	1	1	3	3
Troughs, iron, back band	1	...	1	...	1	...	2	...
Wedges, wood	1	1	2	2	2	2	6	6
Wire, iron, for rivets, No. 7 W. G. ozs.	2	2	3	3	5	5	12	12

Materials for the repair of saddle-trees for six months are carried in the store limber wagon.

Materials for repair and preservation of Harness and Saddlery.

	Annual supply of material for repair of 5	8	12	20	50	
	Sets of Saddlery.					
For universal saddlery.						
Bits, Bridoon ... ... No.	1	1	1	2	3	
Bosses, Brass Bit ... ... „	1	1	1	2	3	
Breastplates and Crupper ... „	1	1	1	2	3	
Buckles, iron, roller Barred $1\frac{1}{4}$ inch ... „	1	1	1	2	5	
Barred $\frac{7}{8}$ „ ... „	2	2	3	5	12	
Barred 1 „ ... „	1	1	1	2	5	
Single $1\frac{1}{4}$ „ ... „	1	1	1	2	5	
Stirrup, leather, $1\frac{1}{4}$ inch „	1	1	1	2	5	
„ „ tinned, inlet $\frac{3}{4}$ inch ... „	1	1	1	1	3	For numnahs.
Chains, Curb ... ... „	1	1	1	2	5	
Dubbing ... ... lbs.	6	9	$13\frac{1}{2}$	23	56	See paragraph 10.
Hair, horse ... ... „	$1\frac{1}{2}$	$2\frac{1}{4}$	$3\frac{1}{2}$	6	14	
Hides, Buffaloe, heavy ... ... „	$1\frac{1}{2}$	$2\frac{1}{2}$	3	5	10	Pieces of new or part-worn leather are issuable in lieu of hides, weight for weight.
„ „ light ... ... „	$1\frac{1}{2}$	$2\frac{1}{2}$	3	5	10	
„ Cow ... ... „	1	1	1	2	3	
Hooks, Curb ... ... No.	1	1	1	2	5	
Ink, for marking ... ... pints	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{2}$	1	

Materials for repair and preservation of Harness and Saddlery.

	Annual supply of material for repair of 5	8	12	20	50	
	Sets of Saddlery.					
For universal saddlery.—contd.						
Nails, iron, tacks, Flemish black, No. 83 ... lbs.	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{3}{8}$	$\frac{1}{2}$	$1\frac{1}{4}$	
Numnah Cuttings ... ... „	1	$1\frac{1}{4}$	2	3	7	Both cuttings and felt not supplied.
Numnah or Felt ... ... yards	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{3}{8}$	$\frac{1}{2}$	$1\frac{1}{4}$	
Rings, iron, $1\frac{3}{4}$ inch ... ... No.	1	1	1	1	2	
Saddle—Fittings. Burrs, iron, galvanized ... ... „	2	3	5	8	18	
Flaps ... ... pairs	1	1	1	1	2	
Girths, leather ... ... No.	1	1	1	2	4	
Rivets, Copper Long ... ... „	2	2	3	5	12	
Rivets, Copper Short ... ... „	2	2	5	8	18	
Screws, for flaps $\frac{5}{8}$ inch... ... „	4	6	9	15	36	
Seats ... ... „	1	1	1	2	3	
Tabs ... ... „	1	1	1	2	3	
Thongs, lacing ... ... „	2	2	2	4	10	
Serge, milled, 40-inch ... ... yards	1	$1\frac{1}{4}$	2	3	8	
Skins, sheep, tanned and curried, black ... No.	$\frac{1}{2}$	1	1	2	4	
„ „ „ ... „	1	1	$1\frac{1}{2}$	$2\frac{1}{2}$	6	
Soap, bar ... ... lbs.	30	48	72	120	300	$\frac{1}{2}$ lb. monthly per set of saddlery.
Squares, head-collar, iron ... ... No.	1	1	1	2	5	
Studs, brass, wallets or head stall ... „	2	2	3	5	12	
Thread Black ... ... lbs.	$\frac{1}{16}$	$\frac{1}{8}$	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{1}{2}$	
Thread Flax ... ... „	$\frac{1}{4}$	$\frac{5}{16}$	$\frac{1}{2}$	$\frac{3}{4}$	2	
Thread Whited brown ... ... „	$\frac{1}{16}$	$\frac{1}{8}$	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{1}{2}$	
Twine, quilting ... ... „	$\frac{1}{8}$	$\frac{3}{16}$	$\frac{1}{4}$	$\frac{1}{2}$	1	
Wax Bees' ... ... „	$\frac{1}{16}$	$\frac{1}{16}$	$\frac{1}{16}$	$\frac{1}{8}$	$\frac{1}{4}$	
Wax Black ... ... „	$\frac{1}{8}$	$\frac{3}{16}$	$\frac{1}{4}$	$\frac{1}{2}$	1	
Web Diaper, 2-inch ... ... yards	$\frac{3}{4}$	1	$1\frac{1}{2}$	$2\frac{1}{2}$	6	
Web Straining, 3-inch ... „	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{3}{4}$	$1\frac{1}{4}$	3	

NOTE.—Materials for repair of saddle-trees, universal, and repair of saddlery, required for the five sets of saddlery for the five horses attached to the head-quarters of each Brigade of Royal horse and field artillery will be issued to the battery at head-quarters of the brigade concerned, and the repairs to such saddlery will be carried out in the battery workshop.

	Annual supply of material for repair of 5	8	12	20	50	
	Double sets of harness, N. P.					
For Harness.						
Bits, T. Bridoon... ... ... No.	1	1	2	3	6	
Bosses, Brass, bit ... ... „	1	1	2	3	6	
Buckles, iron, roller, barred. $\frac{3}{4}$ inch ... „	1	1	2	3	7	
Buckles, iron, roller, barred. $\frac{7}{8}$ „ ... „	3	5	7	10	24	
Buckles, iron, roller, barred. 1 „ ... „	2	2	2	4	10	
Buckles, iron, roller, barred. $1\frac{1}{4}$ „ ... „	2	2	2	4	10	
Buckles, iron, roller, barred. $1\frac{1}{2}$ „ ... „	3	5	7	10	24	
Buckles, iron, roller, barred. $2\frac{1}{4}$ „ (back and belly band) „	2	2	2	2	4	
Buckles, iron, roller Single $\frac{5}{8}$ inch ... „	2	2	2	4	10	
Buckles, iron, roller Single $1\frac{1}{4}$ „ ... „	2	2	3	5	12	
Buckles, iron, roller Single $1\frac{1}{2}$ „ ... „	2	4	6	10	22	
Buckles, iron, roller Single 2 „ ... „	1	2	2	3	7	
Buckles, iron, roller Stirrup, leather, $1\frac{1}{4}$ inch „	1	1	2	3	7	
„ „ tinned, inlet $\frac{3}{4}$ inch ... „	1	1	2	3	7	For numnahs.
Chains ... Curb ... ... „	2	2	2	4	9	
Chains ... Trace, single Lead ... „	...	...	...	1	2	
Chains ... Trace, single Wheel ... „	...	...	...	1	2	
Cord, whip ... ... lbs.	$\frac{3}{4}$	1	$1\frac{1}{2}$	$2\frac{1}{2}$	6	
Cordage, white, for traces, 3-inch ...fathoms	$1\frac{3}{4}$	$2\frac{3}{4}$	4	$6\frac{1}{2}$	16	
Couples, for traces ... ... No.	2	3	4	7	16	
Dubbing ... ... lbs.	$7\frac{1}{2}$	12	18	30	75	See paragraph 10.

		Annual supply of material for repair of					
		5	8	12	20	50	
		Double sets of harness, N. P.					
For Harness—contd.							
Fittings for saddle-trees. Burrs, iron, galvanized	No.	4	6	9	15	36	
Cases, cloak	„	1	1	1	2	3	
Flaps ... Drivers	pairs	1	1	1	1	2	
Flaps ... Luggage	„	1	1	1	1	2	
Rivets, copper Long	No.	4	6	9	15	36	
Rivets, copper Short	„	4	8	12	20	48	
Screws, for flaps ⅝ inch	„	10	16	24	39	96	
Seats, saddle Drivers	„	1	1	1	1	3	
Seats, saddle Luggage	„	1	1	1	1	3	
Hair, horse	lbs.	3	4½	7	12	28	
Hides, buffaloe, tanned and curried, half hides. Heavy	No. or lbs.	3	5	7	10	24	
		30	50	70	100	240	
Light	No. or lbs.	3	4	5	7	15	
		20	25	30	50	110	
Hides, cow, tanned and curried	No. or lbs.	1	1½	2	2½	6	
		8	12	16	20	48	
„ „ white	No. or lbs.	1/16	1/16	⅛	¼	¾	
		0-8	0-8	1	2	6	
„ „ tanned and curried, for collar linings.	No. or lbs.	2	3	4	6	12	
		8	12	16	24	48	
Hooks ... Curb	No.	2	2	2	4	10	
Hooks ... Trace	„	...	...	1	2	4	
Ink, for marking	pints	1/16	⅛	¼	½	1	
Nails, iron, tacks, Flemish black, No. 82	lbs.	¼	½	¾	1¼	2¾	
Numnah ... Cuttings	„	2	2	4	6	14	Both cuttings and felt not supplied.
Numnah ... or Felt	yards	¼	½	¾	1	2½	
Oils, sweet (or tillee)	gallons	1¾	2¾	4	6½	16	This quantity includes the requirements of saddlery also.
Paint, prepared Black, lamp	lbs.	1/16	⅛	¼	½	1	
Paint, prepared Zinc, white	„	1/16	1/16	⅛	¼	½	
Pans, tin, for oil	No.	1	1	1	2	4	
Rings, iron ... 1 inch	„	1	1	2	3	7	
Rings, iron ... 1¾ „	„	2	2	2	3	7	
Serge, milled, 40-inch	yards	2	2½	4	6½	16	
Skins, sheep, tanned and curried	No.	5	88	12	20	48	
Soap, bar	lbs.	60	96	144	240	600	½ lb. monthly per single set of harness.
Squares, head-collar, iron	No.	2	2	2	4	10	
Studs, brass, wallets or head—collar	„	3	5	7	10	24	
Thread ... Black, 3-cord	lbs.	1/8		¼		1	
Thread ... Collar	„	3/16		3/8		1½	
Thread ... Flax ... Coarse	„	½		1¼		3	
Thread ... Flax ... Fine	„	½		1¼		5	
Thread ... Whited brown	„	½		¾		1	
Twine, quilting	„	3/8	3/16	¾	1¼	3	
Wax ... Bees'	„	1/8	3/16	¼	7/16	1	
Wax ... Black	„	½	1	1½	2	5	
Web ... Diaper, 2-inch	yards	1¼	2	3	5	12	
Web ... Straining, 3-inch	„	¾	1	1½	2½	6	

	Per Battery of			
	Royal Horse Artillery.	Royal Field Artillery.	Heavy Field Battery.	
	Including head-quarters of Brigades.			
	Per month.			
For Harness and Saddlery Store-rooms.	Mds.	Mds.	Mds.	
Charcoal, Indian, common	13 or 1,040 lbs.	11 or 880 lbs.	5 or 400 lbs.	To be obtained locally through Commissariat Department for three months only for use during the rains. Grates with tripods to be also obtained from the Commissariat Department. In the Bombay presidency both charcoal and grates to be obtained from the Barrack Department.

10. Materials for the repair and preservation of harness and saddlery sufficient for six months' supply are to be carried in the store wagon, except "dubbing" and "soap bar." The former, composed of equal quantities of Neats-foot oil and tallow, will be procured locally through the Commissariat Department, and thus it will suffice to carry in the store wagon a quantity equal to three months' supply only. The issue of "soap bar" will also be quarterly only.

11. In addition to the materials already detailed, the following will be kept as a reserve to be brought into use only, should a sudden emergency arise. The officer commanding the battery will be held responsible that this reserve is always maintained, and that the articles are in good and serviceable condition.

12. With this view, stores should not be allowed to remain in reserve from year to year, as they would in course of time deteriorate; but on receipt of new articles, those longest in possession should be brought into use, and the new stores transferred to the reserve.

	Quantity per	
	Field Battery.	Royal Horse Artillery Battery.
Buckles, iron roller Barred ... ⅝ inch ... No.	4	6
Buckles, iron roller Barred ... ⅞ „ ... „	4	6
Buckles, iron roller Barred ... 1 „ ... „	4	6
Buckles, iron roller Barred ... 1¼ „ ... „	4	6
Buckles, iron roller Barred ... 1½ „ ... „	4	6
Buckles, iron roller Barred ... 2¼ „ back band ... „	2	2
Buckles, iron roller Barred ... 2½ „ belly „ ... „	2	2
Buckles, iron roller Single ... 5/8 „ ... „	2	3
Buckles, iron roller Single ... 1¼ „ ... „	4	6
Buckles, iron roller Single ... 1½ „ ... „	12	12
Buckles, iron roller Single ... 2 „ ... „	4	6
Chains, curb ... ... „	3	4
Cord, whip ... ... lbs.	½	¾
Horse, hair or wool ... ... „	2	3
Hides, buffaloe, tanned and curried, half hides ... Heavy ... No. or lbs.	1	1
	10	10
Hides, buffaloe, tanned and curried, half hides ... Light ... No. or lbs.	3	3½
	20	24
Hides, cow, tanned and curried, for collar linings ... No. or lbs.	3	3
	12	12
Hooks, curb ... ... No.	3	4
Numnahs, old, for repairs ... ... „	2	3
Rings, iron ... 1 inch ... ... „	4	6
Rings, iron ... 1¾ „ ... ... „	4	6
Rope, white, for traces, 3-inch ... ... fathoms.	3	3
Saddle, fittings ... Burrs, iron, galvanized ... No.	6	9
Saddle, fittings ... Flaps ... Cavalry ... pairs	...	1
Saddle, fittings ... Flaps ... Luggage ... „	1	1
Saddle, fittings ... Flaps ... Drivers ... „	1	1
Saddle, fittings ... Girths, leather ... ... No.	1	2
Saddle, fittings ... Rivets, copper... Long ... „	4	8
Saddle, fittings ... Rivets, copper... Short ... „	6	12
Saddle, fittings ... Screws for flaps ... ... „	12	24
Saddle, fittings ... Seats, saddle ... Cavalry, ... „	0	1
Saddle, fittings ... Seats, saddle ... Luggage ... „	1	1
Saddle, fittings ... Seats, saddle ... Drivers ... „	1	1
Serge, milled, 40-inch ... ... yards	6	9
Squares, head collar, iron ... ... No.	2	3
Thread ... Collar ... ... lbs.	1	1
Thread ... Hemp ... ... „	3	4½
Thread ... White ... ... „	¼	½
Twine, quilting ... ... „	½	½
Wax ... Bees' ... ... „	¼	½
Wax ... Black ... ... „	½	¾
Web, straining ... ... yards	2	3
Arches, wood ... Cavalry ... Front ... No.	1	2
Arches, wood ... Cavalry ... Hind ... „	1	2
Arches, wood ... Harness, driving ... Front ... „	1	1
Arches, wood ... Harness, driving ... Hind ... „	1	1

					Quantity per	
					Field Battery.	Royal Horse Artillery Battery.
Bars, wood, side ...	Cavalry ...	Near ...	No.		1	2
		Off ...	„		1	2
	Harness, driving ...	Near ...	„		1	1
		Off ...	„		1	1
Screws, iron, middling ...	$1\frac{3}{4}$ inch	...	...	„	6	12
	$1\frac{1}{4}$ „	...	...	„	6	12
	$\frac{3}{4}$ „	...	...	„	6	12

NOTE.—Until further orders, the most suitable leather available in the Madras and Bombay Ordnance Departments for repair of harness and saddlery will be issued to batteries serving in those presidencies, respectively.

13. Indents for materials for repair of saddlery, harness and saddle-trees are to be submitted on 1st February and 1st August, in the following form, in duplicate :—

*Indent for materials for the repair of harness, saddlery and saddle-trees required by*_____

STATION & DATE_____

Description of materials, &c.	Established proportion (six months' supply).	In store last return.	Since received.	Total.	Expended.		Remaining in store, 1st.	Now indented for.
					For making new articles.	For repairs.		

I certify that the whole of the articles shown in the column as expended have been used in making repairs to harness and saddlery, the property of the public; and further, that all articles made from these materials have been duly brought on the returns of the battery.

*Commanding*_____

14. These materials are issued solely for the repair of harness and saddlery, and not for the manufacture of new component portions.

15. Components can be obtained only on indents supported by proceedings of a special committee, which should state that repairs cannot be effected, and for what reasons.

16. Should the manufacture of any components be absolutely necessary, the work may be carried out, but a return of such articles made must accompany the half-yearly demand for materials, and the necessity for their manufacture be fully explained. In such cases the damaged articles will be sold by auction, or be returned into store to the nearest arsenal, under instructions from the Ordnance Office.

17. All repairs to saddlery, harness and saddle-trees are to be carried out by the artificers attached to the battery.

18. The iron-work of condemned harness and saddlery is invariably to be returned into store for utilization, as far as possible, in future manufacture, under instructions from the Ordnance Office.

19. The following stamps will be allowed for marking harness and saddlery:—

Stamps ... iron for ... iron, $\frac{1}{8}$ inch.
wood or leather, $\frac{5}{16}$ inch.
copper inlaid $\frac{1}{2}$ inch.

20. The following are supplied of each of the above descriptions of stamp to every Royal horse and field battery:—

Letter (according to distinguishing letter of the battery)	2
Royal horse artillery or Royal artillery	2
Figures 0 to 8	sets 2

21. Leather work will be marked with $\frac{5}{16}$" iron stamp, care being taken that the leather is not cut, but only bruised.

22. The iron work will be marked with $\frac{1}{8}$" iron stamps, the Portmouth bit in front of the foot, the bridoon bit on top of the mouth-piece, and the stirrup irons on the bottom.

23. The following is the list of materials for repair of carriages, wagons, carts, &c., issued with equipment, and such as are expended are to be replaced half-yearly by indent on the Ordnance Department:—

			BATTERIES.			
			Rifled.			
			B. L.		M. L.	
			12-pr.	9-pr.	9-pr.	
	Ordnance:					
Iron work, spare, for carriages.	Bands, axle-tree		2	2	2	
	Bolts, carriage		24	24	...	
	Bolts with nuts. Wheel ... Nave		...	...	12	
	Tire with collars		50	50	12	
	Carriages and wagons. Round or boss-headed. $\frac{7}{8}$" diameter $7\frac{3}{4}$" long ..		...	...	1	
	$\frac{7}{8}$" „ $10\frac{3}{8}$" „ ...		...	...	2	
	Hexagonal head. $\frac{3}{4}$" „ $6\frac{3}{8}$" „ ...		...	...	2	
	$\frac{3}{4}$" „ $1\frac{3}{4}$" „ ...		...	...	3	
	$\frac{7}{8}$" „ $4\frac{5}{8}$" „ ...		...	...	3	
	$\frac{7}{8}$" „ $3\frac{1}{2}$" „ ..		...	...	11	
	Flat, Countersunk. $\frac{3}{8}$" „ $4\frac{1}{2}$" „ ...		...	...	4	
	Capsquares		2	2	2	
	Chains, drag or skid		2	2	2	
	Drift, pins, steel		2	2	...	
	Eyes ... Perch plate, ammunition wagon ...		1	1	1	Including skid chain loop and 2 bolts.
	Trail, carriage		1	1	1	Including skid chain loop, shoe, hand-spike, with pin and chain.
	Handles, trail		2	2	2	
	Hooks, limber, with key and chain		1	1	1	Including 3 bolts.
	Irons, Handspike		1	1	...	
	Iron, 3' $8\frac{1}{2}$" long, pieces. Angle for trail 2" × 2" × $\frac{3}{8}$" ...		...	...	2	
	Flat ... 2" × $\frac{1}{4}$" ...		...	...	2	
	$1\frac{1}{2}$" × $\frac{1}{2}$" ...		...	...	2	
	1" × $\frac{3}{8}$" ...		...	...	2	
	Plate $\frac{1}{4}$" × 6" wide ...		...	...	1	
	Round $\frac{7}{8}$" ...		...	...	2	
	Round $\frac{3}{4}$" ...		...	...	2	
	$\frac{5}{8}$" ...		...	...	2	
	T. for futchells 3" × 2" × $\frac{5}{16}$" ...		...	...	2	

			BATTERIES.			
			RIFLED.			
			B. L.		M. L.	
			12-pr.	9-pr.	9-pr.	
	Ordnance—contd.					
Iron work, spare, for carriages,—*contd.*	Keys, capsquares, with chains	...	4	4	6	
	Lever, traversing with pawl	...	...	...	1	
	Lever, traversing screw	...	1	...	...	
	Nut-headed screws	...	2	2	...	
	Plates ... Jack — Carriage	...	2	2	...	
	Plates ... Jack — Wagon or limber	...	2	2	...	
	Plates ... Locking 7½″ × 6″ × ⅛″	...	2	2	..	
	Rivets. Flat, countersunk head ⅜″ diameter, 2½″ long	...	...	...	6	
	Rivets. Iron 1¼″	...	...	...	12	
	Rivets. Round or boss-headed ½″ × 1½″	...	...	..	10	
	Rivets. Round or boss-headed ⅜″ × 2″	...	...	...	50	
	Rivets. Round or boss-headed ¼″ × 1″	...	...	...	6	
	Rivets	...	4	4	...	
	Screws, hexagonal head, for limber screw	...	...	..	1	
	Skid, hooks	...	2	2	...	
	Sponge, iron, or shoe	...	1	1	1	
	Staples .. Lashing	...	42	42	12	
	Staples .. Round crowned ... Large ⅜″	...	9	9	3	
	Staples .. Round crowned ... Small ¼″	...	12	12	6	
	Staples ... with screws for ammunition box ... Double	...	...	...	2	
	Staples ... with screws for ammunition box ... Single	...	...	...	8	
	Staples ... with screws for ammunition box ... Treble	...	...	...	2	
	Steel, prepared, pieces Eyes, perch plate	...	...	...	6	
	Steel, prepared, pieces Limber hooks	...	...	...	6	
	Trunnion plates	...	2	2	...	
	Yoke, hooks or bands, with plates and nuts	...	2	2	2	
Naves, metal, field, in 3 pieces		...	...	...	1	
Saddles, metal, carriage, travelling, rifled B. L.		...	1	.	...	
Screws, iron, traversing, with nuts		...	1	...	...	
„ „ elevating, carriage, field, with nuts		...	1	1	1	
Wheel, hand, for traversing screw		...	1	...	...	
	Miscellaneous.					
Glue		... lbs.	3	3	3	
Grease and tar, mixed		... „	6	6	6	For each pair of wheels.
Iron, wrought ... Bolt or round ⅝″		... „	28	28	...	
Iron, wrought ... Flat ... 1½″ × ½″		... „	28	28	...	
Iron, wrought ... Flat ... 1″ × ½″		... „	28	28	...	
Iron, wrought ... Hoop 1¼″ 17 W. G.		... „	28	28	...	
Iron, wrought ... Square 1 inch		... „	56	56	...	
Iron, wrought ... Square ⅜″		... „	28	28	...	
Nails. Iron. Copper, wrought, tack, No. 236, ½″		... „	...	...	½	
Nails. Iron. Brad, wrought, No. 123, 1¼″		... „	2	2	½	
Nails. Iron. Clasp, fine ... No. 35, 1½″		... „	...	...	2	
Nails. Iron. Clasp, fine ... „ 36, 2″		... „	3	3	3	
Nails. Iron. Clasp, fine ... „ 37, 2¼″		... „	3	3	...	
Nails. Iron. „ strong „ 41, 2¼″		... „	1½	1½	3	
Nails. Iron. „ strong „ 44, 3⅛″		... „	3	3	...	
Nails. Iron. Clout, strong „ 65, 1⅛″		... „	2	2	¼	
Nails. Iron. Clout, strong „ 66, 1½″		.. „	6	6	1½	
Nails. Iron. Clout, strong „ 70, 2½″		... „	8	8	1½	
Nails. Iron. Clout, strong „ 72, 3¾″		.. „	8	8	...	
Nails. Iron. Tacks, clout, saddler, No. 87, ¾″		... „	...	...	½	
Rivets, copper, 1½ inch		... No.	...	...	24	
Screws, iron. Flat-head Nettlefolds. Fine ... 1¼ inch		... „	24	24	...	
Screws, iron. Flat-head Nettlefolds. Fine ... 1 „		... „	50	50	...	
Screws, iron. Flat-head Nettlefolds. Middling ... 2 „		... „	...	...	14	
Screws, iron. Flat-head Nettlefolds. Middling ... 1¼ „		... „	66	66	14	
Screws, iron. Flat-head Nettlefolds. Middling ... 1 „		... „	24	24	18	
Screws, iron. Flat-head Nettlefolds. Middling ... ¾ „		... „	14	14	72	
Screws, iron. Flat-head Nettlefolds. Middling ... ⅝ „		... „	106	106	106	

			BATTERIES.		
			RIFLED.		
			B. L.		M. L.
			12-pr.	9-pr.	9-pr.
	Miscellaneous—contd.				
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	3½ inch	... No.	...	...	6
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	3 „	... „	12	12	12
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	2½ „	... „	12	12	...
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	2 „	... „	68	68	6
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	1½ „	... „	18	18	18
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	1 „	... „	...	...	72
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Strong	¾ „	... „	66	66	144
Screws, iron—*contd.* Flat-head Nettlefolds—*contd.* Round head, middling, 1¼		... „	74	74	24
Screws, brass for locks	1 „	... „	1	1	...
Screws, brass for locks	¾ „	... „	4	4	...
Screws, brass 1½ inch		... „	...	..	12
Steel, blister, flat 2″ × ½″		... lbs.	10	10	...
Timber, half-wrought ... Naves		... No.	1	1	...
Timber, half-wrought ... Felloes for wheels		... „	6	6	6
Timber, half-wrought ... Spokes ditto		... „	12	12	12

		PER BATTERY.		
		With one line of wagons only.	With both lines of wagons.	
Cloth, canvas, Europe, coarse	... yds.	20	30	For repair of canvas covers of ammunition boxes, &c.

24. Indents for materials for repair of carriages, wagons, carts, &c., are to be submitted half-yearly on 1st April and 1st October of each year in the usual form.

25. Materials for petty repairs can be purchased locally by officers commanding batteries, and contingent bills supported by a copy of the order authorizing the purchase, and a station price current submitted to the executive commissariat officer for payment—see paragraph 7 ante.

26. Plank, however, for extensive repair, such as that of ammunition boxes, framings, &c., is to be obtained when necessary by indent on the Ordnance Department, commanding officers being allowed a discretionary power to purchase material on the spot, if urgently required, and when it cannot be obtained from the public stores in sufficient time.

27. When two or more batteries are stationed together, the senior officer of artillery will cause their artificers to unite for the purpose of executing any heavy work that may be required, such as setting up wheels, repairing axles, limber hooks, &c.

28. The sums expended in repairs, extra labor, or other contingencies not already provided for will be charged in monthly contingent bills, duly attested on honor, and supported by price current, which, after being countersigned by the officer commanding the artillery division, will be forwarded for payment to the executive commissariat officer.

29. Articles of line gear and materials for their repair will be supplied from the sources specified opposite them, to batteries of Royal horse and field artillery (including headquarters of brigades) and to heavy field batteries, in the following proportions, on indents to be submitted in the usual form on 1st February of each year to the Department concerned:—

Names of Articles.	Proportion.		Required per									Period of duration.	Source of supply.	Remarks.
			Horse Artillery Battery.			Field Artillery Battery.			Head Quarters of Brigades Royal Artillery.		Heavy Field Battery.			
	No.	Per	Total.	Spare.	Grand Total.	Total.	Spare.	Grand Total.	Horse.	Field.				
Bags, canvas, Europe, coarse, painted, for: Head stalls, head ropes, eye-fringes and watering bridles.	2	Sub-division	12	...	12	12	...	12	...	...	...	4 years ...	Arsenals.	
Bags, canvas, Europe, coarse, painted, for: Heel-ropes and loops	2	Ditto	12	...	12	12	...	12	...	...	...			
Bags, canvas, Europe, coarse, painted, for: Gram	1	Ditto	6	...	6	6	...	6	...	...	...			
Bags, canvas, Europe, coarse, painted, for: Leather (or Gunny) nose-bags	1	Ditto	6	...	6	6	...	6	...	...	...			
Bags, canvas, Europe, coarse, painted, for: Pegs and mallets	1	Ditto	6	...	6	6	...	6	...	...	...			
Bags, nose: Canvas	1	Horse	178	...	178	110	...	110	5	5	5	To be repaired or replaced as required.	Commissariat Department.	
Bags, nose: Leather	1	Ditto	178	...	178	110	...	110	5	5	5	3 years ...	Arsenals ...	In the Madras and Bombay presidencies bags, nose, "gunny," will be supplied in lieu by the Commissariat Department. They will be repaired or replaced as in the case of canvas nosebags.
* Baskets, country	1	2 Horses	89	...	89	55	...	55	3	3	3	To be obtained and renewed locally as required.	To be procured locally by officers commanding batteries.	
Blankets	1**	Horse	178	...	178	110	...	110	5	5	5	2 years or longer till worn out.	Commissariat Department.	** Or 2 per horse according to climate, if deemed necessary by the officer commanding the brigade, district or division of the army. These will be in addition to the blankets now authorized for horses without stables, and for Waler remounts that have not been a year in the country.
Bridles, watering	1	Ditto	178	9	187	110	5	115	5	5	5	Rein one year, bit till worn out.	Arsenals.	
* Brooms	1	2 Horses	89	...	89	55	...	55	3	3	3	To be obtained and renewed locally as required.	To be procured locally by officers commanding batteries.	
Brushes, country-made	1	Horse	178	9	187	110	5	115	5	5	5	6 months or longer till worn out.	Commissariat Department.	
Buckets, wooden, water, small	6	Sub-division	36	...	36	...	...	...	...	...	...	To be obtained, repaired, and renewed as required.	Ditto ...	These articles are not to be taken on line of march, but will be left behind for the relieving battery.
Buckets, wooden, water, small	4	Ditto	...	...	...	24	...	24	...	...	...			
Combs, curry, country-made	1	Horse	178	9	187	110	5	115	5	5	5	5 years "tentative"	Ditto.	
* Cordage, for tying up hay, 2-inch	...	...	13 feet to every four horses per quarter									3 months ...	To be procured locally by officers commanding batteries.	In the Bombay presidency only.
Dusters	2	Horse	356	...	356	220	...	220	10	10	10	6 ditto ...	Commissariat Department.	
Eye fringes, leather	1	Do.	178	...	178	110	...	110	5	5	5	2 years ...	Ditto.	
Head stalls	1	Do.	178	9	187	110	5	115	5	5	5	3 ditto ...	Arsenals.	
Loops, heel-rope, of leather	1	Do.	178	18	196	110	11	121	6	6	6	1 year ...	Ditto.	
Machines, clipping	3	Battery	3	...	3	...	...	...	...	...	...	3 years or longer till worn out.	Ditto.	
Machines, clipping	2	Do.	...	...	...	2	...	2						
* ,, rope-making	1	Do.	1	...	1	1	...	1	...	...	...	Till worn out ...	To be procured locally by officers commanding batteries.	
* Mallets for driving pegs	4	Sub-division	24	...	24	24	...	24	...	...	...	To be repaired and renewed locally as required.	Ditto.	
* Pegs, wooden (Babool)	3	Horse	534	...	534	330	...	330	15	15	15			
Pickers, hoof	4	Sub-division	24	...	24	24	...	24	...	...	...	Till worn out ...	Arsenals.	
* Posts, picketing, wooden, 2' 6", iron shod, of home pattern.	6	Do.	36	1	37	...	...	...	...	...	...	To be repaired and renewed locally as required.	To be procured locally by officers commanding batteries.	
* Posts, picketing, wooden, 2' 6", iron shod, of home pattern.	4	Do.	...	...	...	24	1	25	...	...	...			
Ropes, head, with loop and hook (length 7' exclusive of loop).	1	Horse	178	18	196	110	11	121	6	6	6	4 months or longer, hooks till worn out.	Commissariat Department.	
Ropes, heel (length 15', exclusive of loop)	1	Do.	178	18	196	110	11	121	6	6	6			
,, picketing, of 2" English tarred rope, each 25 yards long.	3	Sub-division	18	1	19	...	...	...	...	...	...	3 years ...	Ditto.	
,, picketing, of 2" English tarred rope, each 25 yards long.	2	Ditto	...	...	...	12	1	13	...	...	...			
Rollers, with pad (the latter made of leather)	1	Horse	178	9	187	110	5	115	5	5	5	2 Do. ...	Ditto	1st size, length of web, 5'9" / 2nd size, length of web, 5' 6½" — To be supplied in the proportion of 2 of 1st size, to 1 of 2nd size.
Straps for bags, canvas, Europe, coarse, painted, for: Head stalls, &c.	2	Sub-division	12	...	12	12	...	12	...	...	...	4 Do. ...	Arsenals.	
Straps for bags, canvas, Europe, coarse, painted, for: Heel-ropes, &c.	2	Ditto	12	...	12	12	...	12	...	...	...			
Straps for bags, canvas, Europe, coarse, painted, for: Gram	2	Ditto	12	...	12	12	...	12	...	...	...			
Straps for bags, canvas, Europe, coarse, painted, for: Nose bags	2	Ditto	12	...	12	12	...	12	...	...	...			
Straps for bags, canvas, Europe, coarse, painted, for: Pegs and mallets — Armstrong batteries	1	Ditto	6	...	6	6	...	6	...	...	...			
Straps for bags, canvas, Europe, coarse, painted, for: Pegs and mallets — Other ,,	2	Ditto	12	...	12	12	...	12	...	...	...			
Materials for repair, &c., of line gear.														
Cloth, canvas, Europe, coarse .. yds.	13	Battery annually.	13	...	13	...	...	..	...	...	...	.....	Arsenals.	
Cloth, canvas, Europe, coarse .. yds.	11	Ditto	...	...	...	11	...	11	...	...	...			
Dubbing ... ... lbs.	annum		60	...	60	40	...	40	2	2	2	.....	Commissariat Department.	The quantity laid for horse and field battery respectively includes requirements for ammunition box, straps, &c.
Gunny	As required for repairs											.....	Ditto ...	In the Madras and Bombay presidencies for repairs of gunny nose bags.
Hides	As required for repairs											.....	Ditto.	
Rope														
Thread														

30. The cost of the articles marked with an asterisk in the foregoing list, directed to be obtained locally by officers commanding batteries, will be recovered monthly by contingent bills in the manner prescribed in paragraph 7 of this order.

31. The repairs necessary to line gear are to be effected by officers commanding batteries, and for the purpose of carrying out these repairs, the employment of syces as under, at Rs. 2 per month, is sanctioned, *viz.*:—

Per Battery	R. H. A.	3 syces.
Ditto	R. F. A.	2 „

Any other expense for material or labor necessarily incurred to be recovered by monthly contingent bills.

32. Well ropes and water bags will be provided locally by officers commanding batteries, and their cost recovered by monthly contingent bills, repairs being effected under the rules which apply to articles of line gear.

33. Following are the lists of materials to be supplied *annually* at the public expense for repair of carriages, harness, and saddlery (including boxes, leather ammunition) of batteries of mountain artillery, with mule drafts, and of the articles of line gear for these batteries in substitution of those published in G. G. O. No. 1040, dated 14th October 1875. Those required for the mountain battery (elephant) at Tongho will be laid down under the orders of the Government of Madras :—

List of materials to be supplied annually for repair of carriages, harness, and saddlery, &c.

NAMES OF STORES.	NUMBER OR QUANTITY PER BATTERY OF 4 Guns.	6 Guns.	
Iron work for carriages.			
Bolts, transom ... ... sets	1	1	
„ for clip bands for axletree-beds ... No.	2	2	
Keys with cap squares ... ... „	4	6	
Washer loops, with pins and chains ... „	4	6	
NOTE.—Any other iron work necessary to be indented for as required.			
Materials for repair of Harness and Saddlery (including ammunition boxes).			
Borax ... ... lbs.	3 0 0	4 8 0	*
Brass, old ... ... „	3 0 0	4 8 0	
„ sheet ... ... „	8 0 0	12 0 0	
Buckles, iron ... 1⅝ inch ... ... No.	8	12	
Buckles, iron ... 1¾ „ ... ... „	8	12	
Buckles, iron ... 1⅝ „ ... ... „	8	12	
Buckles, iron ... 1⅜ „ ... ... „	8	12	
Buckles, iron ... 1¼ „ ... ... „	8	12	
Buckles, iron ... 1⅛ „ ... ... „	8	12	
Buckles, iron ... 1 „ ... ... „	16	24	
Buckles, iron ... ¾ „ ... ... „	8	12	
Charcoal, Indian, common ... ... cwt.	30 0 0	45 0 0	*
Cloth, linen, coarse ... ... yards	12	18	*
„ serge, milled, ... „	36	60	
Copper sheet, thick ... ... lbs.	4 0 0	6 0 0	
Copper bolt, or rod (round) ½ inch ... „	4 0 0	6 0 0	
„ „ „ „ ¼ „ ... „	4 0 0	6 0 0	
Dubbing ... ... „	104 0 0	170 0 0	*
Glue ... ... „	4 8 0	7 0 0	
Hides, buffaloe, tanned and curried, half hides ... Heavy No. or lbs.	3 / 30	5 / 50	
Hides, buffaloe, tanned and curried, half hides ... Light No. or lbs.	3 / 20	4 / 30	
Hides, cow, tanned and curried No. or lbs.	6 / 48	9 / 72	
Hides, raw ... ... „	18 0 0	24 0 0	If required.
Hinges, ammunition boxes ... ... No.	6	8	
Iron, wrought ... Bolt or round ... cwt.	0 3 0 0	1 0 0 0	
Iron, wrought ... Flat ... ... „	2 0 0 0	3 0 0 0	
Iron, wrought ... Hoop ... ... „	0 2 0 0	0 3 0 0	
Iron, wrought ... Plate or sheet ... „	0 1 14 0	0 2 8 0	
Iron, wrought ... Square ½ inch ... „	1 0 0 0	1 2 0 0	

NAMES OF STORES.	NUMBER OR QUANTITY PER BATTERY OF 4 Guns.	6 Guns.	
Materials for repair of Harness and Saddlery, &c.—(contd).			
Nails ... Copper, tack, ¼ inch, for mochees ... lbs.	3 0 0	4 8 0	
Nails ... Iron, tack ... ½ inch „	3 0 0	4 8 0	
Nails ... Iron, tack ... ¾ „ „	3 0 0	4 8 0	
Nails ... Iron, tack ... 1 „ „	3 0 0	4 8 0	
Numdah ... ... „	14 0 0	21 0 0	*
Oil, sweet (or tillee) .. gallons	15 0 0	24 0 0	*
Rivets, copper ... ... No.	12	18	
Rosin ... ... lbs.	2 0 0	3 0 0	*
Salamoniac (Nowsadur) ... „	3 0 0	4 8 0	*
Screws .. Brass, 2-inch ... doz.	3	4	
Screws .. Iron ... 2½ inch ... „	30	36	
Screws .. Iron ... 2 „ ... „	30	36	
Screws .. Iron ... 1½ „ ... „	30	36	
Screws .. Iron ... 1 „ ... „	30	36	
Screws .. Iron ... ¾ „ ... „	30	36	
Screws .. Iron ... ½ „ ... „	30	36	
Shellac ... ... lbs.	3 0 0	4 8 0	*
Skins, sheep, tanned and curried No.	4	6	
Soap, hard ... ... lbs.	750 0 0	1,150 0 0	
Solder, pewter ... ... „	3 0 0	4 8 0	*
Steel ... Blister ... „	9 0 0	15 0 0	
Steel ... Spring 1½″ × ⅜″ ... „	12 0 0	20 0 0	
Thread ... Flax or hemp ... balls	108	162	
Thread ... Whited brown ... lbs.	3 0 0	4 8 0	
Tin, sheet ... ... „	4 0 0	6 0 0	*
Twine, quilting ... ... „	3 0 0	4 8 0	*
Wax, bees' ... ... „	6 0 0	9 0 0	*
Wire, iron, ⅛ inch ... ... „	12 0 0	18 0 0	
Wool, sheep ... ... „	60 0 0	90 0 0	*
For Harness and Saddlery Store-rooms.			
Charcoal, Indian, common ... mds.	4½ or 360 lbs.	7* or 560 lbs.	For three months only for use during the rains. Grates with tripods to be obtained from the Commissariat Department. In the Bombay presidency both charcoal and grates to be obtained from the Barrack Department.

NOTES.—(*a.*) Indents to be submitted half-yearly, in the usual form, on 1st April and 1st October of each year.

(*b.*) The articles marked with an asterisk to be obtained through the Commissariat Department, or locally by officers commanding batteries if there is no executive commissariat officer at the station. In the latter case, the cost to be recovered by monthly contingent bills in the manner prescribed in paragraph 7.

List of articles of Line Gear to be allowed to Batteries of Mountain Artillery from sources specified.

NAMES OF ARTICLES.	Proportion.		Required per Battery of: 4 Guns having yaboos 4, Ordnance mules 85, Baggage mules 24, Total 113			6 Guns having yaboos 4, Ordnance mules 112, Baggage mules 66, Total 182			Period of duration.	Source of supply.	REMARKS.
	Number.	Per	Total.	Spare.	Grand Total.	Total.	Spare.	Grand Total.			
Bags, gunny, line gear, large ...	...	...	28	...	28	40	...	40	4 years ...	Arsenals ...	For line gear of gun, carriage and wheel mules.
Ditto small ...	...	...	81	...	81	138	...	138	4 ditto ...	Ditto ...	For line gear of ammunition and baggage mules.
Ditto nose, gunny ...	1	Yaboo or mule.	113	...	113	182	...	182	To be repaired or replaced as required.	Commissariat Department.	
* Baskets, country ...	1	2 Yaboos or mules.	57	...	57	91	...	91	To be obtained and renewed locally as required.	To be procured locally by officers commanding batteries.	
Blankets, 6' × 6''', 5½ × 5½', 5' × 5'.	2	Yaboo or mule.	226	...	226	364	...	364	2 years or longer till worn out.	Commissariat Department.	Size of blankets required to be specified in indents by officers commanding batteries.
Bridles, watering, with bits, T. and rein.	1	Ditto	113	6	119	182	9	191	Rein 1 year, bit till worn out.	Arsenals.	
* Brooms	1	2 Yaboos or mules.	57	...	57	91	...	91	To be obtained and renewed locally as required.	To be procured locally by officers commanding batteries.	
Brushes, country-made ...	1	Yaboo or mule.	113	6	119	182	9	191	6 months or longer till worn out.	Commissariat Department.	
Buckets, wood, stable ...	4	Sub-division.	16	...	16	24	...	24	To be obtained, repaired and renewed as required.	Ditto ...	Not to be taken on line of march, but to be left behind for the relieving battery.
Chains, head, 6 feet long...	1	Yaboo or mule.	113	8	121	182	12	194	Till worn out...	Arsenals.	
Combs, curry, country-made	1	Ditto	113	6	119	182	9	191	5 years "tentative."	Commissariat Department.	
* Dundersticks, with ties...	1	Ditto	113	...	113	182	...	182	To be replaced as required.	To be procured locally by officers commanding batteries.	
Dusters	...	...	96	...	96	144	...	144	6 months ...	Commissariat Department.	As a six months' supply at 4 per Sub-division per mensem, for cleaning leather ammunition boxes, &c.
Eye-fringes, leather ...	1	Yaboo or mule.	113	...	113	182	...	182	2 years ...	Ditto.	
Head stalls	1	Ditto	113	6	119	182	9	191	3 ditto ...	Arsenals.	
Loops, heel-rope, of leather	1	Ditto	113	11	124	182	18	200	1 year ...	Ditto.	
* Machine, rope-making ..	1	Battery	1	...	1	1	...	1	Till worn out	To be procured locally by officers commanding batteries.	
* Mallets for driving pegs	4	Sub-division.	16	...	16	24	...	24	To be repaired and renewed locally as required.	To be procured locally by officers commanding batteries.	
Pegs, picketing, iron ...	1	Yaboo or mule.	113	...	113	182	...	182	Till worn out	Arsenals.	

NAMES OF ARTICLES.	Proportion.		Required per Battery of: 4 Guns having yaboos 4, Ordnance mules 85, Baggage mules 24, Total 113			6 Guns having yaboos 4, Ordnance mules 112, Baggage mules 66, Total 182			Period of duration.	Source of supply.	REMARKS.
	Number.	Per	Total.	Spare.	Grand Total.	Total.	Spare.	Grand Total.			
* Pegs, picketing, wooden ...	1	Yaboo or mule.	113	...	113	182	...	182	To be repaired and renewed locally as required.	To be procured locally by officers commanding batteries.	
Pickers, hoof, iron ...	4	Sub-division.	16	...	16	24	...	24	Till worn out.	Arsenals.	
Ropes, heel, 10 feet long (exclusive of loop).	1	Yaboo or mule.	113	11	124	182	18	200	4 months or longer till worn out.	Commissariat Department.	
Rollers, with pad (latter made of leather).	1	Ditto ...	113	6	119	182	9	191	2 years ...	Ditto ...	1st size length of web 5' 7'' 2nd size length of web 5' 2'' — To be supplied in proportion of 4 of 1st size, to 5 of 2nd size.
Rubbers ...	1	Ditto ...	113	...	113	182	...	182	1 year ...	Ditto.	
Straps, line gear, large ...	...	...	30	...	30	43	...	43	4 years ...	Arsenals.	
,, ,, ,, small ...	...	...	83	...	83	141	...	141	4 ditto ...	Ditto.	
Sponge (pieces), ½ oz. ...	1	Yaboo or mule.	113	...	113	182	...	182	1 year ...	Ditto.	
Whips	...	...	12	...	12	18	...	18	4 years ...	Ditto.	
Materials for Repair, &c.											
Dubbing ... lb.	per annum ...		40	...	40	60	...	60	.....	Commissariat Department.	
Gunny, hides, rope, thread ...	As required ...		...	...	...	...	...	...	.....		

NOTES.—(a.) Indents for line gear to be submitted, in usual form, on 1st February of each year, to the department concerned.
(b.) Provisions of paragraph 30 and 31 of this order are also applicable to mountain batteries; the number of syces to be employed to carry out repairs to line gear being—
Per battery of 4 guns ... ... 2 syces.
,, ,, of 6 ,, ... 3 ,,

34. All articles of line gear which have served the prescribed periods of duration, and have been pronounced unfit for further service by competent boards of survey, also other unserviceable articles of equipment, such as harness and saddlery, which have been duly condemned, and are not deemed worth the expense of carriage to the nearest ordnance arsenal, will, under sanction of the Ordnance Office, be sold by auction on the spot to the highest bidder, and the proceeds realized credited to Government: such component parts of iron work as may not be unserviceable being returned into ordnance store for further use in manufacture (see paragraph 18 ante).

Rammers, 3 per Sub-division. Hand beaters, 6 per Sub-division. — To be procured locally by officers commanding batteries, cost being recovered by contingent bills, and to last till worn out.

35. Repairs needed to the flooring of stables will be effected by battery establishments, and for this purpose rammers and hand beaters will be supplied in the proportion marginally noted.

36. When the repairs to be executed are of an extensive nature, the aid of the Public Works Department to be applied for.

37. This order is applicable to the three presidencies.

FURLOUGH AND LEAVE.

No. 542.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) Frederick Richard Maunsell, C. B., R. E., (Honorary Aide-de-Camp to the Governor General), Commandant, Corps of Bengal Sappers and Miners,—medical certificate, for six months, under Rule XIV, Clause I of the Regulations of 1868.

Lieutenant-Colonel William Gordon, Bengal Staff Corps, District Superintendent of Police, 2nd grade, Bengal,—private affairs, for one year, under Rule IX of the Regulations of 1868.

Lieutenant-Colonel William Brooke Thomson, Bengal Staff Corps, Deputy Commissioner, 2nd Class, Damoh, Officiating Deputy Commissioner, 1st Class, Central Provinces,—private affairs, for six months, under Rules IX and XV of the Regulations of 1868.

No. 543.—With reference to G. G. O. No. 552 of 1877, the furlough granted to Colonel R. Young, R. E., late Commissioner and Superintendent, Lahore Division, Punjab, in G. G. O. No. 216 of 1877, is cancelled.

No. 544.—The furlough granted to Captain A. I. Iles, Bengal Staff Corps, in G. G. O. No. 259 of 1877, is cancelled at his own request.

No. 545.—REPORTS OF ARRIVAL—

Lieutenant (Brevet Captain) R. McMeminey, Unattached,—Bombay, 16th May 1877.

No. 546.—REPORTS OF DEPARTURE—

Major-General J. D. Campbell, Royal Engineers, G. G. O. No. 167 of 1877,—*Siam*, 16th April 1877, from Bombay.

Major-General R. G. Taylor, C.B., C.S.I., Bengal Staff Corps, G. G. O. No. 306 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Colonel J. Crofton, Royal Engineers, G. G. O. No. 120 of 1877,—*Malwa*, 23rd April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) A. G. Forsyth, Bengal Staff Corps, G. G. O. No. 75 of 1877,—*Sumatra*, 1st April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) H. C. Anderson, Bengal Staff Corps, G. G. O. No. 95 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) T. Gillilan, Madras Staff Corps, G. G. O. No. 191 of 1877,—*Siam*, 16th April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) T. A. Carey, Bengal Staff Corps, G. G. O. No. 336 of 1877,—*Siam*, 16th April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) W. Q. Pogson, Infantry, G. G. O. No. 355 of 1877,—*Siam*, 16th April 1877, from Bombay.

Lieutenant-Colonel (Brevet Colonel) E. N. Sandilands, Bengal Staff Corps, G. G. O. No. 306 of 1877,—*India*, 31st May 1877, from Bombay.

Lieutenant-Colonel W. R. Tucker, Royal Engineers, G. G. O. No. 216 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Lieutenant-Colonel C. H. Clay, Bombay Staff Corps, Bombay G. O. No. 112 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Lieutenant-Colonel P. Story, Infantry, G. G. O. No. 216 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Lieutenant-Colonel W. Cabell, Bengal Staff Corps, G. G. O. No. 496 of 1875,—*Timor*, 29th April 1875, from Bombay.

That part of G. G. O. No. 579 of 1875, which refers to this officer, is cancelled.

Lieutenant-Colonel A. Callander, Bengal Staff Corps, G. G. O. No. 216 of 1877,—*Trantham Hall*, 21st April 1877, from Bombay.

Surgeon-Major J. Richardson, M. B., G. G. O. No. 120 of 1877,—*Childwall Hall*, 5th April 1877, from Bombay.

Surgeon-Major T. W. Sheppard, G. G. O. No. 410 of 1877,—*Asseria*, 15th April 1877, from Bombay.

Surgeon-Major G. Barnard, G. G. O. No. 379 of 1877,—*Calypso*, 30th April 1877, from Bombay.

Major F. W. Boileau, Bengal Staff Corps, G. G. O. No. 95 of 1877,—*Sumatra*, 1st April 1877, from Bombay.

Major W. S. Young, Bengal Staff Corps, G. G. O. No. 216 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Major R. B. Graham, Bengal Staff Corps, G. G. O. No. 382 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Major H. C. Fagan, Bengal Staff Corps, G. G. O. No. 216 of 1877,—*Euphrates*, 12th April 1877, from Bombay.

Major J. Liston, Bengal Staff Corps, G. G. O. No. 410 of 1877—*Europa*, 18th April 1877, from Bombay.

Major G. C. Gregory, Bengal Staff Corps, G. G. O. No. 216 of 1877,—*Nizam*, 30th April 1877, from Bombay.

Captain T. D. Madden, Bengal Staff Corps, G. G. O. No. 143 of 1877,—*Childwall Hall*, 5th April 1877, from Bombay.

Captain W. E. Rutherfurd, Bengal Staff Corps, G. G. O. No. 279 of 1877,—*Rinaldo*, 7th April 1877, from Bombay.

Captain H. G. Young, Royal Artillery, G. G. O. No. 410 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Captain R. J. Wimberly, Bengal Staff Corps, G. G. O. No. 51 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Captain J. O. Goldie, Madras Staff Corps, Madras G. O. No. 113 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Captain E. G. Newnham, General List, Infantry, G. G. O. No. 51 of 1877,—*Siam*, 16th April 1877, from Bombay.

Captain C. E. Hallett, Bengal Staff Corps, G. G. O. No. 120 of 1877,—*Europa*, 18th April 1877, from Bombay.

Captain H. H. H. Hallett, Madras Staff Corps, Madras G. O. No. 390 of 1877,—*Trantham Hall*, 21st April 1877, from Bombay.

Captain R. McG. Stewart, Royal Artillery, G. G. O. No. 336 of 1877,—*Surat*, 21st May 1877, from Bombay.

Surgeon A. Stephen, M. B., G. G. O. No. 120 of 1877,—*Mirzapore*, 9th April 1877, from Bombay.

Lieutenant J. A. L. Montgomery, Bengal Staff Corps, G. G. O. No. 355 of 1877,—*Sumatra*, 1st April 1877, from Bombay.

Lieutenant H. A. Vincent, Bombay Staff Corps, Bombay G. O. No. 164 of 1877,—*Pollux*, 10th April 1877, from Bombay.

Lieutenant L. Dening, Bengal Staff Corps, G. G. O. No. 454 of 1877,—*Malwa*, 23rd April 1877, from Bombay.

Lieutenant C. Dempster, Bengal Staff Corps, G. G. O. No. 454 of 1877,—*Nizam*, 30th April 1877, from Bombay.

ORDNANCE.

No. 547.—The following clauses in list of changes in War Matériel, are made applicable to India:—

Dated 1st February 1877.

3021.—Numnahs, leather { harness \| drivers luggage / saddlery, universal } (Mark I.)

3026.—Carriages, iron, wrought, travelling, field, rifled M. L., 9 and 16-pr.

Alteration to guard-irons of axletree-box, seats.

3030.—Implements, fuze and shell, parts of:—

Handle, hook-borer. (Mark III).

Hook, hook-borer. (Mark III).

Bit, hook-borer. (Mark I).

PASSAGES.

No. 548.—Under the authority of Her Majesty's Government, it is hereby notified that, for the future, when officers of the Indian service on furlough in England are required to return to India owing to the exigencies of the public service before the expiration of their leave of absence, passage at the public expense will be granted to them.

PENSIONS.

No. 549.—First Class Apothecary William Francis Browne, having been declared by a Medical Committee to be unfit for further active service, is, under the provisions of G. G. O. No. 550 of 1868, transferred to the invalid pension establishment on a pension of Rs. 100 per mensem, payable in India.

No. 550.—Ressaldars Major Shadi Khan, 5th Bengal Cavalry, and Jubba Singh, 16th Bengal Cavalry, are granted the Brevet pay of their rank, *viz.*, Rs. 50 each per mensem, from the date of their transfer to the pension establishment.

RETIREMENTS.

No. 551.—In continuation of G. G. O. No. 527, dated the 9th June 1877, the undermentioned officers are permitted to retire from the service from the dates specified, under the provisions of G. G. O. No. 8 of the 1st January 1877 :—

No.	Rank and Names.	Corps.	Ordinary pension.	Annuity.	Capitalized value of annuity.	Date of retirement.	Where to be paid.
			£ s. d.	£ s. d.	£ s. d.		
14	Lieutenant-Colonel Frederic Nicolas Miles.	Staff Corps	365 0 0	288 14 0	...	14th June 1877	England.
15	Lieutenant-Colonel (Brevet Colonel) John Alfred Brereton.	Ditto ...	292 0 0	289 19 0	...	15th June 1877	Ditto.

TRANSFER OF OFFICERS.

No. 552.—The services of Colonel R. Young, R.E., late Commissioner and Superintendent, Lahore Division, Punjab, are, with reference to the Notification by the Government of the Punjab, No. 2217, dated the 21st May 1877, replaced at the disposal of His Excellency the Commander-in-Chief with effect from the 31st March 1877.

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

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th June 1877.

Statement of Deposits on account of Estates from 2nd to 8th June 1877.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. a. p.		
British Military Service.							
Neil Henry Stewart, M.D. (a)	Deputy Surgeon-General.	British Medical Service.	22nd April 1877.	Testate ...	157 11 6	.....	2nd August 1877.
Indian Military Service.							
Francis John Craigie (b) ...	Lieut.-Col....	Bengal Staff Corps.	22nd March 1877.	Will left unattested.	4,535 12 6	.....	
Richard Topham (c) ...	Major ...	Ditto ...	16th October 1876.	Intestate ...	488 1 0	.....	

(a.)—*Next of kin—Brothers.*—Joseph Stewart, Esq., Killine, Perthshire, Scotland; Alexander Stewart, Esq., Australia.
Sisters.—Miss Henrietta Stewart, Miss Isabella Stewart } Killine, Perthshire, Scotland.

(b).—*Next of kin—Sisters.*—Miss Rebecca A. Craigie, Mrs. Dora Eliott Lockhart } 17 Rutland Street, Edinburgh.
Administrator General, Bengal, administering.

(c).—*Widow.*—Mrs. Annie Elizabeth Topham.
Child.—Mary Judith.
Administrator General, Bengal, administering.

W. M. LEES, *Colonel*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS—ESTABLISHMENT.

Simla, the 9th June 1877.

No. 281.—Mr. J. F. Birkenshaw, Assistant Engineer 1st Grade, is transferred from His Highness the Nizam's State Railway to Bombay, for employment on Famine Relief Works.

The 11th June 1877.

No. 282.—Mr. H. G. F. Smith, Assistant Engineer 3rd Grade, Rangoon and Irrawaddy Valley State Railway, having passed the prescribed examination, is promoted to Assistant Engineer 2nd Grade with effect from 17th May 1877.

No. 283.—Mr. J. L. Macpherson, Deputy Examiner, Public Works Accounts, British Burmah, is granted leave to Europe on medical certificate for two years under Section 3, and subsidiary leave for 10 days under Section 10, Supplement F of the Civil Leave Code from such date as he may be permitted to avail himself of the same.

No. 284.—Mr. J. C. Oman, Accountant 1st Grade, attached to the Office of Examiner of Accounts, Central System of State Railways, is transferred to the Office of the Accountant General, Public Works Department.

The 12th June 1877.

No. 285.—Mr. G. G. Hiley, Store-keeper 2nd Grade, Rajpootana State Railway, is promoted to Store-keeper 1st Grade, with effect from 1st January 1877.

No. 286.—With reference to Public Works Department Notification No. 235 of 18th May 1877, the following Officers received charge from Lieutenant-Colonel E. C. S. Williams, R.E., Director of State Railways, of the several Railway Systems on the 19th May 1877 before noon :—

Mr. W. C. Furnivall, M. Inst. C. E., of the Office of Director of State Railways, Central System.

Lieutenant-Colonel F. S. Stanton, R.E., of the Office of Director of State Railways, North-Eastern System.

Major R. C. B. Pemberton, R.E., of the Office of Director of Stores, and on the 6th June 1877 before noon.

Mr. Alexander Grant, M. Inst. C. E., of the Office of Director of State Railways, Western System.

The 13th June 1877.

No. 287.—Mr. J. W. A. McNair, Assistant Examiner, temporarily attached to the Office of the Examiner, Guaranteed Railway Accounts, Calcutta, is transferred to the Northern Bengal State Railway.

The 14th June 1877.

No. 288.—In continuation of Notification No. 235, dated the 18th May 1877, the undermentioned Accountants are posted to the Office of the Director of State Railway Stores :—

Mr. A. J. Fox, Accountant 2nd Grade (temporary rank).

Mr. E. Lund, Accountant 4th Grade.

No. 289.—The grant, by the Government of Bombay, of one year's furlough to Europe under Section 12 of the Civil Leave Code, with the usual subsidiary leave, to Mr. J. J. O'Flahertz, Executive Engineer 4th Grade, Bengal Provincial Establishment, is confirmed.

No. 290.—Mr. R. Gompertz, Executive Engineer 2nd Grade, is transferred from the Western System to the Central System of State Railways.

No. 291.—Mr. J. Conder, Executive Engineer 3rd Grade, Punjab Northern State Railway, is provisionally appointed Assistant Director, Western System of State Railways, but will continue in his present post until his services can be spared by the Engineer-in-Chief, Punjab Northern State Railway.

Mr. J. M. Campion, Assistant Engineer 1st Grade, Indus Valley State Railway, is appointed to officiate as Assistant Director, Western System of State Railways, until relieved by Mr. Conder, or until further orders.

W. A. CROMMELIN, *Major-General, R. E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 25. SIMLA, SATURDAY, JUNE 23, 1877. **Register No. 33.**

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

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SUPPLEMENT No. 25.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

CORRIGENDUM.—In the Indian Registration Act III of 1877 (published in the *Gazette of India*, Part IV, of 17th and 24th February and 3rd March 1877), section 51, line 17, *for* "87" *read* "89."

A. PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 22nd June 1877.

No. 1224.—Home Department Notification No. 1136, dated 13th instant, extending the Indian Registration Act III of 1877 to the Chief Commissionership of Coorg, is cancelled.

ESTABLISHMENTS.

The 22nd June 1877.

No. 558.—The Hon'ble G. G. Morris, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained furlough on medical certificate from the 12th instant up to the 17th September next.

No. 560.—Under the provisions of the Act of Parliament 24 and 25 Vic., Cap. 104, Section 7, the Governor General in Council has been pleased to appoint Mr. H. B. Lawford, of the Bengal Civil Service, to officiate as a Judge of the High Court of Judicature at Fort William in Bengal.

ECCLESIASTICAL.

The 20th June 1877.

No. 181.—The Reverend A. N. Wilson, Junior Chaplain, to be Senior Chaplain, with effect from the 8th instant.

The 22nd June 1877.

No. 185.—Her Majesty's Secretary of State for India has appointed the Reverend John Henry Taylor, B. A., to be a Junior Chaplain on the Bengal Establishment.

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

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATIONS.—COMMERCE AND TRADE.

Simla, the 21st June 1877.

No. 8 of 1877.—The following Notice to Mariners is published for general information :—

NOTICE TO MARINERS.

BAY OF BENGAL, BRITISH BURMA, BASSEIN RIVER.

Rock off Hinghie Island.

The Master Attendant at Bassein reports that on the 14th March last, the German Barque *Smidt*, under pilotage charge, touched on a rock hitherto unknown having a depth of only 17 feet on it at low water springs, situated in mid-channel abreast of the north-east point of Hinghie Island.

The Government of British Burma have issued instructions to survey and buoy this danger, the exact position, therefore, of the rock will be notified hereafter.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 16th June 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice will affect the following Admiralty Charts:—Preparis North Channel, No. 152; Coronge Island to White Point, No. 823; Bay of Bengal, Eastern Sheet, No. 70 *b*; and Taylor's Sailing Directory, Vol. I., page 496.

If this Notice is received on board ship, the substance of it should be inserted on the Chart affected by it, and introduced into the Sailing Directions to which it relates.

No. 9 of 1877.—The following Notice to Mariners is published for general information :—

NOTICE TO MARINERS.

BAY OF BENGAL, BRITISH BURMA.

Rock off Pegu Coast.

Information has been received from Mr. John Robson, Master of the Ship *Inch Marnock*, of the existence of a rock on which that vessel struck on the 27th April last, whilst off the Coast of Pegu, on her passage from Bombay to Rangoon.

The rock has a depth of 9 feet on it at low water spring tides, and within a distance of 100 yards from it is a depth of 12 fathoms.

This danger is not laid down on any of the Admiralty Charts, and as the Coast is very imperfectly known, great caution is necessary whilst navigating in this neighbourhood.

Position as given :—latitude 16° 43′ 50″ N., longitude 94° 12′ 25″ E.

MARINE SURVEY DEPARTMENT;
CALCUTTA,
The 16th June 1877.

JOHN HENRY ELLIS, *Staff Comdr.*, R. N.,
Deputy Supdt., Marine Survey of India.

By Order,

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

This Notice will affect the following Admiralty Charts:—Cheduba Strait to Coronge Island, No. 822; Coronge Island to White Point, No. 823; Bay of Bengal, Eastern Sheet, No. 70 *b*; and Taylor's Sailing Directory, Vol. I., page 495.

If this Notice is received on board ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

G. H. M. BATTEN,
Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 16th June 1877.

No. 1420*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. A. A. Apcar as Consul for Siam at Calcutta.

No. 1422*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Albert Restalic as Acting Consul for the Netherlands at Aden during the absence of Mr. J. Salmon.

The 18th June 1877.

No. 1426*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Albert Restalic as Acting Vice-Consular Agent for France at Aden during the absence of Mr. J. Salmon.

GENERAL.

The 19th June 1877.

No. 1642*G.*—The services of Captain C. M. A. Morant, Adjutant and Drill Instructor of the Mysore Silladar Horse, are replaced at the disposal of the Military Department, with effect from 18th June 1877.

The 21st June 1877.

No. 1656*G.*—The following extract from the *London Gazette*, dated Tuesday, the 15th of May 1877, is published for general information :—

Foreign Office, May 14, 1877.

The Earl of Derby, Her Majesty's Principal Secretary of State for Foreign Affairs, has received the following note from His Excellency Musurus Pasha, Turkish Ambassador at the Court of St. James's, forwarding copies of three Notifications issued by the Sublime Porte relative to the passage of vessels through the Dardanelles and Bosphorus, and the navigation of the Danube :—

Ambassade Impériale Ottomane,
Londres, le 12 Mai, 1877.

MY LORD,

J'ai l'honneur de transmettre ci-joint a V. Ex. un exemplaire :—

1. De la notification officielle concernant les mesures qui doivent être strictement observées à l'entrée des Détroits des Dardanelles et du Bosphore jusqu'au rétablissement de la paix.

2. De la décision de la Sublime Porte relativement aux navires Russes qui se trouvent dans les ports de l'Empire Ottoman et au commerce des neutres; et

3. Des instructions données à S. Ex. le Serdar Ekrem quant aux dispositions qu'il est autorisé à prendre sur le Danube en vue des opérations militaires.

J'ai l'honneur, &c.,
(Signé) MUSURUS.

Son Excellence
Le Comte de Derby.

(Translation.)

Imperial Ottoman Embassy,
London, May 12, 1877.

MY LORD,

I have the honor to transmit, herewith, to Your Excellency copies—

1. Of the official notification relative to the measures which are to be strictly observed at the entrance of the Straits of the Dardanelles and the Bosphorus until the re-establishment of peace.

2. Of the Sublime Porte's decision relative to Russian vessels actually in the ports of the Ottoman Empire, and to neutral commerce; and

3. Of the instructions given to His Excellency the Serdar Ekrem as to the measures which he is authorized to take on the Danube in view of military operations.

I have, &c,
(Signed) MUSURUS.

His Excellency
The Earl of Derby.

Sublime Porte.

NOTIFICATION OFFICIELLE.

Vu l'état de guerre, le Gouvernement Impérial a arrêté les mesures suivantes qui seront strictement observées à partir du 29 Avril 1877 jusqu'au rétablissement de la paix.

1° Le passage des détroits des Dardanelles et du Bosphore, soit à l'entrée, soit à la sortie, est interdit à tous navires à vapeur ou à voiles indistinctement et sans exception durant la nuit, c'est-à-dire avant le lever et après le coucher du soleil.

2° Les phares établis dans les détroits, à l'exception des deux grands phares situés à l'entrée du Bosphore du côté de la Mer Noire (Rouméli et Anatoli fénéri) et des deux phares de Sedal Bahr et de Koumkalé du détroit des Dardanelles demeureront éteints.

Ces quatre phares pourront eux mêmes être éteints sur l'ordre des commandants militaires.

3° L'usage de tirer des coups de canon dans les temps brumeux à titre de signal d'alarme est absolument supprimé.

(Translation.)

Sublime Porte.

OFFICIAL NOTIFICATION.

In consideration of the state of war, the Imperial Government has decreed the following measures which will be strictly observed from the 29th of April 1877, until the re-establishment of peace :—

1. The passage of the Straits of the Dardanelles and of the Bosphorus is forbidden during the night to all steam ships or sailing vessels either entering or leaving, without distinction or exception, that is to say, before sunrise and after sunset.

2. The lights in the Straits will be extinguished with the exception of those of the two great lighthouses placed at the entrance of the Bosphorus at the Black Sea and (Roumeli and Anatoli Fénéri), and of the two lighthouses of Sedal Bahr and of Koumkalé, in the Straits of the Dardanelles.

These four lights may also be extinguished by order of the Military Commanders.

3. The custom of firing cannon during foggy weather as an alarm signal is absolutely forbidden.

Sublime Porte.

Décision de la Sublime Porte concernant les navires Russes qui se trouvent dans l'Empire Ottoman et le commerce des neutres.

La Russie ayant déclaré la guerre, le Gouvernement Ottoman a pris les décisions suivantes:

ART. 1er. Un délai de cinq jours francs à dater de la notification sur les lieux de la présente décision est accordé aux navires Russes qui se trouvaient dans les ports de l'Empire le $\frac{12}{24}$ Avril, 1877, pour quitter les eaux Ottomanes. A cet effet il leur sera delivré sur leur demande, par les autorités douanières un sauf-conduit pour se rendre dans le port Russe ou neutre le plus rapproché sans pouvoir toutefois traverser les détroits pour passer de la Méditerranée dans la Mer Noire et réciproquement.

ART. 2. Le Gouvernement Ottoman déclare son intention d'observer les règles de droit maritime formulées dans la déclaration signée à Paris le 16 Avril, 1856, et d'après laquelle:

1° La course est et demeure abolie;

2° Le pavillon neutre couvre la marchandise ennemie à l'exception de la contrebande de guerre;

3° La marchandise neutre, à l'exception de la contrebande de guerre, n'est pas saisissable sous pavillon ennemi;

4° Les blocus, pour être obligatoires, doivent être effectifs, c'est-à-dire maintenus par une force suffisante pour interdire réellement l'accès du littoral à l'ennemi.

ART. 3. Afin d'empêcher la contrebande de guerre, le Gouvernement Ottoman usera du droit de visite tant en haute mer que dans les eaux Ottomanes, et lors du passage par les détroits des navires neutres en destination d'un port Russe ou d'un point de la côte occupé par l'ennemi, ou même, en cas de suspicion, en destination d'un port Ottoman ou neutre.

ART. 4. Les dispositions de la présente décision entreront immédiatement en vigueur. Elle sera portée à la connaissance de tous les intéressés par une communication officielle adressée aux représentants étrangers résidant à Constantinople, par la publication dans le journal officiel de l'Empire et par télégramme transmis aux chefs-lieux des vilayets.

Sublime Porte, le $\frac{19 \text{ Avril,}}{1\text{er Mai,}}$ 1877.

(Translation.)

Decision of the Sublime Porte respecting Russian ships in the Ottoman Empire and the commerce of Neutrals.

Russia having declared war, the Ottoman Government has come to the following decisions:—

ART. 1. A period of five clear days, to date from the notification, on the spot, of the present decision, is accorded to the Russian ships which happened to be in the ports of the Empire on the $\frac{12}{24}$ April 1877, in order to leave the Ottoman waters. With this view a safe conduct shall be given to them, on application, by the Customs authorities to enable them to proceed to the nearest Russian or neutral port, without however authorizing them to pass through the straits from the Mediterranean into the Black Sea, or *vice versâ*.

ART. 2. The Ottoman Government declares its intention of observing the rules of maritime law laid down in the Declaration signed in Paris on the 16th of April 1856, and according to which—

1. Privateering is and remains abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades in order to be binding must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

ART. 3. In order to stop contraband of war the Ottoman Government will exercise the right of visit on the high seas as well as in Ottoman waters, and during the passage through the straits of neutral ships bound for a Russian port or for a part of the coast occupied by the enemy, or even, in case of suspicion, for an Ottoman or neutral port.

ART. 4. The measures consequent on this decision shall immediately come into effect. It shall be notified to all persons interested by an official communication, addressed to the foreign representatives resident at Constantinople, by publication in the official journal of the Empire, and by telegram sent to the capitals of the vilayets.

Sublime Porte, $\frac{\text{April 19,}}{\text{May 1,}}$ 1877.

Sublime Porte.

Instructions données à S. E. Le Serdar Ekrem.

Le $\frac{17}{29}$ *Avril,* 1877.

Le Danube étant considéré comme ligne de défense, les règles concernant le commerce des neutres en mer ne peuvent y recevoir leur application. En conséquence, le commandant des forces est libre de prendre telles mesures qu'il croira convenables pour les opérations militaires. Il a notamment le droit d'interdire la navigation, de retenir et de réquisitionner les navires sauf indemnité, de les obliger à quitter les ports, de leur assigner des ports de refuge et cela sous les peines les plus graves, telles que confiscation du navire et de la cargaison, et, au besoin, en leur appliquant les règles relatives à l'espionnage. Il est, en somme, autorisé à faire à ce sujet telles proclamations qu'il croit nécessaires, pourvu que les mesures qu'il prendra soient réellement dictées par des nécessités de guerre, et aussi pourvu que, dans le cas de confiscation, il renvoie l'affaire devant un conseil spécial qu'il aura soin de désigner d'avance et que sera chargé de rendre une sentence autant qui possible en règle.

Pour les navires qui auront été retenus avant la proclamation régulière de ces mesures et qui par conséquent, ne peuvent être censés avoir contrevenu aux ordres du commandant Ottoman, leurs cargaisons ne peuvent être confisquées, car si elles appartiennent à des sujets Ottomans ou neutres, ceux-ci n'ont encouru aucune peine. Si elles appartiennent à des sujets Russes le gouvernement n'ayant pas admis l'embargo ni la confiscation des biens des sujets Russes en général, on ne saurait appliquer cette mesure exceptionnellement à ceux qui se trouvent sur le Danube.

Le Gouvernement n'est responsable en aucun cas, des pertes que peuvent éprouver les chargeurs, propriétaires des cargaisons ou autres ayants-droit du fait que le navire a été empêché de poursuivre le cours de son voyage, l'empêchement résultant d'une nécessité de guerre et des dangers auxquels le navire et l'équipage seraient exposés en y contrevenant.

En tous cas la contrebande de guerre est saisissable et entraine la confiscation du navire et de toute la cargaison. Le Tribunal chargé de statuer appréciera s'il y a ou non contrebande de guerre.

Les recours contre les jugements du tribunal en question ne seront pas suspensifs; ils seront portés directement et en dernier ressort devant la Cour de Cassation de Constantinople.

Le commandant aura soin de faire connaître les mesures qu'il aura prises à cet effet aux Consulats étrangers, de les publier et les notifier sur place et de les télégraphier immédiatement à Constantinople.

Sublime Porte.

Instructions given to His Excellency the Serdar Ekrem.

$\frac{17}{29}$ *April,* 1877.

The Danube being considered a line of defence, the rules relating to the commerce of neutrals at sea cannot be applied to it. Consequently, the commander of the forces is at liberty to take such measures as he may think expedient for military operations. He has especially the right of stopping navigation, of detaining and requisitioning ships, subject to an indemnity, of obliging them to leave the ports, of assigning to them ports of refuge, all under the severest penalties, such as the confiscation of the ship and cargo, and if necessary by the application to them of the regulations relating to spies. He is, in short, authorised to issue on this point such proclamations as he may deem necessary, provided that the measures which he may take are really dictated by the necessities of war, and also provided that, in case of confiscation, he shall refer the matter to a Special Council, which shall be appointed beforehand, and whose duty it will be to give sentence as far as possible in due form.

As regards ships which shall have been detained before the formal proclamation of these measures, and which consequently cannot be considered to have infringed the orders of the Ottoman commander, their cargoes cannot be confiscated, for if they belong to Ottoman or neutral subjects they have incurred no penalty. If they belong to Russian subjects, since the Government has not admitted the right of embargo or the confiscation of the goods of Russian subjects in general, this measure should not be exceptionally applied to those which happen to be on the Danube.

The Government is under no circumstances responsible for the losses which the shippers, the proprietors of cargoes or other interested parties may incur, from the fact that the ship has been prevented from continuing its voyage, this being the result of the necessities of war, and of the dangers to which the ship and crew would be exposed by an infringement of these rules.

In every case contraband of war is liable to seizure, and involves the confiscation of the ship and all the cargo.

The Tribunal charged to pronounce judgment will decide whether or not there is contraband of war.

Appeals against the judgments of the Tribunal in question will not have the effect of suspending proceedings; they should be brought immediately, and in the last resort, before the Court of Cassation at Constantinople.

The Commandant will be careful to inform the Foreign Consulates of the measures which he has taken with the above view, to publish them and notify them on the spot, and to telegraph them immediately to Constantinople.

No. 1660*G.*—Under Section 8 of Act XV of 1872 [the Indian Christian Marriage Act, 1872], the Governor General in Council is pleased to appoint the Reverend G. Macalister to be a Marriage Registrar in respect of all places within the territory of His Highness the Maharaja of Jeypore, and to grant him a license under Section 9 of the said Act, authorizing him to grant certificates of marriage between Native Christians.

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

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 7th June 1877.

No. 1111.—His Excellency the Right Hon'ble the Governor General in Council has resolved to borrow Two-and-a-half Crores of Rupees for the public service in the following manner.

2. Promissory Notes will be issued for the said amount, bearing interest at the rate of four per centum per annum: the form and conditions of these Notes will be those of the Notes of the Consolidated Transfer Loan of 1842-43, of which Loan they will form a part. No Note will be issued for less than one hundred rupees, or for any amount not being a multiple of one hundred rupees: the Notes will be payable to order, and interest thereon will be paid half-yearly, on the First day of February and the First day of August.

3. Tenders for the whole or part of the above-named sum of Two-and-a-half Crores of Rupees will be received by the Comptroller General from this date to noon of Monday, the Ninth day of July next.

4. Each tender must be addressed, in the form annexed to this Notification, to the Comptroller General, Treasury Buildings, Calcutta, and enclosed in a sealed cover superscribed "Tender for Loan."

5. Tenders will be opened at the Office of the Comptroller General in Calcutta, at noon on Monday, the Ninth day of July next.

6. Accepted tenders must be paid, in five equal instalments, on the following dates:—

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877:

but the whole or any part of any tender may be paid at any time after its acceptance is notified.

7. Interest upon each payment will be paid in advance, from the date when such payment is received, to the 31st January next.

8. Payment of any accepted tender may be made to the account of the Government in one of the Presidency Banks of Bengal, Madras or Bombay, or in any Branch of any of the Presidency Banks, or into any Government treasury or treasuries in India that may be named in the tender.

9. Each tender must be accompanied by a receipt from one of the Presidency Banks of Bengal, Madras or Bombay, or one of their Branches, or from an Officer in charge of some Government treasury, or by a cheque on a banker in Calcutta, Madras or Bombay, or by Government Promissory Notes made payable to the Comptroller General, for not less than one-hundredth part of the tender: this deposit of one per cent. will be treated as in part payment of the last instalment, and will be forfeited if the allotment is not fully taken up: a cash deposit may, after the tender in support of which it is made is accepted, be replaced by a Government Promissory Note.

10. Scrip receipts for instalments paid will be given by the Presidency Banks of Bengal, Madras and Bombay, or their Branches, or by the Officers in charge of the Government treasuries at which payment is made: these receipts will, as soon as possible, be exchanged for Promissory Notes.

11. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and placed upon the table, in a sealed envelope, when the tenders are opened, but will not be declared unless tenders for Two-and-a-half Crores of Rupees are received but not accepted.

12. The rate stated in a tender must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. Tenders at the recorded minimum rate, and at rates above the recorded minimum, will be accepted in the order of the rates tendered, beginning with the highest rate: the amount allotted at the lowest rate at which tenders are accepted, will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders.

14. The names of the persons whose tenders are accepted in whole or in part, will be posted, for general information, at the Presidency Banks of Bengal, Madras and Bombay.

FORM OF TENDER.

I hereby tender for rupees of the Loan advertised in the Notification published in the *Gazette of India* Extraordinary, dated the 7th June 1877, and agree to pay for the same, subject to the conditions notified, at the rate of rupees annas* for every hundred rupees allotted to me.

* Fractions of an anna not allowed.

I enclose a *deposit receipt*† for rupees , and engage, if my offer be accepted, to pay to the account of the Government at the Presidency Bank of‡ [or at the Branch of the Bank of ; or into the Government treasury at‡ as the case may be] the first instalment on or before Monday, the 23rd day of July next, and the several later instalments on or before the dates fixed by the Notification, as follows:—

† Or cheque or Government Promissory Note.

‡ Here enter the name of bank or treasury.

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877.

NOTES.—(1).—*A separate tender must be made at each rate tendered, and a separate deposit must accompany each tender. In order to avoid mistakes, it is desirable that the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English.*

(2).—*This Notification will be published, simultaneously, by the Secretary of State for India, in London.*

SEPARATE REVENUE—STAMPS.

The 9th June 1877.

No. 1150.—In exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the duties chargeable under the said Act on tenders for any portion of the loan advertised in the *Gazette of India* Extraordinary of the 7th June 1877.

PENSIONS, GRATUITIES, &c.

The 22nd June 1877.

No. 1480.—The Governor General in Council directs the publication of the following Addenda and Corrigenda to the Codes of the Financial Department:—

CIVIL PENSION CODE.

Section 85 *page* 47).

INSERT THE FOLLOWING NOTES UNDER THIS SECTION:—

Note. (1). This Rule applies to ordinary not to special cases. If, under special circumstances, a pension is granted long after an officer has retired, retrospective effect should not be given to it, without the special orders of the Government granting it, in the absence of which special orders, such a pension will take effect only from the date of sanction.

(2). With reference to Section 92 of this Code, a pension should, under no circumstances, be paid, for the first time, in arrears for more than six months, without the special orders of the Local Government.

ACTING ALLOWANCE CODE.

Section 2 (*b*) (*page* 224).

INSERT THE FOLLOWING AS *Example* (2):—

Example (2). The acting allowance of an officer officiating in an appointment the pay of which has been reduced with effect from the next succession thereto, is calculated upon the reduced pay.

Section 37 (*page* 241).

ADD THE FOLLOWING TO THE LIST IN THIS SECTION:—

"Extra Assistant Superintendent in the Andamans and Nicobars—Rupees 200."

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

MILITARY DEPARTMENT.

Simla, the 22nd June 1877.

APPOINTMENTS AND PROMOTIONS.

No. 553.—The following promotions are made, subject to Her Majesty's approval:—

Corps.	Rank and Names.	To what rank promoted.	From what date.	In whose room.
Cavalry ...	Major (Brevet Colonel) Charles Batchelor.	Lieutenant-Colonel.	1st June 1877...	Lieutenant-Colonel G. A. Galloway, placed on the Retired List.
Cadre of the late 3rd European Light Cavalry.	Captain (Major-General) *Sir* Dighton Macnaghten Probyn, K.C.S.I., C.B., V.C. (*Supy.*)	Major ...		
	Captain E. B. Wake, 21st Hussars.	Major ...		
Infantry ...	Major E. C. Codrington, Staff Corps.	Lieutenant-Colonel.	9th June 1877	Lieutenant-Colonel G. C. Lloyd, retired.
Cadre of the late 57th Native Infantry.	Captain Henry Campbell Garden	Major ...		
Infantry ...	Major John Henry Willoughby Osborne.	Lieutenant-Colonel.	Ditto ...	Lieutenant-Colonel (Major in Staff Corps) E. C. Codrington, removed from the list of Regimental Lieutenant-Colonels.
Cadre of the late 44th Native Infantry.	Captain William Stephen Alexander Lockhart.	Major ...		

No. 554.—BREVET—

Major and Brevet Lieutenant-Colonel Charles Metcalfe MacGregor, C. S. I., Bengal Staff Corps, is promoted to the rank of Colonel by Brevet from the 18th June 1877, under the operation of the Royal Warrant of the 31st January 1859, clauses 8 and 10, subject to Her Majesty's approval.

No. 555.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Herbert Edward Ravenshaw, 63rd Foot, Officiating Squadron Officer, 1st Regiment, Central India Horse,—23rd May 1876.

No. 556.—GARRISON INSTRUCTION STAFF IN INDIA—

Captain G. L. L. Taylor, 2nd Battalion, 16th Foot, Assistant Garrison Instructor, to be Garrison Instructor, *vice* Captain O. W. Braine, 56th Foot, whose tour of staff service has expired.—Dated the 7th June 1877.

Captain G. Poignand, 59th Foot, Assistant Garrison Instructor, to be Garrison Instructor, *vice* Captain H. H. Griffiths, 59th Foot, whose tour of staff service has expired.—Dated the 6th June 1877.

Captain G. T. Morris, Bengal Staff Corps, Squadron Officer, 3rd Bengal Cavalry, to be Assistant Garrison Instructor provisionally, *vice* Lieutenant H. A. Sawyer, Bengal Staff Corps, resigned.—Dated the 29th March 1877.

Captain C. E. Brown, Royal Artillery, to be Assistant Garrison Instructor, *vice* Captain Taylor promoted.—Dated the 14th June 1877.

No. 557.—ARMY COMMISSARIAT DEPARTMENT—
Temporary.

Lieutenant A. G. Yaldwyn, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 2nd class, to officiate as Sub-Assistant Commissary General, 1st class, from 17th May 1877, *vice* Lieutenant-Colonel H. Rowland, Sub-Assistant Commissary General, 1st class, on furlough.

Lieutenant E. C. C. Sandys, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 2nd class, to officiate as Sub-Assistant Commissary General, 1st class, from 20th May 1877, *vice* Captain J. R. Burlton-Bennet, Sub-Assistant Commissary General, 2nd class, and Officiating Sub-Assistant Commissary General, 1st class, on leave.

No. 558.—ORDNANCE COMMISSARIAT DEPARTMENT—

In accordance with the provisions of G. G. O. No. 370 of 1863, paragraph 10, Sub-Conductor James Utting, who was appointed on probation in the Ordnance Commissariat Department in G.G.O. No. 1259 of 1876, is confirmed in the present grade of Sub-Conductor,—5th October 1876.

No. 559.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Lieutenant Samuel Clarke Kennedy to be Captain, *vice* Captain A. Strand, permitted to resign his appointment at his own request.

Lance Corporal Charles Frederick Lazarus* to be Sub-Lieutenant, *vice* Lieutenant S. C. Kennedy, promoted.

* Subject to his passing the prescribed examination in drill.

COMMISSARIAT.

No. 560.—SUPPLIES—

It is hereby notified that such condemned hospital clothing and bedding as can be spared after providing for rags for rifle cleaning, will be issued to the native sick followers of British corps, on the indents of medical officers in charge, subject to the condition that the articles are so distinctly marked as to render it impossible that they can be returned into store.

2. Condemned articles issued to civil dispensaries should also be similarly marked before issue.

EQUIPMENT TABLES.

No. 561.—With reference to G. G. O. No. 747 of 1875, the following alterations are to be made at page 11 of Equipment Tables for 9 pr. M. L. R. batteries of Royal Horse and Field Artillery:—

For "4' 6" square" as the size of flags for Army signalling, read 4' *square*.

For "Lamps, signalling, bull's eye," substitute *Lamps, hand, signalling.*

FURLOUGH AND LEAVE.

No. 562.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Major Thomas Nicholls Walker, Bengal Staff Corps, Wing Commander, 44th (Sylhet) Regiment of Native Infantry,—private affairs, for six months, under Rule IX of the Regulations of 1868.

Captain John Albert Little, Bengal Staff Corps, Executive Engineer, 4th grade, Public Works Department, temporary 3rd grade, Railway, British Burmah,—private affairs, for two years, under Rule IX of the Regulations of 1868.

No. 563.—Lieutenant-Colonel (Brevet Colonel) Benjamin Parrott, Bengal Staff Corps, Superintendent, Reserve Remount Depôt, Hápur, is allowed leave of absence in India for six months, on private affairs, under Rule XXV of the Regulations of 1868, with effect from the 10th July 1877.

No. 564.—With reference to G. G. O. No. 76 of 1877, Lieutenant-Colonel (Brevet Colonel) T. G. Kennedy, Bengal Staff Corps, Commandant, 2nd Punjab Cavalry, Punjab Frontier Force, is permitted to proceed out of India* in view to his spending the residue of his furlough.

* Australia, New Zealand and England.

No. 565.—With reference to G. G. O. No. 36 of 1877, Major S. A. T. Judge, Bengal Staff Corps, Sub-Assistant Commissary General, 2nd class, is granted an extension of leave in India for six months from the 23rd June 1877 on medical certificate, under Rule XXVI of the Regulations of 1868.

No. 566.—The furlough granted to Captain F. H. Hinde, General List, Infantry, Wing Officer, 22nd (Punjab) Regiment of Native Infantry, in G. G. O. No. 306 of 1877, is cancelled at his own request.

No. 567.—The following extract from list No. 10, dated the 25th May 1877, received from the India Office, is published for general information:—

Permitted to return to duty.

Colonel J. Doran, C. B., Staff Corps.

Granted extensions of leave.

Major A. Seagrim, S. C.,	4 mos.,	private affairs.
Captain H. C. Marsh, S. C.,	2 „	urgent private affairs.
Surgeon W. N. Keefer,	3 „	medical certificate.
Colonel E. G. Langmore, S.C.,	3 „	„ „

Retirement.

Surgeon-Major W. E. Caird,—5th June 1877.

ORDNANCE.

No. 568.—STORES—

Erratum.—That portion of G. G. O. No. 285 of 1877, declaring clauses 2916 and 2917 in List of Changes in War Matériel, dated 1st December 1875, applicable to India, is cancelled.

PENSIONS.

No. 569.—The undermentioned out-pensioners of the Royal Hospital at Chelsea are permitted to draw their pensions (which are chargeable to Imperial revenue) in India, from the dates they cease to receive regimental pay:—

James Brady, late 5th Brigade, Royal Artillery,—one shilling per diem.

John Beale, late 1st Battalion, 6th Foot,—one shilling per diem.

George William E. Fowler, late 89th Foot,—one shilling per diem.

David Humphreys, late 44th Foot,—nine pence per diem.

William Chapman, late 1st Battalion, 21st Foot,—one shilling per diem.

RESIGNATIONS.

No. 570.—Lieutenant Patrick Parkinson, East Indian Railway Volunteer Rifle Corps, is, at his own request, permitted to resign from the 14th May 1877.

RETIREMENTS.

No. 571.—Major Henry H. Godwin-Austen, Bengal Staff Corps, Deputy Superintendent, Topographical Survey of India, is permitted to retire from the service on the pension of a Captain. Dated the 12th June 1877.

TRANSFER OF OFFICERS.

No. 572.—The services of Surgeon R. T. Wright, M. D., Officiating Civil Surgeon, Jessore, are placed temporarily at the disposal of the Government of the North-Western Provinces and Oudh.

No. 573.—The services of Lieutenant J. A. C. Wedderburn, Bengal Staff Corps, Wing Officer, 3rd Punjab Infantry, Punjab Frontier Force, are placed temporarily at the disposal of the Government of Fort St. George.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 16th June 1877.

No. 292.—Corporal W. Watson, R.E., Overseer 1st grade, on probation, British Burmah, is permanently appointed in that grade.

No. 293.—The following changes are ordered in the Establishment of Accountants:—

Mr. J. Moran, Accountant 4th grade, on probation, Rajpootana State Railway, is transferred to British Burmah.

Baboo Kader Nath Chatterjee, Accountant 3rd grade, Punjab, is transferred to the Rajpootana State Railway.

Subhadi Lall is appointed an Accountant 4th grade, on probation, and posted to the Rajpootana State Railway.

The 19th June 1877.

No. 294.—Lieutenant-Colonel A. Davidson, R.E., Examiner of Public Works Accounts, Punjab, was, on return from furlough, granted subsidiary leave from 22nd February 1877 to 2nd March 1877.

No. 295.—In modification of Notification No. 143, dated the 27th March 1877, the changes therein ordered in the grading of the undermentioned officers will take effect from the 3rd March 1877 instead of the 5th idem:—

Mr. F. R. Boyce.

Lieutenant-Colonel G. J. Melliss, S.C.

Captain R. A. Sargeaunt, R.E.

Major P. Lambert, R.E.

The 20th June 1877.

No. 296.—The following is re-published for information in the Public Works Department:—

FINANCIAL DEPARTMENT.

NOTIFICATION.—ACCOUNTS.

Simla, the 1st June 1877.

No. 948.

The following Financial despatch from Her Majesty's Secretary of State for India, to His Excellency the Hon'ble the Governor in Council, Bombay, No. 45, dated 19th April 1877, is published for general information:—

"1. I have considered in Council paragraph 2 of your Marine letter dated the 10th February 1877, No. 7, inquiring with reference to my Financial despatch to the Government of India dated the 19th November 1874, No. 598, whether remittances made by mechanics and others in India for the benefit of their families should be payable only to families residing in the United Kingdom."

"2. There are not likely to be many cases in which family money will be required to be issued in a foreign country, and I see no reason why the privilege should not be allowed to persons entitled thereto when the money can be readily paid. I, will be necessary, however, that I should be furnished in all instances in which such payment is

desired, with the name and full address of the person who is to receive the money, and care should be taken that timely notice is given of the date when payment is to cease."

The 21st June 1877.

No. 297.—Lance Corporal J. C. Hare, Probationary Accountant 4th grade, British Burmah, is permitted to revert to military duty at his own request.

No. 298.—Mr. F. Volkers is appointed an Accountant 4th Grade on probation, and posted to British Burmah.

No. 299.—Mr. P. Heyward, Accountant 1st grade, attached to the Office of the Accountant General, Public Works Department, is transferred to the Rajpootana State Railway.

Mr. W. E. Durant, Accountant 3rd Grade, attached to the Indus Valley State Railway, is transferred to the Office of the Accountant General, Public Works Department.

The 22nd June 1877.

No. 300.—Mr. C. Howard is appointed an Accountant 4th grade, on probation, and posted to the Tirhoot State Railway.

No. 301.—Referring to Military Department Notification No. 328 of 2nd April 1877, Lieutenant-Colonel A. R. Bayly, S.C., Executive Engineer 1st grade, Military Works Branch, ceased to belong to the Public Works Department from 12th April 1877.

W. A. CROMMELIN, *Major-Genl., R. E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 26.] SIMLA, SATURDAY, JUNE 30, 1877. [Register No. 33.

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

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SUPPLEMENT No. 26.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 26th June 1877.

No. 22.—Mr. W. F. Agnew, Barrister-at-Law, is appointed to officiate as Reporter for the Indian Law Reports in the High Court, Calcutta, *vice* Mr. J. G. Apcar resigned.

A. PHILLIPS,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 29th June 1877.

No. 567.—Mr. R. Evans is permitted to resign Her Majesty's Bengal Civil Service.

MEDICAL.

The 29th June 1877.

No. 390.—The usual subsidiary leave, preparatory to his obtaining furlough on medical certificate, is granted to Surgeon W. Finden, in joint medical charge of Simla, with effect from the date on which he may have availed himself of such leave.

JUDICIAL.

The 27th June 1877.

No. 1013.—The services of Lieutenant-Colonel P. Wheeler are replaced at the disposal of the Military Department.

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

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATION.

AGRICULTURE AND HORTICULTURE—FAMINE.

Simla, the 26th June 1877.

No. 539.—Surgeon G. Waters, of the Bombay Medical Establishment, was appointed temporarily Medical Attendant to His Excellency the Hon'ble Sir Richard Temple during His Excellency's mission, and held that office from the 27th March to the 30th April 1877.

T. C. HOPE,
Additional Secy. to the Govt. of India.

NOTIFICATIONS.—FORESTS.

Simla, the 26th June 1877.

No. 745*F.*—ERRATUM.—In Notification No. 635, dated the 4th June 1877, granting one year's furlough on medical certificate to Mr. R. N. Anstruther, Assistant Conservator of Forests of the 3rd grade in British Burma—

for "with effect from the 13th ultimo,"

read "with effect from the 12th ultimo."

The 28th June 1877.

No. 752*F.*—Mr. H. Leeds, Deputy Conservator of Forests of the 1st grade in the Central Provinces, reported his arrival at Bombay on the 13th instant, on return from the leave granted to him in Notification No. 225, dated the 10th March 1876.

Mr. Leeds is granted subsidiary leave for two days to enable him to join his appointment at Nagpur.

No. 754*F.*—The Governor General in Council has been pleased to appoint Mr. G. Stratford, Sub-Assistant Conservator of Forests in British Burma, to officiate as an Assistant Conservator of Forests of the 3rd grade, with effect from the 27th April last.

SALT.

The 27th June 1877.

No. 138.—The following is published in substitution of Notification No. 330, dated the 30th November 1876:—

In exercise of the powers conferred by Section 1, Clause 4 of Act VIII of 1875 (for regulating inland customs duties on salt and sugar and for other purposes), the Governor General in Council is pleased to extend the provisions of Section 3 of Chapter I, Chapter III, Chapter V (omitting Section 23), and Chapter VI of the said Act, except so far as the same relate to sugar, to all the districts of the Patna Division in the Lower Provinces of Bengal.

No. 139.—In exercise of the powers conferred by Section 10 of the Inland Customs Act VIII of 1875, the Governor General in Council is pleased to prohibit the manufacture of salt, and the manufacture and refining of saltpetre, throughout all the districts of the Patna Division in the Lower Provinces of Bengal, except in such places, and subject to such conditions in and subject to which such manufacture and refining were lawful on the 10th day of April 1876.

MINERALS AND GEOLOGICAL SURVEY.

The 23rd June 1877.

No. 35.—Mr. T. W. H. Hughes, Assistant of the 2nd grade in the Geological Survey of India, is granted furlough for 1 year 11 months and 25 days with effect from the 1st August next, or from any subsequent date on which he may avail himself of it.

G. H. M. BATTEN,

Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 27th June 1877.

No. 77*J.*—His Excellency the Governor General in Council is pleased to extend the provisions of Act I of 1877 (The Specific Relief Act) and Act III of 1877 (The Indian Registration Act) to the Hyderabad Assigned Districts and to the Cantonment of Secunderabad.

POLITICAL.

The 27th June 1877.

No. 1518*P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. W. Kennedy as Vice-Consul for Denmark at Moulmein.

GENERAL.

The 27th June 1877.

No. 1725*G.*—The following Brigade Order, dated 10th April 1877, issued by the Commandant of the Central India Horse, is confirmed:—

APPOINTMENTS: *1st Regiment*—

Lieutenant A. G. A. Durand, Officiating 3rd Squadron Commander, to officiate as Adjutant, *vice* Lieutenant H. A. Vincent on furlough, with effect from 10th April 1877.

Lieutenant H. E. Ravenshaw, Officiating 2nd Squadron Officer, to officiate as 3rd Squadron Commander, *vice* Lieutenant Durand.

The 29th June 1877.

No. 1776*G.*—The following extract from the "*London Gazette Extraordinary*," dated Saturday, the 5th of May 1877, is published for general information:—

Foreign Office, May 4, 1877.

The following official notification of the blockade of the Russian ports in the Black Sea, issued by the Turkish Government, has this day been received by telegraph from Her Majesty's Ambassador at Constantinople:—

ART. 1. The Ottoman Government declares the whole of the Russian Coast of the Black Sea comprised between Tchuruk Sou on the Asiatic Coast and the Kilia mouth of the Danube, in Turkey in Europe, to be in a state of blockade.

ART. 2. The blockade thus established will take effect from the 5th of May, and will be maintained by a sufficiently powerful Ottoman fleet.

ART. 3. A delay of three days, reckoning from the 5th of May, is granted to all merchant vessels wishing to proceed to one of the blockaded ports, and a delay of five days to those who wish to clear from the same. At the expiration of this delay any vessel endeavouring either to enter or to quit the blockaded waters will be treated as an enemy.

ART 4. As regards the vessels which being on the voyage are ignorant of the state of blockade, the Ottoman fleet, on their arrival in the blockaded waters, shall certify to them the blockade. If after this special notification the ships persist in advancing, they will be considered as an enemy.

No. 1777*G.*—The following extract from the "Supplement to the *London Gazette* of Tuesday, the 1st of May 1877," is published for general information:—

Foreign Office, May 1, 1877.

The following translation of a notification issued on the 24th of April by the Governor of Odessa has been received from Her Majesty's Consul-General at Odessa:—

NOTICE.

In consequence of the laying of mines from noon on the $\frac{13}{25}$th April, the entering and the leaving the port of Odessa will only be allowed on the following conditions:

1. A ship arriving must stop opposite Middle Fountain, where she will be met by Russian officers with crews, who will take command of the ship, having previously ascertained that the ship's papers are in order.

2. The master gives an undertaking for himself personally, and likewise for the crew and passengers, stating that until they enter the port none of them will be on deck, nor follow the course of the ship through the ports or port-holes.

3. A similar undertaking will be taken from the masters of vessels leaving the port.

4. In case of men-of-war cruisers appearing in points of the Bay of Odessa whence they could observe the piloting out of ships, the Russian authorities will require them to withdraw for a certain time to a sufficient distance, in order that the vessels may be piloted out; and until they fulfil this request, unforeseen by international marine law, but indispensably called for by the newest conditions of war with mines, no foreign ship will be allowed to leave the port.

The following telegram has been received from Her Majesty's Ambassador at Constantinople, dated April 28, 1877:—

I have just received following notice from the Porte:—

First. The Dardanelles and Bosphorus are closed both for entrance and exit to all steamers and sailing ships without exception during the night, that is, from sunset to sunrise.

Secondly. The lighthouses in these Straits, with the exception of the two great light houses at the entrance to the Bosphorus, in the Black Sea, and the two lighthouses of Sedal Bahr and Koln Kaleh, on the Dardanelles, will be extinguished. The four above-mentioned lights may also be extinguished by the orders of the military commanders.

Thirdly. The firing of guns, cannon in foggy weather, or an alarm signal, is absolutely forbidden.

T. H. THORNTON,

Offg. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Simla, the 7th June 1877.

No. 1111.—His Excellency the Right Hon'ble the Governor General in Council has resolved to borrow Two-and-a-half Crores of Rupees for the public service in the following manner.

2. Promissory Notes will be issued for the said amount, bearing interest at the rate of four per centum per annum: the form and conditions of these Notes will be those of the Notes of the Consolidated Transfer Loan of 1842-43, of which Loan they will form a part. No Note will be issued for less than one hundred rupees, or for any amount not being a multiple of one hundred rupees: the Notes will be payable to order, and interest thereon will be paid half-yearly, on the First day of February and the First day of August.

3. Tenders for the whole or part of the above-named sum of Two-and-a-half Crores of Rupees will be received by the Comptroller General from this date to noon of Monday, the Ninth day of July next.

4. Each tender must be addressed, in the form annexed to this Notification, to the Comptroller General, Treasury Buildings, Calcutta, and enclosed in a sealed cover superscribed "Tender for Loan."

5. Tenders will be opened at the Office of the Comptroller General in Calcutta, at noon on Monday, the Ninth day of July next.

6. Accepted tenders must be paid, in five equal instalments, on the following dates:—

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877:

but the whole or any part of any tender may be paid at any time after its acceptance is notified.

7. Interest upon each payment will be paid in advance, from the date when such payment is received, to the 31st January next.

8. Payment of any accepted tender may be made to the account of the Government in one of the Presidency Banks of Bengal, Madras or Bombay, or in any Branch of any of the Presidency Banks, or into any Government treasury or treasuries in India that may be named in the tender.

9. Each tender must be accompanied by a receipt from one of the Presidency Banks of Bengal, Madras or Bombay, or one of their Branches, or from an Officer in charge of some Government treasury, or by a cheque on a banker in Calcutta, Madras or Bombay, or by Government Promissory Notes made payable to the Comptroller General, for not less than one-hundredth part of the tender: this deposit of one per cent. will be treated as in part payment of the last instalment, and will be forfeited if the allotment is not fully taken up: a cash deposit may, after the tender in support of which it is made is accepted, be replaced by a Government Promissory Note.

10. Scrip receipts for instalments paid will be given by the Presidency Banks of Bengal, Madras and Bombay, or their Branches, or by the Officers in charge of the Government treasuries at which payment is made: these receipts will, as soon as possible, be exchanged for Promissory Notes.

11. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and placed upon the table, in a sealed envelope, when the tenders are opened, but will not be declared unless tenders for Two-and-a-half Crores of Rupees are received but not accepted.

12. The rate stated in a tender must not contain a fraction of an anna; if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out, and the tender treated as if the rate did not contain such fraction of an anna.

13. Tenders at the recorded minimum rate, and at rates above the recorded minimum, will be accepted in the order of the rates tendered, beginning with the highest rate: the amount allotted at the lowest rate at which tenders are accepted, will be divided amongst those who have tendered at this rate, in proportion, as nearly as may be found convenient, to the amounts of their tenders.

14. The names of the persons whose tenders are accepted in whole or in part, will be posted, for general information, at the Presidency Banks of Bengal, Madras and Bombay.

FORM OF TENDER.

I hereby tender for rupees of the Loan advertised in the Notification published in the *Gazette of India* Extraordinary, dated the 7th June 1877, and agree to pay for the same, subject to the conditions notified, at the rate of rupees annas* for every hundred rupees allotted to me.

* Fractions of an anna not allowed.

I enclose a *deposit receipt*† for rupees , and engage, if my offer be accepted, to pay to the account of the Government at the Presidency Bank of‡ [or at the Branch of the Bank of ; or into the Government treasury at‡ as the case may be] the first instalment on or before Monday, the 23rd day of July next, and the several later instalments on or before the dates fixed by the Notification, as follows:—

† Or cheque or Government Promissory Note.

‡ Here enter the name of bank or treasury.

One-fifth on Monday, the 23rd day of July 1877:
One-fifth on Thursday, the 23rd day of August 1877:
One-fifth on Monday, the 24th day of September 1877:
One-fifth on Tuesday, the 23rd day of October 1877:
One-fifth on Friday, the 23rd day of November 1877.

NOTES.—(1).—*A separate tender must be made at each rate tendered, and a separate deposit must accompany each tender. In order to avoid mistakes, it is desirable that the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English.*

(2).—*This Notification will be published, simultaneously, by the Secretary of State for India, in London.*

SEPARATE REVENUE—STAMPS.

The 9th June 1877.

No. 1150.—In exercise of the powers conferred by Section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the duties chargeable under the said Act on tenders for any portion of the loan advertised in the *Gazette of India* Extraordinary of the 7th June 1877.

ACCOUNTS AND FINANCE.

The 29th June 1877.

No. 1606.—Mr. G. H. R. Hart is appointed to officiate as Assistant Accountant General, Bombay, during the absence on furlough of Mr. Tudor G. Trevor, or until further orders.

Moung Hla Oung is appointed to officiate as Assistant to the Comptroller General with effect from the 10th May 1877.

MINT AND CURRENCY.

The 29th June 1877.

No. 1608.—*Silver received and coined in the Mints at Calcutta and Bombay during the calendar year* 1877:—

	Bullion or Coin received.		Coined and examined.
	From the Paper Currency Department and (petty amounts) from Government Officers.	From Merchants.	
In the month of May 1877—	Rs.	Rs.	Rs.
Calcutta	7,04,372	..	28,49,823
Bombay	60,63,431	..	1,07,97,300
TOTAL ..	67,67,803	..	1,36,47,123
First five months—			
Calcutta	99,81,250	731	1,84,52,617
Bombay	3,61,01,078	..	3,69,07,040
TOTAL ..	4,60,83,228	731	5,03,59,657

Imports and Exports of Gold and Silver during the calendar year 1877.

	Gold.			Silver.			Total.		
	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.	Imports.	Exports.	Net Imports.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
In the month of May ..	15,04,663	2,78,400	12,26,263	1,04,80,398	12,46,540	91,83,858	1,19,85,061	15,24,940	1,04,10,121
First five months ..	90,72,195	3,31,526	87,40,669	4,12,71,965	63,30,645	3,49,41,320	5,03,44,160	66,62,171	4,36,81,989

PENSIONS, GRATUITIES, &c.

The 29th June 1877.

No. 1609.—The Governor General in Council directs the publication of the following Addenda and Corrigenda to the Codes of the Financial Department:—

CIVIL PENSION CODE.

SUPPLEMENT C.

SECTION 3, RULE 3 (PAGE 106).

Add the following:—

"A Chaplain of the Church of Scotland serving in the Bengal Presidency, who wishes to obtain pension from the authorities in India, must submit his application to the Government of India in the Home Department, if he is not Senior Chaplain, through the Senior Chaplain of the Church of Scotland. A Chaplain of the Church of Scotland serving in Madras or Bombay must submit his application to the Government of Madras or Bombay, as the case may be, if he is not Senior Chaplain, through the Senior Chaplain of his Presidency."

RULE 7 (PAGE 55).

Substitute the following for this Rule:—

7. Except as provided in Rules 1, 2 and 3, an officer who, having been discharged with a pension or gratuity, is subsequently re-employed, may not count his new service for a separate pension or gratuity. Pension or gratuity is in any case admissible only for the new service combined with the old, the whole being counted as one service. Provided, however, that if a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service on condition that the amount of such gratuity, or the present value of such pension calculated according to Table A in Appendix E, plus the amount of the previous gratuity, shall not exceed the amount of gratuity, or the present value of the pension calculated according to Table A in Appendix E, that would have been admissible had the gratuity received for the earlier service been refunded. If the amount of such gratuity, or the present value of such pension, plus the amount of the previous gratuity, exceeds the amount of gratuity, or the present value of the pension that would have been admissible if the gratuity receive for the earlier service had been refunded, the excess must be disallowed.

Examples to the Proviso:—

1. A. B., after a service of 8 years, received a gratuity of Rs. 4,800. A. B. was re-employed but did not refund the gratuity. After serving for 5 years, A. B. becomes eligible for an invalid gratuity of Rs. 3,000. If A. B. had refunded the gratuity for the earlier service, he would have been entitled to a gratuity of Rs. 7,200. As the gratuity admisible for the new service, plus the gratuity received for the earlier service, exceeds the gratuity which would have been admissible to A. B. if the gratuity for the earlier service had been refunded, A. B. is entitled to receive a gratuity of Rs. 3,000 minus Rs. 600 which is the excess.
2. C. D. obtained a gratuity of Rs. 4,000 after a service of 8 years. C. D. was re-employed but did not refund the gratuity. After serving for 16 years, C. D. at the age of 48 years becomes eligible for an invalid pension of Rs. 150 a month. If C. D. had refunded the gratuity for the earlier service he would have been entitled to a pension of Rs. 150 a month. The present value of the pension of Rs. 150 (Rs. 18,971-14-0) plus the gratuity received for the earlier service is equal to Rs. 22,971-14-0, and as this is in excess of the present value of the pension by Rs. 4,000, the excess should be disallowed. C. D. will therefore be entitled to a pension of which the present value is Rs. 14,971-14-0, or a pension of Rs. 118-5-11 a month.
3. E. F. is removed after a service of 10 years with a gratuity of Rs. 3,000. E. F. was re-employed but did not refund the gratuity. After serving for 20 years, E. F. at the age of 56 years becomes eligible for a superannuation pension of Rs. 150 a month. If E. F. had refunded the gratuity for the earlier service he would have been entitled to a superannuation pension of Rs. 225 a month. The present values of the pension of Rs. 150 and Rs. 225 are respectively Rs. 16,092-3-0 and Rs. 24,138-4-6. The present value of the pension of Rs. 150, plus the amount of the gratuity received for the earlier service, does not exceed the present value of the pension that would have been admissible if the gratuity for the earlier service had been refunded. E. F. is therefore entitled to the pension of Rs. 150 a month.

CIVIL LEAVE CODE.

SECTION 4 (PAGE 118).

Insert the following as case (k) :—

(*k*). When the leave allowances of an officer are said to be chargeable to several accounts according to the "rule of proportions," the meaning is that the charge should be debited to such several accounts in the proportions in which the aggregate salary drawn by the officer in the course of the three years immediately preceding the beginning of his leave, was charged to such several accounts.

SECTION 36 A.

Substitute the following for this Section :—

Section 36 *A*. The leave allowances of an officer, who in the course of the three years immediately preceding the beginning of his leave has served in any appointment, the pay or salary of which has been derived either wholly or in part otherwise than from Indian Revenues, shall be charged according to the "rule of proportions." This rule does not however apply to an officer who has made a contribution under Section 38 of the Civil Pension Code for the cost of his leave, or who is specially exempted from the operation of that section. Nor does this rule apply to a Military officer who vacates his appointment in the Civil Department when going on leave and reverts to the Military Department: in this case the leave allowance is charged to the Military Department.

ACTING ALLOWANCE CODE.

CHAPTER IX (PAGE 236).

Add the following Section to this Chapter :—

Section 28*A*. Section 28 does not apply to the case of an officer the pay of whose appointment is changed during his tenure of office. In such case if the new pay is progressive, the officer is not entitled to the first increment on his old pay till a year after the date of the order sanctioning the increase.

Examples.—(1). The pay of A. B.'s appointment is Rs. 300: on the 1st July 1876 it is changed to Rs. 250 rising by five annual increments of Rs. 20 a month to Rs. 350. A. B is entitled to Rs. 320 from the 1st July 1877.

(2). The pay of C. D.'s appointment is Rs. 200 rising by five equal annual instalments to Rs. 300. C. D.'s pay has been Rs. 300 for five years. The pay of the appointment is changed by an order dated 1st July 1876 to Rs. 250 rising by five equal annual instalments to Rs. 350. C. D. is entitled to Rs. 320 from the 1st July 1877.

R. B. CHAPMAN,

Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 29th June 1877.

APPOINTMENTS AND PROMOTIONS.

No. 574.—COLONEL'S ALLOWANCE—

The undermentioned officer of the Bengal Staff Corps, having completed twelve years' service in the rank of Lieutenant-Colonel, is admitted to the Colonel's allowance, with effect from the date specified, under the operation of G. G. O. No. 808 of 1866, paragraph 61, Clause 5:—

Lieutenant-Colonel (Brevet Colonel) Andrew Macqueen,—18th June 1877.

No. 575.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Captain John Mowbray Trotter, General List, Infantry, Deputy Assistant Quartermaster General, Peshawur district,—29th June 1877.

Lieutenant Henry Richard Marrett, 1st Battalion, 14th Foot, Wing Officer 24th (Punjab) Regiment of Native Infantry,—23rd May 1876.

No. 576.—The undermentioned officer, having completed twenty years' service, including six years in the Staff Corps, is promoted to the rank of Major from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Captain (Brevet Major) George Campbell Ross, Bengal Staff Corps,—19th June 1877.

No. 577.—BREVET—

The undermentioned officers of the Staff Corps, having completed five years' service as substantive Lieutenant-Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant-Colonel Walter Douglas, Madras Staff Corps.
Lieutenant-Colonel George Andrew Walker, Madras Staff Corps. } 23rd June 1877.

No. 578.—LONDON GAZETTE—

The following extracts are published for general information:—

"*London Gazette*," 18*th May* 1877, *page* 3215.
India Office, 16*th May* 1877.

Her Majesty has been pleased to approve of the following admissions to the Staff Corps, made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant S. C. F. Peile, 109th Foot. Dated 12th October 1875.

Lieutenant E. D. H. Daly, 15th Hussars. Dated 12th October 1875.

Lieutenant C. Hogge, 22nd Foot. Dated 30th December 1875.

"*London Gazette*," 22*nd May* 1877, *page* 3267.
War Office, Pall Mall, 22*nd May* 1877.

The honorary rank of Lieutenant conferred on Deputy Assistant Commissary George Blake, Warrant Officer, Bengal Establishment, to be dated 15th July 1875, instead of 31st January 1877, as stated in the *Gazette* of 30th January 1877.

* * * * *

The undermentioned officers of Her Majesty's Indian Military Forces have been granted a step of honorary rank on retirement. Dated 23rd May 1877:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel John Fendall, Bengal Staff Corps.

Lieutenant-Colonel and Brevet Colonel Alexander George Davidson, Madras Staff Corps.

Lieutenant-Colonel and Brevet Colonel James Davidson, Madras Staff Corps.

To be Colonel.

Lieutenant-Colonel James Allardyce, Madras Staff Corps.

The undermentioned Warrant Officers, Madras Establishment, to have the honorary rank of Lieutenant, but to be junior of that rank for one year:—

Deputy Assistant Commissary John Wolfe. Dated 3rd March 1876.

Deputy Assistant Commissary John Harvey. Dated 16th October 1876.

No. 579.—ARMY COMMISSARIAT DEPARTMENT—

Major N. R. Burlton, Deputy Assistant Commissary General, 2nd class, and Officiating Deputy Assistant Commissary General, 1st class, to be Deputy Assistant Commissary General, 1st class.
Major H. D. E. W. Chester, Sub-Assistant Commissary General, 1st class, and Officiating Deputy Assistant Commissary General, 2nd class, to be Deputy Assistant Commissary General, 2nd class.
Major S. A. T. Judge, Sub-Assistant Commissary General, 2nd class, to be Sub-Assistant Commissary General, 1st class.
Lieutenant C. S. Hogge, Sub-Assistant Commissary General, 3rd class, and Officiating Sub-Assistant Commissary General, 1st class, to be Sub-Assistant Commissary General, 2nd class.
} From 18th June 1877, *vice* Colonel A. Macqueen, Deputy Assistant Commissary General, 1st class, who vacates on succeeding to the Colonel's allowance.

No. 580.—ARMY REMOUNT DEPARTMENT—

Temporary.

Lieutenant-Colonel H. C. Smith, Junior Superintendent, to officiate as Senior Superintendent, Reserve Remount Depôts.
Major T. F. C. Rochfort, Senior Assistant Superintendent, to officiate as Junior Superintendent, Reserve Remount Depôts.
Captain L. F. Jamieson, Junior Assistant Superintendent, to officiate as Senior Assistant Superintendent, Reserve Remount Depôts.
} From 10th July 1877, *vice* Colonel B. Parrott, on leave.

No. 581.—MEDICAL DEPARTMENT—

Deputy Surgeon-General J. Lamprey, M.B., Army Medical Department, is brought on the Administrative Staff of the British Medical Service in Bengal, *vice* Deputy Surgeon-General N. H. Stewart, M. D., deceased.

Dr. Lamprey is appointed to the medical superintendence of the Lahore circle, with effect from the date on which he may take up the duties of the office.

Surgeon-Major J. Hendley, Army Medical Department, to be Superintending Surgeon-Major, Presidency circle, from the date on which he may take up the duties of the office, *vice* Deputy Surgeon-General Lamprey, M.B.

No. 582.—PUNJAB FRONTIER FORCE—

2nd Punjab Cavalry.

Lieutenant G. W. Younghusband, 34th Foot, a candidate for the Bengal Staff Corps, to be Officiating Squadron Officer, on probation.

No. 583.—NATIVE ARMY—

ERRATUM.—In G. G. O. No. 453 of 1877, for "38th (The Agra) Regiment of Native Infantry" read 41*st* (*The Gwalior*) *Regiment of Native Infantry*.

FURLOUGH AND LEAVE.

No. 584.—The undermentioned officers are granted furlough to Europe, with the necessary subsidiary leave:—

Surgeon Denis Francis Keegan, M.D., in medical charge, 2nd Regiment, Central India Horse,—urgent private affairs, for six months, under Rule XI of the Regulations of 1868.

Lieutenant Annesley John Garrett, Bengal Staff Corps, Wing Officer, 3rd Infantry, Hyderabad Contingent,—private affairs, for two years, under Rules IX and XV of the Regulations of 1868.

PAY AND ALLOWANCES.

No. 585.—PAY CODE—

The following corrections are to be made in the Pay Code for India, Volume I, "British Troops":—

Article 134, clause *h*, page 45.—Restore the words "Repairs of arms" in the fourth line, for which the word "Ditto" was substituted by G. G. O. No. 287 of 1877.
G. L. Nos. 678-9S of 23rd May 1877.

To the entry in the ninth line, *viz*., "For care and repair of rifled carbines," &c., *add* the words "Not applicable to Bombay."
G. L. Nos. 678-9S of 23rd May 1877.

Article 1670.—*Add* "Substantive promotions may, however, be made to fill vacancies in the establishment of non-commissioned officers of regiments caused by death, reduction to the ranks, &c., irrespective of any supernumeraries there may be at the depôts."
G. L. Nos. 1193-6 of 21st March 1877.

Article 474.—In the ninth line after the word "circumstances" *add* "when, from special temporary causes, the number of field officers in large garrisons falls below the number that can properly be called on to perform the roster of garrison duty."
G. L. Nos. 113-16C, dated 4th April 1877.

To the note at foot of page 316, *add*—

"Lance ranks in receipt of pay as such, are to be posted for duty with the service companies only, and are not to form portion of the establishment of depôts."
G. L. Nos. 376-9 of 21st May 1877. G. O. No. 79 of 1877.

Article 1734, clause XV, page 330.—Immediately below the entry commencing "Station butcher," &c., &c., insert the following:—

"For the care of a fire-engine in possession of a British regiment. The allowance will only be passed when one man (or more) is actually employed in the regiment to look after the engine and its appurtenances, ... Rs. 2-0-0."

G. L. Nos. 390-4S of 30th April 1877.

Article 93.—Expunge the parenthetical sentence "(if an officer of the British army)" after the words "Brigade Major."

G. G. O. No. 420 of 1877.

Article 100 and foot-note appertaining thereto is cancelled.

G. G. O. No. 420 of 1877.

At foot of page 314, enter "Rs. 60-0-0" and "Rs. 58-9-6" as the *gross* and *net* pay, respectively, for a month of 30 days, of Orderly-room clerk after five years' uninterrupted service, &c.

G. G. O. No. 1007 of 1876.

Article 1447*a*.—*Add* "A warrant officer on furlough receives half the emoluments of his office calculated in the same manner as those of a commissioned officer; no warrant officer, however, receiving as furlough pay, less than the English furlough pay of his rank."

G. G. O. No. 440 of 1877.

Article 1448A, clause *a*.—*Add* "The allowance is also admissible whilst proceeding to take over, and returning after having made over charge, provided the warrant officer marches at his own expense."

G. L. Nos. 893-4S of 30th May 1877. Madras Pay Code, section XVII, para. 43.

Article 1595, page 300.—In the column of "Staff pay for any month" *enter* Rs. 5-0-0 opposite "Sergeants" "Corporals" "Privates" of the Governor's band, Bombay, and in the column of "Remarks" *enter* "Eligible for good conduct pay."

G. L. Nos. 316-17S of 14th June 1877.

Article 1327.—In the first line, *for* "These loans" *substitute* "One-half of this loan (article 1326)." At the end of the article, *add* the following:—

Bombay G. G. O. No. 336 of 1877.

"The payment of a loan in England will only be made on the subscriber undertaking, at the time of applying for it, to refund the same at the India Office, with interest, within two months from the date of advance in the event of his wife or children, as the case may be, not proceeding to India. Recoveries on account of loans paid in England will be commenced from the first issue of pay after the receipt of advice of the issue of the loan."

Article 1043G.—In the fourth line, after the words "accruing furlough" *insert* the words "and will not count as service for pension."

G. G. O. No. 480 of 1877.

Article 1078.—The last sentence is cancelled and the following substituted:—"The issue of the above rates will be regulated by substantive rank in the case of a combatant officer, and by relative rank in the case of a medical officer or veterinary surgeon."

G. G. O. No. 482 of 1877.

Article 1081 is cancelled, and the following substituted:—

"1081.—After the receipt of the order recalling an officer from India, consequent on his promotion, transfer, or removal under any circumstances, or on the expiration of his tour of service, he should be required to proceed to England by the first available opportunity, in a troop-ship or other vessel according to the season of the year; and in the case of a regimental officer, or a medical officer not on the administrative staff, he should remain at his station on the pay and Indian allowances (which will include the British pay of advanced rank, if promoted) he was drawing when the order reached him, until it is necessary for him to proceed to the port of embarkation to ensure his arriving there in time. But the Indian allowances in question cannot be admitted unless the officer proceeds, as above, by the first available opportunity, nor under circumstances which involve a double payment, *viz.*, to the officer proceeding to England, and to his successor who may have already come out to relieve him; in such cases British pay only of rank will be passed.

G. G. O. No. 482 of 1877.

Should an officer be absent on leave in India when the order necessitating his removal from the Indian establishment is received at his regiment or station, he will cease to draw Indian allowances from the date of the general order notifying the arrangement, but will be granted the personal allowance until his departure from the country, provided he proceeds to the port of embarkation with the least practicable delay.

The provisions of this article are not applicable to a general officer, or to a surgeon-general and deputy surgeon-general, whose pay and allowances prior to embarkation, after removal from the Indian establishment, or on the expiration of tour of service, are regulated by separate rules.

The journey should be so timed that no unnecessary detention shall take place at the port of embarkation.

As a rule, detention at ports should not exceed three clear days"

Insert the following article:—

"1084*a*. The provisions of articles 1078—1084 are not applicable to an officer who, on being struck off Indian allowances, is not entitled to British pay."

G. G. O. No. 482 of 1877, para. 12.

Article 368, clause *i*, page 89.—The second sentence of this clause is reconstructed as follows:—

"for the period that may intervene between the date of receipt of the order and the date on which he must leave his station to catch the first troop-ship in which he could possibly sail, provided that he performs regimental duty during the time and that no double charge devolves on the State—see article 1081."

Secretary of State's No. 165 of 14th August 1872. G. O. No. 114 of 1872. Secretary of State's No. 118 of 19th June 1873. G. G. O. No. 482 of 1877, para. 6.

Article 124, page 42.—In foot-note *a*, *for* "Rs. 95" *substitute* "Rs. 65;" at page 43, in foot-note *c*, *for* "Nusseerabad Rs. 90, Deesa Rs. 90, Poona Rs. 80," *substitute* "Nusseerabad Rs. 80, Deesa Rs. 80, Poona Rs. 130."

Bombay G. G. O. No. 219 of 1877. Bombay G. G. O. No. 219 of 1877.

No. 586.—The following corrections are to be made in the Pay Code for India, Volume II, "Native Troops":—

Articles 260 and 403. Expunge the words "artillery and."

Bombay G. G. O. No. 752 of 1875.

Insert the following article at page 128, immediately above the heading "Hutting money":—

"615*a*. Furlough at the rate of ten per cent. annually, is allowed to the 4 tindals and 46 store lascars permanently located and attached to the Royal Artillery at Aden."

G. L. No. 722-4 of 24th May 1877.

Insert the following at page 132, immediately above the heading "Transport and travelling":—

"635*a*. Free rations on boardship are allowed to tindals and store lascars permanently located at Aden, when proceeding and returning from furlough—article 615*a*."

G. L. No. 722-4 of 24th May 1877.

Article 636. Insert the following additional clause:—

"*d*. To tindals and store lascars permanently located at Aden (article 615*a*), when proceeding on and returning from furlough."

G. L. No. 722-4 of 24th May 1877.

Article 20. Substitute "32" for "24" as the scale of pension boys attached to the Sappers and Miners.

G. L. No. 461 of 25th May 1877.

Article 559, page 115. To foot note *o add*—

"A similar allowance (Rs. 2 monthly) is granted to one syce per troop, appointed jemadar of syces."

G. L. No. 181-4S of 9th June 1877.

Insert the following article at page 24:—

"95 *a*. A native aide-de-camp when moving on duty, by whatever mode of travelling, is allowed transport at the public expense on the scale provided for a British subaltern officer."

G. L. No. 428-31 of 24th May 1877.

Article 209. Enter the following additional clause *after* the "Note":—

Madras Pay Code, Section IX, Article 51, and G.G.O. No. 330 of 1864. | "At whatever station within or beyond the frontier, serving or residing." | Recruit and pension boys. | When the price exceeds one rupee for 18⅔ Madras measures in the proportion of 4½ Madras measures of rice per boy per diem."

Article 34, page 5. At the end of the article, add the words "—but see article 488."

Article 488, page 96. After the words "as regards pension" insert the words "except in special and deserving cases where there are breaks in a man's service, which may be submitted for the consideration of government."

G. L. No. 1105-5 A, of 19th March 1877.

PENSIONS.

No. 587.—Naick Ala Meer, 20th (Punjab) Regiment of Native Infantry, is granted a pension of four rupees per mensem from the date of his discharge, payable in the Punjab circle.

No. 588.—The undermentioned men of the Punjab Frontier Force are transferred to the Invalid Pension Establishment:—

Serial No.	Rank.	Names.	In what rank pensioned.	Amount of pension.	Circle of payment.
		4th Punjab Cavalry.		Rs.	
	Sowar ...	Kishen Singh ..	Sowar ..	4	Punjab.
	,, ...	Sahib Khan ..	,, ..	4	,,
	,, ...	Ausan Singh ..	,, ..	4	Presidency.
	,, ..	Maha Singh ..	,, ..	4	Punjab.

No. 589.—Jemadar Syce Gholam Hussun, No. 1 Mountain Battery, Punjab Frontier Force, is granted a pension of Rs. 3-0-0 per mensem from the date of his discharge, payable in the Punjab circle.

RETIREMENTS.

No. 590.—Deputy Surgeon-General James Pattison Walker, M. D., is permitted to retire from the service on a pension of £550 per annum, with the additional pension of £250, under the provisions of paragraph 37 of G. G. O. No. 1060 of 1864, from the 22nd June 1877.

TRANSFER OF OFFICERS.

No. 591.—The services of Surgeon A. E. R. Stephens, attached to the 16th (The Lucknow) Regiment of Native Infantry, are placed temporarily at the disposal of the Home Department, with effect from the 1st May 1877.

No. 592.—The services of Lieutenant I. MacIvor, 3rd Hussars, a candidate for the Bengal Staff Corps, are placed at the disposal of the Foreign Department.

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

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 23rd June 1877.

No. 302.—Corporal G. Grey, R. E., Overseer 1st grade, Assam, is permitted to revert to military duty at his own request.

The 29th June 1877.

No. 303.—The Governor General in Council is pleased to make the following *temporary* promotions in the Railway Branch of the Public Works Department, with effect from the dates specified :—

This supersedes Public Works Department Notification No. 279, dated 8th June 1877.

Names.	Present grade.		Grade to which promoted.		With effect from		
					1876.		
Blood, B. W. ...	Exe. Engr.	4th	Exe. Engr.	3rd	April	20	*Vice* Mr. G. R. Clark, promoted.
Addis, H. B. ...	Asstt. „	1st	„ „	4th	„	20	
McCudden, E. G. J. ...	„ „	2nd	Asstt. „	1st	„	20	
Downing, Major A. E., *B.I.*	Exe. „	3rd	Exe. „	2nd	„	20	*Vice* Mr. J. W. Buyers, on furlough.
Swappe, C. ...	„ „	4th	„ „	3rd	„	20	
Floyd, W. C. L. ...	Asstt. „	1st	„ „	4th	„	20	
Mehtab Chunder Mullick...	„ „	2nd	Asstt. „	1st	„	20	
Lloyd, J. A. D. ...	„ „	1st	Exe. „	4th	May	17	*Vice* Mr. W. C. Hennessey, on furlough.
Peel, W. deW. ...	„ „	2nd	Asstt. „	1st	„	17	
Croudace, C. H. ...	Exe. „	4th	Exe. „	3rd	June	1	*Vice* Capt C. E. Shepherd, on furlough.
Campion, J. M. ...	Asstt. „	1st	„ „	4th	„	1	
Baxter, B. ...	„ „	2nd	Asstt. „	1st	„	1	
Bagley, F. R. ...	„ „	2nd	„ „	1st	„	30	*Vice* Mr. W. A. Bell, on furlough.
Birkenshaw, J. F. ...	„ „	1st	Exe. „	4th	August	15	*Vice* Mr. T. W. Miles, temporarily transferred to Foreign Department.
Bagley, F. R. ...	„ „	2nd	Asstt. „	1st	„	15	
Taylor, W. B. ...	Exe. „	4th	Exe. „	3rd	September	16	*Vice* Mr. W. Quarry, deceased.
Wiseman, W. ...	Asstt. „	1st	„ „	4th	„	16	
Braham, F. S. ...	„ „	2nd	Asstt. „	1st	„	16	
Sedgwick, Captain W., *R.E.*	Exe. „	4th	Exe. „	3rd	October	8	*Vice* Mr. W. B. Taylor, on furlough.
Gilchrist, W. G. ...	Asstt. „	1st	„ „	4th	„	8	
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	8	
Bagley, E. R. ...	„ „	2nd	„ „	1st	November	17	*Vice* Mr. W. K. Stent, promoted.
Luff, J. M. ...	Exe. „	2nd	Exe. „	1st	„	23	*Vice* Mr. J. L. Gallott, on furlough.
Downing, Major A. E., *B.I.*	„ „	3rd	„ „	2nd	„	23	
Croudace, C. H. ...	„ „	4th	„ „	3rd	„	23	
Birkenshaw, J. F. ...	Asstt. „	1st	„ „	4th	„	23	
Braham, F. S. ...	„ „	2nd	Asstt. „	1st	„	23	
Braham, F. S. ...	„ „	2nd	„ „	1st	December	1	*Vice* Lieutenant H. S. F. Haynes, R. E., on furlough.
Croudace, C. H. ...	Exe. „	4th	Exe. „	3rd	„	1	*Vice* Mr. J. R. Bell, promoted.
Birkenshaw, J. F. ...	Asstt. „	1st	„ „	4th	„	1	
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	1	
Downing, Major A. E., *B.I.*	Exe. „	3rd	Exe. „	2nd	„	19	*Vice* Mr. T. B. Walker, on furlough.
Croudace, C. H. ...	„ „	4th	„ „	3rd	„	19	
Birkenshaw, J. F. ...	Asstt. „	1st	„ „	4th	„	19	
Wynne, T. R. ...	„ „	2nd	Asstt. „	1st	„	19	
Engledue, Captain W. J., *R.E.*	Exe. „	3rd	Exe. „	2nd	„	26	*Vice* Mr. S. deV. H. Alexander, on furlough.
Cloëte, H. N. C. ...	„ „	4th	„ „	3rd	„	26	
Johnston, W. ...	Asstt. „	1st	„ „	4th	„	26	

Consequent on the return of Lieutenant C. C. C. Barlow, R.E., Assistant Engineer, 1st grade, from furlough on the 31st July 1876—

Mr. F. R. Bagley
reverted to Assistant Engineer, 2nd grade.

Consequent on the return of Mr. E. J. Moore, Executive Engineer, 4th grade, from furlough on 11th October 1876, the following officers reverted to their substantive grades :—

Gilchrist, W. G., to Assistant Engineer, 1st grade.
Wynne, T. R., to „ „ 2nd „

Consequent on the return of Mr. W. C. Hennessey, Executive Engineer, 4th grade, from furlough on 27th October 1876, the following officers reverted to their substantive grades :—

Wiseman, W., to Assistant Engineer, 1st grade.
Braham, F. S., to „ „ 2nd „

Consequent on the return of Mr. J. W. Buyers, Executive Engineer, 2nd grade, from furlough on 6th November 1876, the following officers reverted to their substantive grades :—

Downing, Major A. E., *B.I.*, to Executive Engineer, 3rd grade.
Croudace, C. H., to „ „ 4th „
Birkenshaw, J. F., to Assistant „ 1st „
Bagley, F. R., to „ „ 2nd „

Consequent on the return of Captain G. F. O. Boughey, *R.E.*, Executive Engineer, 2nd grade, from furlough on 25th November 1876, the following officers reverted to their substantive grades :—

Croudace, C. H., to Executive Engineer, 4th grade.
Birkenshaw, J. F., to Assistant „ 1st „
Braham, F. S., to „ „ 2nd „

Consequent on the return of Mr. W. Scott, Executive Engineer, 2nd grade, from furlough on 18th December 1876, the following officers reverted to their substantive grades :—

Downing, Major A. E., *B.I.*, to Executive Engineer, 3rd grade.
Croudace, C. H., to „ „ 4th „
Birkenshaw, J. F., to Assistant „ 1st „
Wynne, T. R., to „ „ 2nd „

Consequent on the return of Mr. W. B. Carter, Executive Engineer, 2nd grade, from furlough on the 30th December 1876, the following officers reverted to their substantive grades :—

Engledue, Captain W. J., *R.E.*, to Executive Engineer, 3rd grade.
Cloëte, H. N. C., to „ „ 4th „
Johnston, W., to Assistant „ 1st „

No. 304.—Sergeant T. Rutherford, *R.A.*, is reappointed to the Public Works Department as an Overseer 1st grade, and posted to the Establishment under the Director of State Railways, Western System.

W. A. CROMMELIN, *Major-Genl., R. E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 6, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December 1876.* } W. M. SOUTTAR, *Registrar.*

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

4th January 1877 ... Rs. 2,61,892-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *5th Jan. 1877.* }

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for	Balance of Bullion		
			Under Assay.	Assayed.	Held on account of the Currency Department.
1876.	Rs.	Rs.	Rs.	Rs.	Rs.
Dec. 25 ...	Holidays				
,, 26 ...					
,, 27 ...					
,, 28 ...	...	...	...	40,39,520	54,10,712
,, 29 ...	...	...	...	40,49,835	53,10,712
,, 30 ...	Holiday				

CALCUTTA MINT, *The 3rd Jan. 1877.* } J. F. TENNANT, *Offg. Mint Master.*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st December 1876.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS							5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
		of 1824-25.	of 1829-30.	of 1832-33.	of 1835-36.	of 1842-43.	Transfer of 1865.	of 1854-55.	10 years. Repayable, June 1877.	15 years. Repayable, June 1882.	
Balance of 15th December 1876	55,600	33,173	2,346	14,55,493	31,49,200	1,51,13,600	1,61,21,200	1,06,57,300	28,93,000	33,15,000	12,72,79,212
Add—											
Amount enfaced at Madras between 16th and 31st December 1876	...	...	...	...	...	...	...	...	...	...	...
Amount enfaced at Bombay between 16th and 31st December 1876	...	...	...	...	...	...	500	1,000	...	...	2,000
Amount enfaced at Calcutta between 16th and 31st December 1876	...	...	...	...	2,000	...	5,000	500	...	...	2,23,500
	55,600	33,173	2,346	14,55,493	31,51,200	1,51,18,600	1,61,26,700	1,06,58,800	28,93,000	33,15,000	12,75,04,712
Deduct—											
Amount written off in the London Registers	...	...	...	10,987	2,300	1,84,300	37,800	32,000	...	...	9,61,487
Balance on 31st December 1876	55,600	33,173	2,346	14,54,506	31,48,900	1,49,78,300	1,60,88,900	1,06,26,800	28,93,000	33,15,000	12,65,43,225

NOTE.—From 9th June 1867 to 31st October 1876, enfaced from India, 2,365 lakhs; re-transferred from London, 2,411 lakhs.

„ 1st Nov. 1876 to 15th Nov.	6	„	„
„ 16th „ „ 30th „	11	„	„
„ 1st Dec. „ 15th Dec.	5	„	„
„ 16th „ „ 31st „	9	„	„
	2,376 lakhs.	2,442 lakhs.	
		2,374 „	
Balance against London ...		68 lakhs.	

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 4th January 1877.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
345	... L 82—73306	... 100	... Chand Misree.
346	... L 81—39240	... 50	... Babu Nilkomul Shaw.
	„ —07482	... 50	...
	L 79—58530	... 20	...
347	... L 70—99954	... 1,000	... Shew Bux Soorjmull.
348	... L 83—30842	... 100	... Babu Bonomally Mukerjee.
	„ —30843	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
280	... L 22—08615 } „ —08614 }	... 5	... Babu Radha Romun Dutt.
406	... L 75—54423	... 10	... Messrs. Ewing & Co.
407	... L 83—32601 to „ —32700	... 100 each	... Messrs. Octavius Steel & Co.
	„ —31024	...	
	„ —31025	...	
	L 90—17784	... 20	...
	L 26—25210	... 5	...
408	... L 85—03269	... 1,000	... Messrs. Macneill & Co.
	L 52—66386	... 500	...
	L 83—20494	... 100	...
	L 82—59669	... 100	...
	L 80—49403	... 20	...
	„ —34323	... 20	...
	„ —31673	... 20	...
	L 26—06706	... 5	...
409	... L 79—85360	... 20	... Dr. F. R. Swaine.
	„ —85364	... 20	...
410	... L 79—98155	... 20	... Dr. J. M. Macdonnell.
	„ —98156	... 20	...
411	... L 85—03241	... 1,000	... Messrs. Mohun Bansee, Denobundoo Roy.
	„ —08795	... 1,000	...
	„ —02954	... 1,000	...
	„ —01774	... 1,000	...
	„ —00242	... 1,000	...

CALCUTTA,—Paper Currency Office;
The 5th January 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Coconada Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
I 3—13639	... 100	... Poorano Sashiah, of Ellore.

NOTES PARTIALLY LOST OR DESTROYED.

	Rs.	
I 4—07187 } wrongly „ —07188 } joined.	50	... P. Ramasawmy Moodeliar, Ongole.

COCONADA,—Paper Currency Office;
The 22nd December 1876.

H. RICHARDSON,
Depy. Collr., in charge of Paper Currency.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 23rd December 1876.

No. 122.—With reference to Government of India, Public Works Department, Notification No. 475, dated 23rd November 1876, Lieutenant J. C. L. Campbell, R.E., Assistant Engineer, 2nd Grade, is posted to the 5th Circle, Military Works.

No. 123.—With reference to Government of India, Public Works Department, Notification No. 493, dated 4th December 1876, Lieutenant A. O. Green, R.E., Assistant Engineer, 1st Grade, is posted to the 5th Circle, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

Statement of Transactions of District Savings Banks for the quarter ending 31st December 1876.

PROVINCE.	Number of Banks open.	DEPOSITS. No.	DEPOSITS. Amount.	WITHDRAWALS. No.	WITHDRAWALS. Amount, Principal.	WITHDRAWALS. Amount, Interest.	BALANCE.
			Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.
Bengal	45	1,344	1,20,040 1 6	712	1,14,416 3 5	728 11 4	9,20,999 2 1
Assam	9	163	14,578 11 9	65	10,225 10 11	45 9 0	91,278 1 1
N.-W. Provinces	35	1,202	53,563 2 7	339	62,829 10 8	517 15 2	3,87,843 15 2
Punjab	23	332	32,450 6 1	170	33,504 13 7	309 2 9	2,93,046 4 1
Oudh	12	224	21,498 11 2	104	20,755 5 8	117 3 7	1,95,624 5 1
Central Provinces... ...	18	239	25,627 1 8	91	17,629 2 9	63 1 0	1,98,541 14 9
British Burmah	13	204	20,591 2 4	68	15,078 10 8	128 15 11	1,25,718 9 9
Berar	2	158	5,499 8 0	43	11,207 4 8	3 3 9	53,525 11 6
India	6	383	17,454 12 7	95	20,540 12 11	274 0 1	1,10,394 15 7
TOTAL ...	163	4,249	3,11,303 9 8	1,687	3,06,187 11 3	2,187 14 7	23,76,972 15 1

CALCUTTA,
The 5th January 1877.

E. F. HARRISON,
Comptroller General.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th January 1877.

Mails for Ceylon, Straits, Hong-Kong, and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 6th January 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Puttialla*, will be closed at the General Post Office on Sunday, the 7th January 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 7th January 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 9th January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Nil*, will be closed at the General Post Office on Wednesday, the 10th January 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Khedive*, will be closed at the General Post Office on Wednesday, the 10th January 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 12th January 1877, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 11th January 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 5th January 1877.

Ackrill, Chas.
Addy, Mrs. D. A.
Atkinson, H. M.
Baring and Co., Messrs.
Beatson, Mrs. C. E.
Bedee, Captain S.
Birch, Mrs. A. G. C.
Birke, Captain H. P.
Boot, James.
Brand, Mrs.
Broadbent, Captain.
Calloghan, J. W.
Campbell, Jas.
Castle, Chas.
Clay, John.
Conday, Mr.
Daunts, C.
DeVilleroi, Monsieur B.
Eastwick, E.
Ellis, J. E. S.
Fergus, C. B.
Ferran, Mr.
Ferris, Dr. J. E. C.
Forbes, Miss Ella.
Fowler, F. B.
Gilmore, R.
Hart, P. C.
Harward, Lieut.-Col. T. N.
Hearn, G. H.
Hertley, T.
Hicks, Mrs. W. H.
Jackson, Mrs. H. N.
Keerne, H. G.
Lee, Mrs. A. J.
Lincolhism, Jas.
Lyon, D. M.
McGrath, Mrs. H.
Payne, W. G.
Pennystone, Miss Alice.
Pennystone, R. W.
Pott, Genl. S.
Rebello, P. T.
Reed, Mrs.
Sainter, Surg.-Major.
Smith, Geo.
Smith, James.
Stephen, C.
Sturley, H.
Swaine, Surgeon C. L.
Wangen, Dr. W.
Wallace, Miss A.
Wilson, Mrs. Alice C.
Williams, F.
Winscom, Miss K.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, R. T.
Andrew, Walter G. G.
Austin, R. H.
Barlow, H. E.
Beck, R. A.
Berlowitz, H. W.
Borthwick, Mrs.
Browne, Mrs. J.
Bruse, Mr.
Buckley, C. W.
Burn, Mrs. J.
C. A. P.
Carr, C. L.
Cavanagh, Jas.
Christian, A.
Cohen, M. B.
Comber, Col.
Crentzberg, Chas., Monsieur.
Davis, Phillip.
E. F. W.
E. M.
Esse.
Findlay, Alfred.
Forker, H.
Galloway, John.
Gilling, Capt.
Graham, Mrs. C.
Guimet, Emile, Monsieur.
Haymes, Mrs.
Huguenot, M.
Jones, B. F.
Jussawallah, E. C.
Kelly, Edward.
Kelly, W. P.
Kendall, J.
Lewis, Chas.
Lovering, Geo. L.
Mandslay, Lieut. E. R.
Mazzaline, Mrs. J.
Mitchell, J. W.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
Munro, Major C. A.
Nemo.
Nicholson, John S.
O'Brien, T. H.
Oxenham, T. H.
Paglierano, Monsieur.
Penny, P.
Pierce, Mrs. J. O.
Poper, A. R.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Regamey, Monsieur F.
Richardson, Geo.
Roe, Lieut. R. J.
Rowell, H. R.
Scolfi, A. L.
Scott, Walter.
Sheldrake, Miss H.
Shutz, J.
Sinclair, A.
Slaweeki, Monsieur T.
Stephens, Dr.
Stroesko, Michel.
Travis, Miss Ida.
Trotter, Capt.
Watt, Capt. J. R.
Webb, A.
Wilkinson, M.
Williams, T.
Wilson, G. A.
Wilson, G.
Wilson, J. S.

Papers.

Cayton, Geo.
Galloway, John.
Holland, Capt.
Kelly, W. P.
Munro, Major C. A.
Roberts, A.

Registered Letters.

Cooper, R.
Jussawallah, E. C.
O'Brien, C.
Oxenham, T. H.
Russell, Thos. R.
Sandys, E. F.

W. ALPIN,
Offg. Post Master of Calcutta.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned candidates have passed the First Examination in Arts :—

FIRST DIVISION.

In order of Merit.

1	Chattopadhyay, Digamvar	... Patna College.
2	Mitra, Amulyacharan	... Presidency College.
3	Mukhopadhyay, Krishnadhan	Ditto.
4	Sen, Khagendranath	... Ditto.
5	De, Narendralal	... Ditto.
	French, G. B.	... Doveton College.
7	Sengupta, Kisarimohan	... Presidency College.
8	Bhattacharyya, Rammay	... Hugli College.
9	Sanyal, Ramanath	... Presidency College.
10	Banerjea, A. N.	... Doveton College.
11	Narayandas	... Lahore College.
12	Sanyal, Dinanath	... Patna College.
13	Máiti, Rudranarayan	... Midnapur High School.
14	Basu, Bhupendranath	... Presidency College.
15	Datta, Brajavallabh	... Kishnaghur College.
16	Basu, Rakhalchandra	.. Calcutta Free Church Institution.
17	Ghosh, Ramottam	... L. M. S. Institution, Bhowanipur.
	Bagchi, Kalikrishna	... Presidency College.
	Sitaram	... Canning College, Lucknow.
	Biharilal	... High School, Jabulpur.
21	Datta, Parvatinath	... Presidency College.
	Basil, M.	... St. Xavier's College.
23	Chattopadhyay, Saratchandra	... Presidency College.
24	Gayaprasad	... Benares College.
25	Chattopadhyay, Rajendranath	... L. M. S. Institution, Bhowanipur.
	Bhattacharyya, Jugadas	... Cathedral Mission College.
27	Sarkar, Charuchandra	... Presidency College.
	Datta, Upendranath	... General Assembly's Institution.

SECOND DIVISION.

In Alphabetical Order.

	Abul Khair Muhammad Abdus Soobhan	... Presidency College.
	Achchruram	... Lahore College.
	Adhikari, Harikrishna	... Kishnaghur College.
	„ Sasibhusan	... Hugli College.
	Agusti, Ramnarayan	... General Assembly's Institution.
	Amarnath	... Canning College, Lucknow.
	Bagchi, Kedarnath	... Benares College.
	Bandyopadhyay, Bidubhusan	... Metropolitan Institution.
	„ Jogendranath	... Cathedral Mission College.
10	„ Kalipada	... Presidency College.
	„ Kaliprasanna	... Ex-Student, Dacca College.
	„ Mahendranath	... Presidency College.
	„ Mahendranath	... L. M. S. Institution, Bhowanipur.
	„ Nandalal	... Presidency College.
	„ Rakhaldas	... Ditto.
	„ Sasibhusan	... Kishnaghur College.
	„ Upendrachandra	... Metropolitan Institution.
	Basu, Bipinvihari	... St. Xavier's College.
	„ Devendrabijay	... Metropolitan Institution.
20	„ Dvarkanath	... Dacca College.
	„ Jognesvar	... L. M. S. Institution, Bhowanipur.
	„ Kritantakumar	... Presidency College.
	„ Manmathanath	... Metropolitan Institution.
	„ Narayanchandra	... Presidency College.
	„ Nityagopal	... Muir Central College.
	„ Priyanath	... Metropolitan Institution.
	Bhattacharyya, Ramaprasad	... Kishnaghur College.
	Cathicar, Jagannath Gadi	... Jabulpur High School.
	Chakravarti, Indranarayan	... Patna College.
30	„ Jogendranath	... Free Church Institution, Calcutta.
	„ Susikumar	... Ex-Student, Dacca College.
	Chattopadhyay, Anukulchandra	... Presidency College.
	„ Bipinvihari	... Hugli College.
	„ Susikumar	... Presidency College.
	„ Priyagopal	... Hugli College.

	Chaudhuri, Bijaygovinda	...	Bauleah High School.
	„ Tarakisor	...	Metropolitan Institution.
	„ Tarapada	...	Presidency College.
	Chhatulal	...	Ajmere College.
40	Damodardas	...	Bareilly College.
	Das, Govindachandra	...	Presidency College.
	„ Harendrakumar	...	Ditto.
	„ Harinarayan	...	Kishnaghur College.
	„ Saradakanta	...	Ditto.
	„ Siddhesvar	...	General Assembly's Institution.
	„ Tarinicharan	...	Presidency College.
	Datta, Jagatvandhu	...	Ditto.
	„ Mahendranath	...	Ditto.
	„ Narendrakrishna	...	Metropolitan Institution.
50	„ Navinchandra	...	Ditto.
	De, Anandamohan	...	Cathedral Mission College
	„ Birchandra	...	Canning College.
	Deshpande, Rajaram Gangadhar	...	Jabulpur High School.
	Dikshit, Jaydev	...	Ditto.
	Dube, Murlidhar	...	Ditto.
	Dufour, A.	...	St. Xavier's College.
	Farid-ud-din Ahmed	...	Hugli College.
	Gangopadhyay, Kedarnath	...	Presidency College.
	Ghosh, Asutosh	...	Hugli College.
60	„ Bhavanicharan	...	General Assembly's Institution.
	„ Govindalal	...	Metropolitan Institution.
	„ Jogendranath	...	General Assembly's Institution.
	„ Manmathanath	...	Free Church Institution, Calcutta.
	Gupta, Gangagovinda	...	Presidency College.
	„ Gurulal	...	Hugli College.
	„ Matilal	...	Presidency College.
	Jagannathprasad	...	Jabulpur High School.
	Johns, G. W.	...	St. John's College.
	Jordar, Radhanath	...	Presidency College.
70	Kar, Gourkisor	...	Hugli College.
	Kasiram	...	Lahore College.
	Lahiri, Chandrakanta	...	Dacca College.
	„ Srihari	...	Presidency College.
	LeFranc, P. B.	...	Doveton College.
	Madansingh	...	Delhi College.
	Madhoram	...	Lahore College.
	Mahavirprasad	...	Canning College.
	Maitra, Heramvachandra	...	Presidency College.
	„ Rajendralal	...	Free Church Institution, Calcutta.
80	Majumdar, Bhavanikisor	...	Dacca College.
	„ Devendranath Mitra	...	Ex-Student, Presidency College.
	„ Hridaynath	...	Dacca College.
	„ Purnachandra	...	General Assembly's Institution.
	Musaddar Ali	...	Hugli College.
	Massa, L. A.	...	St. Xavier's College.
	Mitra, Asutosh	...	Presidency College.
	„ Birajcharan	...	Ditto.
	„ Chandicharan	...	St. Xavier's College.
	„ Nagendrachandra	...	Hugli College.
90	„ Samaldhan	...	General Assembly's Institution.
	Muhammad Hanif	...	L. M. High School, Benares.
	Mukhopadhyay, Abhayacharan	...	General Assembly's Institution.
	„ Gangadhar	...	Metropolitan Institution.
	„ Girischandra	...	Hugli College.
	„ Jogendrachandra, 1st	...	Presidency College.
	„ Purnachandra	...	Jabulpur High School.
	Nág, Abhayacharan	...	Presidency College.
	Páin, Priyalal	...	Ditto.
	Pal, Saratchandra	...	Ditto.
100	„ Srinath	...	Ditto.
	Pálit, Jadunath	...	Free Church Institution, Calcutta.
	Ratnaparkhi, Manahar Damodar	...	Jabulpur High School.
	Raushanlal	...	Agra College.
	Ráy, Atulkrishna	...	Hugli College.
	„ Indranarayan	...	Ditto.
	„ Nandagopal	...	Presidency College.
	„ Nikunjavihari	...	Bauleah High School.
	„ Phatikchandra	...	L. M. S. Institution, Bhowanipur.
	„ Prasannakumar	...	Midnapur High School.

110	Ráy, Ramcharan	...	Metropolitan Institution.
	„ Sasadhar	...	Presidency College.
	„ Syamacharan	...	Dacca College.
	Sáhá, Lalvihari	...	Hugli College.
	Sarkár, Jaganmohan	...	Dacca College.
	Sen, Chandrakanta	...	Presidency College.
	„ Harimohan	...	Metropolitan Institution.
	„ Jadavchandra	...	Dacca College.
	„ Kailaschandra	...	Free Church Institution, Calcutta.
	„ Saradaprasad	...	Dacca College.
120	Sinha, Jogeschandra	...	Free Church Institution, Calcutta.
	„ Nirmalchandra	...	Presidency College.
	Tamiz-ud-din	...	Ditto.
	Tivari, Chandrasekhar	...	Hugli College.
124	Wendt, H. L.	...	St. Thomas' College, Colombo.

THIRD DIVISION.

In alphabetical order.

	Abdul Halim	...	Presidency College.
	Acharyya, Panchanan	...	Hugli College.
	Anna Ramchandra Gokhle	...	High School, Jabalpur.
	Awadhkisor	...	Patna College.
	Bajpai, Benimadhao	...	Canning College, Lucknow.
	Bandyopadhyay, Amarnath	...	Ditto.
	„ Annadaprasad	...	Hugli College.
	„ Avinaschandra, II	...	Presidency College.
	„ *Ditto*	...	Ditto.
10	„ Kalipada	...	Jeypur Moharaja's College.
	„ Kedarnath	...	Metropolitan Institution.
	„ Krishnachandra	...	Patna College.
	„ Nandalal	...	L. M. S. Institution, Bhowanipur.
	„ Sasibhusan	...	Canning College, Lucknow.
	„ Sivchandra	...	General Assembly's Institution.
	„ Upendranath	...	Hugli College.
	Baptiste, E. M.	...	Patna College.
	Basu, Binadvihari	...	Ex-Student, Presidency College.
	„ Bijaygopal	...	Kishnaghur College.
20	„ Dinanath	...	L. M. S. Institution, Bhowanipur.
	„ Jaygopal	...	Ex-Student, Presidency College.
	„ Kherodchandra	...	General Assembly's Institution.
	„ Lalitmohan	...	Dacca College.
	„ Madhusudan	...	Kishnaghur College.
	„ Mahendranath	...	Ditto.
	Bhattacharyya, Bipineshvar	...	Metropolitan Institution.
	„ Harinath	...	General Assembly's Institution.
	„ Kailáschandra	...	Metropolitan Institution.
	„ Kumadnath	...	Hugli College.
	„ Mahesvar	...	General Assembly's Institution.
30	„ Mohánanda	...	Benares College.
	„ Ramgopal	...	Kishnaghur College.
	Bhaumik, Devendrachandra	...	Kishnaghur College.
	Binodelal	...	Bareilly College.
	Cháki, Benimadhav	...	Bauleah High School.
	Chakravarti, Bhupatibhusan	...	Kishnaghur College.
	„ Harakumar	...	Metropolitan Institution.
	„ Manmohan	...	General Assembly's Institution.
	Chandra, Khirodchandra	...	St. Xavier's College.
40	Chart Singh	...	Lahore Government College.
	Chattopadhyay, Basantakumar	...	St. Xavier's College.
	„ Haridás	...	Presidency College.
	„ Kalachand	...	Calcutta Free Church Institution.
	„ Sadananda	...	L. M. High School, Benares.
	Chaudhuri, Jadavchandra	...	General Assembly's Institution.
	Chunilal	...	Lahore Government College.
	Dás, Benimadhav	...	Kishnaghur College.
	„ Gangacharan	...	Hugli College.
	„ Govindachandra	...	General Assembly's Institution.
50	„ Harkishan C.	...	Delhi College.
	„ Sasibhushan	...	Calcutta Free Church Institution.
	„ Taraprassana	...	Presidency College.
	„ Umeschandra	...	L. M. S. Institution, Bhowanipur.
	Datta, Chandrakumar	...	Metropolitan Institution.
	„ Harimohan	...	Calcutta Free Church Institution.

	Datta, Jwala	... Bareilly College.
	„ Kalicharan	... Presidency College.
	„ Kaliprasanna	... Metropolitan Institution.
	„ Krishnalal	... Presidency College.
60	„ Lalvihari	... Sanskrit College.
	„ Napharchandra	... Presidency College.
	„ Upendranath	... Calcutta Free Church Institution.
	De, Basantakumar	... Dacca College.
	„ Mahendranath	... Calcutta Free Church Institution.
	„ Ramanath	... Presidency College.
	„ Ramapati	... Ditto.
	„ Sasibhushan	... Ditto.
	„ Suryyakumar	... Metropolitan Institution.
	Deviprasad	... Agra Government College.
70	Erasmus, J. D.	... Canning College, Lucknow.
	Gangaprasad	... Agra Government College.
	Gangopadhyay, Chandicharan	... Presidency College.
	„ Chandrakisor	... Ex-Student, Dacca College.
	„ Devendranath	... Muir Central College, Allahabad.
	„ Kunjavihari	... Jeypur Moharaja's College.
	Ghatuk, Nivaranchandra	... L. M. S. Institution, Bhowanipur.
	Ghosh, Amirtachandra	... Teacher.
	„ Bipinvihari	... Metropolitan Institution.
	„ Bipinvihari	Calcutta Free Church Institution.
80	„ Jadunath	... Metropolitan Institution.
	„ Jadunath	... Calcutta Free Church Institution.
	„ Krishnalal	... Cathedral Mission College.
	„ Parvatinath	... Presidency College.
	„ Piyarimohan	... General Assembly's Institution.
	„ Purnachandra	... Metropolitan Institution.
	„ Saratchandra	... Canning College, Lucknow.
	„ Saratchandra	... General Assembly's Institution.
	„ Satya Kumar	... Dacca College.
	„ Surendranath	... Hugli College.
90	Goordayal	... St. John's College, Agra.
	Gosvami, Syamlal	... General Assembly's Institution.
	Govindrao Srikhandi	... High School, Jabalpur.
	Guni, Srinivas	... Midnapore High School.
	Gupta, Jaysankar	... Dacca College.
	„ Mahinimohan	... Metropolitan Institution.
	„ Umeschandra	... Ditto.
	Haldar, Basantakumar	... General Assembly's Institution.
	„ Gopállál	... Ditto.
	„ Pareshnath	... L. M. S. Institution, Bhowanipur.
100	Hamdr Rohim	... Kishnaghur College.
	Kshetriya, Srikrishna	... Metropolitan Institution.
	Kundanlál	... Delhi College.
	Labhamal	... Lahore Govt. College.
	Lakshmanprasad	... Canning College, Lucknow.
	Lala, Bindheswariprasad	... Benares College.
	Mahanti, Anandachandra	... Cuttack College.
	Mahommed Seddik	... Jeypur Moharaja's College.
	Maitra, Brajalál	... General Assembly's Institution.
	„ Rámlál	... Hugli College.
110	Majumdar, Bipinvihari	... Ditto.
	„ Jasadanandan	... Berhampur College.
	„ Jogendrachandra	... L. M. S. Institution, Bhowanipur.
	Mukand Govind Pavnasker	... Jabalpur High School.
	Mallik, Nilmadhav	... Presidency College.
	Misra, Dulichand	... Jabalpur High School.
	Mitra, Adharchandra	... General Assembly's Institution.
	„ Brajanath	... Ditto ditto.
	„ Devendranath	... Teacher.
	„ Girischandra	... Calcutta Free Church Institution.
120	„ Hemchandra	... Ex-Student, General Assembly's Institution.
	„ Kantichandra	... Cathedral Mission College.
	„ Kedarnath	... Metropolitan Institution.
	„ Navakumar	... Cathedral Mission College.
	„ Nrityagopal	... Ditto ditto.
	„ Priyanath	... Presidency College.
	„ Saradacharan	... Berhampur College.
	„ Taraknath	... Canning College, Lucknow.
	„ Upendranath	... Metropolitan Institution.

	Mukhopadhyay, Amvikacharan	... Kishnaghur College.
130	„ Benimadhav	... Muir Central College.
	„ Durgadas	... Berhampur College.
	„ Ganeschandra	... Calcutta Free Church Institution.
	„ Jogendranath No. II	... Presidency College.
	„ Jognesvar	... General Assembly's Institution.
	„ Kalidás	... Ditto ditto.
	„ Kedarnath	... Hugli College.
	„ Phanibhusan	... Metropolitan Institution.
	„ Saradaprasad	... Ditto ditto.
	„ Surendranath	... Kishnaghur College.
140	Munshi, Jadunath	... Ex-Student, Presidency College.
	Muthradás	... Lahore Government College.
	Nag, Priyanath	... Metropolitan Institution.
	Nandi, Gaganchandra	... Hugli College.
	Nilkanth Krishnaji Sarvtay	... Jabalpur High School.
	Pakrasi, Gopalchandra	... L. M. High School, Benares.
	Pal, Lakshminarayan	... Teacher.
	„ Manicklál	... Hugli College.
	„ Syamacharan	... General Assembly's Institution.
	„ Umeschandra	... Presidency College.
150	Pande, Sivdatta	... Muir Central College, Allahabad.
	Qánungo, Piyarilal	... Delhi College.
	Rájárám Chitamvar	... Muir Central College, Allahabad.
	Ray, Asutosh	... Cathedral Mission College.
	„ Bidhubhusán	... Presidency College.
	„ Bisvambhar	... Kishnaghur College.
	„ Durgadas	... Berhampur College.
	„ Gurbakhsh	... Agra Government College.
	„ Harinath	... Kishnaghur College.
	„ Harischandra	... Ex-Student, Dacca College.
160	„ Jadunath	... Cuttack College.
	„ Jogendranath	... Patna College.
	„ Prasannakumar	... Metropolitan Institution.
	„ Rajatsekhar	... Presidency College.
	„ Ramjadu	... Berhampur College.
	„ Upendranath (Senior)	... General Assembly's Institution.
	Sadasiv Sakaram Gokhle	... Jabalpur High School.
	Sahay, Sivasankar	... Patna College.
	Saligram	... Canning College, Lucknow.
	Sankar Ramchandra Koltay	... Jabalpur High School.
170	Sanyal, Nagendranath	... Kishnaghur College.
	Sarkar, Annadaprasad	... Patna College.
	„ Bhuvanchandra	... Ex-Student, Presidency College.
	„ Devendranath	... Hugli College.
	Sen, Basantakumar	... Ex-Student, Dacca College.
	„ Gostavihári	... Kishnaghur College.
	„ Harimohan	... Presidency College.
	„ Kailáschandra	... Hugli College.
	„ Kisarilál	... Calcutta Free Church Institution.
	„ Lakshmichandra	... Teacher.
180	„ Sasibhusan	... Metropolitan Institution.
	„ Ditto	... Calcutta Free Church Institution.
	Seneviratne, E. A.	... Teacher.
	Sing, Babbu	... Muir Central College, Allahabad.
	Sinha, Devendranath	... Ex-Student, Dacca College.
	Syamprakas	... Patna College.
	Syed Khursed Ali	... Ditto.
	„ Mahommed Ismail	... Ditto.
	Tapadar Dika Bara	... Cathedral Mission College.
	Thomson, C. W.	... Hugli College.
190	Vethal Waman Pagay	... Jabalpur High School.
191	Wirekoon, J. W.	... Kandy Collegiate School.

The undermentioned Candidates have passed the Entrance Examination :—

FIRST DIVISION.

In alphabetical order.

Abdul Jawad	... Calcutta Mudrassa.
Abdus Salam	... Ditto.
Adhya, Bipinvihari	... Hindu School.
Amjad Ali	... Gya School.
Asirkar, Laxuman Mahipat	... City School, Nagpur.

	Bacon, J.	... La Martiniere College, Lucknow.
	Bandyopadhyay, Adharchandra	... Navadwip Hindu School.
	„ Asutosh	... F. C. Institution, Calcutta.
	„ Bansidhar	... Ooterparah School.
10	„ Haridas	... Calcutta School.
	„ Harilal	... Barisal School.
	„ Kaliprasanna	... L. M. S. Institution, Bhowanipur.
	Baral, Asutosh	... Private Student.
	Baretto, J.	... St. Francis DeSale's School.
	Barman, Bipinvihari	... South Suburban School, Kalighat.
	Basak, Harimohan	... Hindu School.
	„ Kalikrishna	... Metropolitan Institution.
	Basu, Annadaprasad	... Sarodaprasad Institution, Chakdigi.
	„ Atulchandra	... South Suburban School, Kalighat.
20	„ Basantakrishna	... Metropolitan Institution, Shampukur Branch.
	„ Jogendranath (Junior)	... Metropolitan Institution.
	„ Kailaschandra	... Khulna School.
	„ Kalipada	... Jessore School.
	„ Manindranath	... South Suburban School, Kalighat.
	„ Nivaranchandra	... Noral H. C. E. School.
	„ Rajaninath	... Barisal School.
	„ Rajkrishna	... Oriental Seminary.
	„ Saradacharan	... Noral H. C. E. School.
	„ Sirischandra	... Lahore District School.
30	„ Upendranath	... L. M. S. Institution, Bhowanipur.
	Bhar, Nityananda	... General Assembly's Institution.
	Bhattacharyya, Devendranath	... Howrah School.
	„ Kalidas	... Metropolitan Institution.
	„ Rajanikanta	... Sitapur High School.
	„ Trailokyanath	... Dacca Collegiate School.
	Bhavanidas	... Delhi Upper School.
	Bisvas, Harischandra	... Oriental Seminary.
	„ Jognesvar	... Kishnaghur Collegiate School.
	Blunt, H.	... Mussooree School.
40	Bodhankar, Jognesvar Bapaji	... City School, Nagpur.
	Budhsen	... Moradabad Zillah School.
	Cable, E.	... Private Student.
	Chakravarti, Akshaykumar	... Serajgunge School.
	„ Asutosh	... Sanskrit College.
	„ Girischandra	... Hare School.
	„ Jadavchandra	... Mymensing School.
	„ Kshetrapal	... Metropolitan Institution, Shampukur Branch.
	„ Kunjavihari	... Khulna School.
	„ Lalitmohan	... Jagannath School.
50	„ Mohinimohan	... Rungpur School.
	„ Ramchandra	... L. M. S. Institution, Bhowanipur.
	„ Ramesvar	... Mymensing School.
	Chandra, Aghornalh	... Hindu School.
	Chattopadhyay, Baradakanta	... Patna Collegiate School.
	„ Gangacharan	... Barisal School.
	„ Haripada	... Hindu School.
	„ Narayandas	... Sanskrit College.
	„ Ratinath	... Hugli Collegiate School.
	„ Upendranath	... Barrackpur School.
60	„ Upendranath	... Horinavi A. S. School.
	Chaudhuri, Prasannanath	... L. M. S. Institution, Bhowanipur.
	„ Rajanikanta	... Kishnaghur Collegiate School.
	„ Satischandra	... Hindu School.
	„ Satyendrakumar	... Navadwip Hindu School.
	„ Tripurakanta	... Serajgunge School.
	Chowdry, H.	... Doveton College.
	Corrigan, J.	... La Martiniere College, Lucknow.
	Das, Gangadhar	... Hindu School.
	„ Haripada	... Metropolitan Institution, Shampukur Branch.
70	Datta, Amirtalal	... Church Mission School, Calcutta.
	„ Charuchandra	... Hare School.
	„ Digendranath	... Sylhet Government School.
	„ Kedarnath	... Hare School.
	„ Kedaresvar	... Kishnaghur Collegiate School.
	„ Sirischandra	... Sanskrit College.
	De, Jaygopal	... General Assembly's Institution.
	„ Upendralal	... Hare School.
	Dev, Jogendrachandra	... Konnugger School.
	„ Nagendrachandra	... Hindu School.

80	Dev, Sivchandra	... Hindu School.
	Euda, Ishanchandra	... Silchar School.
	Fatehchand	... Gujrat School.
	Ganeshdas	... Lahore District School.
	Gangopadhyay, Bhudarchandra	... L. M. S. Institution, Bhowanipur.
	„ Biharilal, II	... Jagannath School.
	„ Kunjavihari	... L. M. S. Institution, Bhowanipur.
	„ Priyanath	... Berhampur Collegiate School.
	„ Radhikanath	... Hare School.
	„ Saratchandra	... Jagannath School.
90	Ghuttewar, Ramchandranarayan	... F. C. Institution, Nagpur.
	Ghosh, Anandachandra	... Dacca Collegiate School.
	„ Annadaprasad	... Hugli Collegiate School.
	„ Bipinvihari	... Metropolitan Institution.
	„ Girischandra	... Mymensing School.
	„ Ishanchandra	... Faridpur School.
	„ Jogendrachandra	... Hindu School.
	„ Kantibhushan	... Cutwa School.
	„ Mahendrakumar	... Dacca Collegiate School.
	„ Nilprasanna	... Hare School.
100	„ Prankumar	... Midnapur High School.
	„ Rajendrakumar	... Kishnaghur Collegiate School.
	„ Rasiklal	... Barrackpur School.
	„ Saradacharan	... Joydebpur School.
	„ Sukhmay	... Jessore School.
	Guha, Mathuranath	... Teghoria School.
	„ Prasannakumar	... Dacca Collegiate School.
	Gupta, Akhilchandra	... Hindu School.
	„ Nagendranath	... Ditto.
	„ Upendrakrishna	... Ditto.
110	Gurdyal Sing	... Umritsur District School.
	Harris, G. R.	... Private Student.
	Healy, E. F.	... Mussooree School.
	Heard, H. H.	... St. Xavier's College.
	Henderson, J. J.	... La Martiniere College, Lucknow.
	Horst, G. P.	... Mussooree School.
	Jagannathprasad	... Patna Collegiate School.
	Kanjilal Jadunath	... Hetampur School.
	Kedarnath	... St. Stephen's High School, Delhi.
	Kelker, Vinayek Moreshwar	... F. C. Institution, Nagpur.
120	Kelly, W. A.	... St. Xavier's College.
	Lackersteen, M.	... Ditto.
	Lahiri, Harihar	... Hare School.
	MacLeod, H. A.	... Diocesan High School, Allahabad.
	Maelzer, H. G. V.	... Doveton College.
	Maitra, Kalikanta	... Serajgunge School.
	Majumdar, Adharchandra	... Calcutta Institution.
	„ Jadunath	... Jessore School.
	„ Krishnasundar	... Dalal Bazar School.
	„ Nilmadhav	... Kishnaghur Collegiate School.
130	„ Rakhaldas	... Hare School.
	„ Sasibhushan	... F. C. Institution, Calcutta.
	Mallik, Hemchandra	... Hindu School.
	Mandal, Jadunath	... Bankura School.
	„ Kedarnath	... General Assembly's Institution.
	Martin, M. S.	... Armenian Phil. Academy.
	McGuire, P.	... St. Joseph's School.
	Mendies, D. A.	... Doveton College.
	Mir Aftab Ali	... Calcutta Mudrassa.
	Mitra, Asutosh	... General Assembly's Institution.
140	„ Baradacharan	... Hare School.
	„ Birendralal	... Hindu School.
	„ Daivacharan	... Ditto.
	„ Haridas	... Hare School.
	„ Lalvihari	... Hugli Collegiate School.
	„ Rajanikanta	... Noakhali School.
	„ Sarasicharan	... Metropolitan Institution, Shampukur Branch.
	„ Saratchandra	... Hare School.
	„ Satischandra	... Ditto.
	„ Sureschandra	... Metropolitan Institution.
150	„ Upendrachandra	... Hugli Collegiate School.
	Moharir, Balaji Gangadhar	... City School, Nagpur.
	Mozuffer Hosen, Syed	... Sitapur High School.

	Mukhopadhyay, Asutosh	...	Canning College.
	„ Bamacharan	...	Baraset School.
	„ Bhavacharan	...	Mozufferpur School.
	„ Brajalal	...	Cuttack Collegiate School.
	„ Gangeschandra	...	Kishnaghur A. V. School.
	„ Govindachandra	...	Midnapur High School.
	„ Kaliprasanna	...	L. M. School, Khagra.
160	„ Krishnadhan	...	Sanskrit College.
	„ Krishnakali	...	Ditto.
	„ Monmathanath	...	Kishnaghur Collegiate School.
	„ Nandalal	...	Hare School.
	„ Nityalal	...	F. C. Institution, Calcutta.
	„ Phanibhushan	...	Dacca Collegiate School.
	„ Priyanath	...	Cuttack Collegiate School.
	„ Priyanath	...	Canning College.
	„ Rajendranath	...	Bhaugulpur School.
	Mukhyodi, Binadvihari	...	Ooterparah School.
170	Naylor, A. G. E.	...	F. C. Institution, Calcutta.
	Niogi, Surendranath	...	Hindu School.
	Pairá Ram	...	Teacher.
	Pál, Bhutnath	...	Hindu School.
	„ Devendranath	...	Ditto.
	„ Lolitmohan	...	Oriental Seminary.
	Pálit, Davendranath	...	Hugli Collegiate School.
	Pramanik, Krishnadayal	...	Serajgunge School.
	Phakirchand	...	Bareilly College.
	Purves, R. E.	...	La Martiniere College, Lucknow.
180	Ray, Gopalchandra	...	Seal's Free College.
	„ Guruprasanna	...	F. C. Institution, Chinsurah.
	„ Purnachandra	...	Jagannath School.
	„ Ramsankar	...	Cuttack Collegiate School.
	„ Surendranath	...	Hindu School.
	„ Sitaprasanna	...	Serajgunge School.
	Raychaudhuri, Prabhatchandra	...	Barisal School.
	„ Priyanath	...	Ditto.
	„ Saratchandra	...	General Assembly's Institution.
	„ Suratkumar	...	Baripur School.
190	Samiruddin Ahmed	...	Rungpur School.
	Sarkar, Annadaprasad	...	Barrackpur School.
	„ Charuchandra	...	South Boharoo School.
	„ Kesavlal	...	Khulna School.
	Sarma, Chandulal	...	Ajmere College.
	Sarvate, Sriram Bhaskar	...	Jabulpur High School.
	Schorn, A. O.	...	LaMartiniere College, Calcutta.
	Sen, Annadakumar	...	Jagannath School.
	„ Asutosh	...	General Assembly's Institution.
	„ Chandrakanta	...	Chittagong School.
200	„ Hiralal	...	Hindu School.
	„ Mohinimohan	...	Bauleah School.
	„ Pramadacharan	...	Hare School.
	„ Rajmohan	...	Dacca Collegiate School.
	„ Ramlal	...	Hindu School.
	„ Sirischandra	...	Noakhali School.
	„ Srinath	...	Barisal School.
	Senior, R.	...	Bishop Cotton School, Simla.
	Shá, Jivankrishna	...	Garden Reach School.
	Sil, Basantakumar	...	Oriental Seminary.
210	Sinha, Binodvihari	...	Baraset School.
	„ Manindrachandra	...	Bhaugulpur School.
	Siret, E. R.	...	Bengal Academy.
	Som, Ratanchandra	...	Hugli Collegiate School.
	Sunder, C. E.	...	St. Xavier's College.
	Sur, Haridhan	...	Ooterparah School.
	„ Jogendranath	...	Hare School.
	Thakurdas	...	Private Student.
	Toozs, J.	...	La Martiniere College, Lucknow.
	Vyall, F.	...	Ditto.
220	Warwick, F. T.	...	Mussooree School.

SECOND DIVISION.

In alphabetical order.

	Abdul Hosen	...	Dacca Collegiate School.
	„ Khaliq	...	Calcutta Mudressa.
	„ Mojidul Hanifi	...	Intally Institution.
	Abdur Rahim	...	Calcutta Mudressa.
	Abul Futtah, Syed	...	Private Student.
	Achalvihari	...	St. Peter's College, Allahabad.
	Adhikari, Sasibhushan	...	Bengal Institution.
	Ahmad Hosen	...	Nawab Abdul Gunny's Free School.
	„ Hosen Khan	...	Lakhimpur High School.
10	„ Quarban	...	Sultanpur School.
	Aich, Harihar	...	Barrackpur School.
	Ala Nabi	...	Almorah Mission School.
	Amarnath	...	Hushyarpur District School.
	Anderson, J. H.	...	La Martiniere College, Lucknow.
	Askari, Syed Hasan	...	Hugli Collegiate School.
	Augustine, H.	...	St. Xavier's College.
	Avetoom, T.	...	La Martiniere College, Calcutta.
	Awasti, Lakshmanprasad	...	Roy Bareilly High School.
	Azid Baksh	...	Canning College.
20	Aziz-ud-din Ahmed	...	Bareilly College.
	Badrinath	...	Guzrat School.
	Badriprasad	...	Bareilly College.
	Bagchi, Nrisinhaprasad	...	Navadwip Hindu School.
	Bagley, A. H.	...	Diocesan High School, Allahabad.
	Baker, J.	...	La Martiniere College, Calcutta.
	Baksi, Haridas	...	Berhampur Collegiate School.
	„ Prasannakumar	...	Bankura School.
	Bál, Harischandra	...	Dacca Collegiate School.
	Balmakund	...	Christ Church School, Cawnpur.
30	Bandyopadhyay, Anathnath	...	Sanskrit College.
	„ Annadaprasad	...	Ootterparah School.
	„ Asutosh	...	Cuttack Collegiate School.
	„ Atulchandra	...	Hindu School.
	„ Bamandas	...	Konnoger A. School.
	„ Beninath	...	St. Peter's College, Allahabad.
	„ Biharilal	...	Baluti School.
	„ Chandrabhushan	...	Govt. High School, Allahabad.
	„ Chandrakumar	...	Mogultuli School.
	„ Dharanidhar	...	Burdwan Moharaja's School.
40	„ Dwarkanath	...	Pogose School.
	„ Golaknath	...	F. C. Institution, Chinsurah.
	„ Gopalchandra	...	Cawnpur Zillah School.
	„ Haradhan	...	Cossipur Kasinath School.
	„ Haridas	...	Ootterparah School.
	„ Haripada	...	Kishnaghur A. V. School.
	„ Hiranyakumar	...	Jagannath School.
	„ Jadunath	...	Metropolitan Institution.
	„ Jadunath	...	Monghyr School.
	„ Jadunath	...	Sultangacha School.
50	„ Jognesvar	...	Metropolitan Institution.
	„ Jyotischandra	...	Kishnaghur A. V. School.
	„ Kalipada	...	Badla A. V. School.
	„ Kedarnath	...	Konnoger A. School.
	„ Kshetramohan	...	L. M. S. Institution, Bhowanipur.
	„ Kshetrapada	...	South Suburban School, Kalighat.
	„ Kunjavihari	...	Ariadaha Association School.
	„ Mahendranath	...	Boluti School.
	„ Mahimachandra	...	Pogose School.
	„ Manilal	...	Sibpur Institution.
60	„ Nagendranath	...	Metropolitan Institution.
	„ Nandakisor	...	Barrackpur School.
	„ Purnachandra	...	Jagannath School.
	„ Saratchandra	...	Hindu School.
	„ Saratchandra	...	Hazaribagh School.
	„ Sirischandra	...	Burdwan Moharaja's School.
	„ Sirischandra	...	Furreedpur Zillah School.
	„ Syamacharan	...	Benares College.
	[illegible]idhar	...	Bareilly College.
	[illegible]warilál	...	Shajahanpur Mission School.
70	[illegible], Thakurlal	...	F. C. Institution, Calcutta.
	Bardri, Akshaykumar	...	Dacca Collegiate School.
	[illegible], Ramnarayan	...	Agra College.
	[illegible], Rajmohari	...	F. C. Institution, Calcutta.

	Basak, Jagadananda	... Hindu School.
	„ Syamsundar	... Pogose School.
	Basu, Amritalal	... Metropolitan Institution, Shampukur Branch.
	„ Bhuvunesvar	... Patna Collegiate School.
	„ Bishnucharan	... Berhampur Collegiate School.
	„ Brajasyam	... Birbhum School.
80	„ Devendranath	... F. C. Institution, Calcutta.
	„ Gangacharan	... Barisal School.
	„ Gnanendranath	... Oriental Seminary.
	„ Haridas	... General Assembly's Institution.
	„ Haridas	... Metropolitan Institution, Shampukur Branch.
	„ Jadavkrishna	... Ditto.
	„ Kalicharan	... Gonda High School.
	„ Kumadvandhu	... Mudressa-i-Unwariah.
	„ Lalitmohan	... Jenkin's School.
	„ Loknath	... Sanskrit College.
90	„ Manahar	... Private Student.
	„ Manaranjan	... Jagannath School.
	„ Nakurchandra	... Agurparah C. M. S. Institution.
	„ Nityagopal	... Howrah School.
	„ Prasannakumar	... F. C. Institution, Calcutta.
	„ Priyanath	... Metropolitan Institution.
	„ Pulinvihari	... Hindu School.
	„ Radhikaprasad	... F. C. Institution, Calcutta.
	„ Rajendranath	... General Assembly's Institution.
	„ Ramlal	... Oriental Seminary.
100	„ Saratkisor	... Dacca Collegiate School.
	„ Sureschandra	... Delhi Upper School.
	„ Taraknath	... General Assembly's Institution.
	„ Tejchandra	... Hindu School.
	„ Umeschandra	... Metropolitan Institution.
	„ Upendrakumar	... L. M. S. Institution, Bhowanipur.
	„ Upendranath	... Bhagalpur School.
	Basudevprasad	... Shahjahanpur Mission School.
	Bazl-ul-Huq	... Commillah School.
	Bechulal	... Govt. High School, Allahabad.
110	Beechey, G.	... Bishop Cotton School, Simla.
	Bhaduri, Chandrabhushan	... Kishnaghur A. V. School.
	„ Krishnavandhu	... General Assembly's Institution.
	„ Rajaninath	... Pubna School.
	„ Srikrishna	... Jessore School.
	Bhandári, Bipinvihari	... Kuchiakole Radhabullabh's Institution.
	Bharani, Sitanath	... Santipur Municipal School.
	Bhatt, Krishna Rao	... Benares College.
	Bhatta, Tridharacharan	... Kishnaghur Collegiate School.
	Bhattacharyya, Basantakumar	... Seal's Free College.
120	„ Bhupati	... Santipur Municipal School.
	„ Biharilal	... Ditto.
	„ Bimalaprasad	... Sitapur High School.
	„ Devendranath	... Satkhira P. N. School.
	„ Gurudas	... Faridpur School.
	„ Heramvachandra	... Serajgunge School.
	„ Jagadis	... Sanskrit College.
	„ Purnachandra	... Barrackpur School.
	„ Saradaprasad	... South Baharoo School.
	„ Sambhunath	... Culna Moharaja's School.
130	„ Sasadhar	... Benares College.
	„ Sasibhushan	... Metropolitan Institution, Shampukur Branch.
	„ Srinath	... Kishnaghur A. V. School.
	„ Upendrachandra	... Ditto.
	Bhaumik, Tarinicharan	... Faridpur School.
	Bhide, Vinayak Bhikaji	... City School, Nagpur.
	Bishnuprasad	... Patna Collegiate School.
	Biswas, Apurvachandra	... Hindu School.
	„ Banwarilal	... Burdwan Moharaja's School.
	„ Bipinvihari	... Mahespur School.
140	„ Goursundar	... Mymensing School.
	„ Haramohan	... Barisal School.
	„ Kesavnath	... Serajgunge School.
	„ Nivaranchandra	... Baraset School.
	„ Sirischandra	... Sanskrit College.
	„ Sitanath	... Bauleah School.
	„ Taraknath	... Barisal School.
	Bose, Josiah	... Jessore School.

	Brahma, Upendranath	... Kishnaghur Collegiate School.
	Bray, A. J.	... Bishop Cotton's School, Simla.
150	Briant, C.	... Ditto.
	Brijmohanlal	... Agra College.
	Budr-ud-duja	... Doveton College.
	Burward, J. H.	... Bishop Cotton's School, Simla.
	Campion, J.	... La Martiniere College, Lucknow.
	Chakravarti, Abhayacharan	... Pogose School.
	„ Baikantachandra	... Commillah School.
	„ Bhuvanmohan	... Jagannath School.
	„ Bishnuram	... Kishnaghur Collegiate School.
	„ Durgasundar	... Mymensing School.
160	„ Grischandra	... Konnugger A. School.
	„ Harischandra	... Nizamut School.
	„ Kaliprasanna	... Dacca Collegiate School.
	„ Kedarnath	... Naral School.
	„ Kumadnath	... General Assembly's Institution.
	„ Rakhaldas	... Naral School.
	„ Sirischandra	... Jagannath School.
	„ Tarakchandra	... Dacca School.
	„ Thakurdas	... Free Church Institution, Calcutta.
	„ Udaynarayan	... Andul School.
170	Chandra, Akshaykumar	... Oriental Seminary.
	„ Haridas	... Free Church Institution, Calcutta.
	„ Jogneswar	... Ooterparah School.
	„ Ramanath	... Free Church Institution, Calcutta.
	Chattopadhyay, Adharchandra	... Kuchiakole Radhabullabh's Institution.
	„ Akshaykumar	.. Hare School.
	„ Amvikacharan	... Dacca Collegiate School.
	„ Asutosh	... Berhampur Collegiate School.
	„ Bisvanath	... Bankura School.
	„ Chandrakumar	... Dacca Collegiate School.
180	„ Devendranath	... Ooterparah School.
	„ Ganeschandra	... Hare School.
	„ Girindranarayan	... Kishnaghur Collegiate School.
	„ Gokulchandra	... F. C. Institution, Calcutta.
	„ Haranchandra	... Harinavi A. S. School.
	„ Haripada	... Oriental Seminary.
	„ Jagatvandu	... Nawab Abdool Gunny's Free School.
	„ Janakinath	... General Assembly's Institution.
	„ Jogendranath	... Kishnaghur Collegiate School.
	„ Kailaschandra	... Pakur School.
190	„ Kaliprasanna	... Balagarh E. School.
	„ Krishnadhan	... L. M. S. Institution, Bhowanipur.
	„ Krishnadhan	... Ooterparah School.
	„ Mahendranath	... Birbhum School.
	„ Narayanchandra	... C. M. School, Calcutta.
	„ Nilamvar	... Patna Collegiate School.
	„ Nivaranchandra	... Bagnan School.
	„ Prabhatchandra	... Commillah School.
	„ Purnachandra	... Calcutta School.
	„ Rajanikanta	... Hugli Branch School.
200	„ Sankuvihari	... Useful Arts School.
	Chaudhuri, Bijaygovinda	... L. M. School, Khagra.
	„ Durgagovinda	... Bauleah School.
	„ Gopalchandra	... Serajgunge School.
	„ Jagatchandra	... Kishnaghur A. V. School.
	„ Janmajay	... Howrah School.
	„ Jogendralal	... Hugli Branch School.
	„ Mathuranath	... Kishnaghur A. V. School.
	„ Navanigopal	... Hugli Collegiate School.
	„ Saratchandra	... Bauleah School.
210	„ Srikanta	... Kishnaghur Collegiate School.
	„ Umeschandra	... L. M. School, Khagra.
	Chhannulal	... Canning College.
	Chimote, Balkrishna Nilkanta	... City School, Nagpur.
	Churiyamal	... Loodiana Mission School.
	Claudius, J. E.	... Doveton College.
	Collins, W. C.	... Wood's Academy.
	Craymer, S.	... La Martiniere College, Lucknow.
	Daniel Singh	... F. C. Institution, Nagpur.
	Dás, Adharchandra	... Serajgunge School.
220	„ Akshaykumar	... Naral School.

	Dás, Baikantanath	... Commillah School.
	„ Baranasi	... St. John's College.
	„ Bhavanisankar	... Mymensing School.
	„ Bipinvihari	... Noakhali School.
	„ Bisvambhar	... Umritsur District School.
	„ Bisvambhar	... Lahore District School.
	„ Chandrakanta	... Goalparah School.
	„ Damodar	... Benares College.
	„ Devendranath	... Dacca Collegiate School.
230	„ Gangakasi	... Commillah School.
	„ Ghanasyam	... Allygurh Government School.
	„ Girischandra	... Silchar School.
	„ Gopal	... Lahore District School.
	„ Gourmohan	... F. C. Institution, Calcutta.
	„ Gurucharan	... Lahore Mission School.
	„ Harinath	... Kishnaghur A. V. School.
	„ Hemchandra	... General Assembly's Institution.
	„ Janakinath	... Commillah School.
	„ Kaliprasanna	... Dacca Collegiate School.
240	„ Kasikanta	... Bauleah School.
	„ Lachman, I	... Umritsur District School.
	„ Lakshminath	... Sylhet Government School.
	„ Manahar	... Azimgurh School.
	„ Manaranjan	... St. Xavier's College.
	„ Mandirdhar	... Puri School.
	„ Mohinimohan	... Jagannath School.
	„ Piyarimohan	... Faridpur School.
	„ Purnachandra	... Bogra School.
	„ Rajkumar	... Barisal School.
250	„ Rohinikumar	... Navadwip A. S. School.
	„ Sitanath	... Commillah School.
	„ Sivchandra	... General Assembly's Institution.
	„ Sivesvar	... Barisal School.
	„ Sundar	... Lahore District School.
	„ Trigunacharan	... Bengal Institution.
	Datta, Amvikacharan	... Sanskrit College.
	„ Arunchandra	... Hare School.
	„ Chunilal	... Hugli Collegiate School.
	„ Chunilal	... Naral School.
260	„ Devendranath	... Patna Collegiate School.
	„ Haramohan	... Silchar School.
	„ Haricharan	... Debrugarh School.
	„ Janakinath	... Faridpur School.
	„ Makhanlal	... Hindu School.
	„ Matilal	.. L. M. S. Institution, Bhowanipur.
	„ Matilal	... Jessore School.
	„ Piyarilal	... Jabalpur School.
	„ Rajkrishna	... F. C. Institution, Calcutta.
	„ Rasvihari	... Piljung School.
270	„ Sasibhushan	... Midnapur School.
	Davies, G. C.	... Doveton College.
	De, Adharlal	... General Assembly's Institution.
	„ Annadacharan	... Silchar School.
	„ Biharilal	... Patna Collegiate School.
	„ Bisvesvar	... Hindu School.
	„ Jaychandra	... Gouhati School.
	„ Matilal	... Metropolitan Institution.
	„ Priyanath	... Cossipur Kassinath School.
	„ Radhikaprassad	... Badla A. V. School.
280	„ Ramanimohan	... Dacca Collegiate School.
	„ Rammohan	... Joynarain's College.
	De Run, G. W.	... St. Thomas' College.
	Dev, Haridas	... Hugli Branch School.
	„ Radhanath	... Harinavi A. S. School.
	„ Saratchandra	... Ditto.
	Dewanchand	... Umritsur District School.
	Dewanchand	... Gujrat Government School.
	Dhar, Batavihari	... Metropolitan Institution.
	„ Maniklal	... Hindu School.
290	„ Murli	... Arrah School.
	„ Rajanibhushan	... Nizamut School.
	Dhol, Amritalal	... Hindu School.
	D'Silva, J. W.	... Wesley College, Colombo.
	Dube, Mannulal	... Cawnpur Zillah School.

	Dube, Ravisankar	... Jabulpur School.
	„ Ramprasad	... Hurdui School.
	Dushotar, Ramchandra Govind	... F. C. Institution, Nagpur.
	Evans, G.	... St. Peter's College, Agra.
	FitzGerald, P.	... St. Xavier's College.
300	Flynn, D. J.	... La Martiniere College, Lucknow.
	Foley, C. N.	... St. Xavier's College.
	Forsyth, E. F.	... St. Paul's School, Darjeeling.
	Gadgil, Anantramchandra	... F. C. Institution, Nagpur.
	Gajadharprasad	... Patna Collegiate School.
	Gangaprasad	... Allahabad Government High School.
	Gangaram	... Roy Bareilly School.
	Gangopadhyay, Amvikacharan	... Rowile H. C. E. School.
	„ Nagendranath	... Metropolitan Institution, Shampukur Branch.
	„ Satyaprasad	... St. Xavier's College.
310	Gasper, S. G.	... Armenian Phil. Academy.
	Ghasiram	... Hume's High School, Etawah.
	Ghatak, Kaminikumar	... Jagannath School.
	„ Sasimohan	... Santosh Jahnavi School.
	Ghate, Jogneswar Ganesh	... F. C. Institution, Nagpur.
	Gholam Azam	... Calcutta Mudrassa.
	Ghosh, Akshaykumar	... Ranaghat School.
	„ Ashutosh	... Howrah School.
	„ Bholanath	... Calcutta School.
	„ Bípinvíharí	... Metropolitan Institution, Shampukur Branch.
320	„ Brajanath	... Garden Reach School.
	„ Devendranath	... Calcutta School.
	„ Dhírajkrishna	... General Assembly's Institution.
	„ Gnanendramohan	... Faridpur School.
	„ Haridas	... Sibpur H. C. E. School.
	„ Jagatvandhu	... Dacca Collegiate School.
	„ Janakivallabh	... Cuttack Collegiate School.
	„ Jaygopal	... South Suburban School, Kalighat.
	„ Jogendranath	... General Assembly's Institution.
	„ Jogendranath	... Jessore School.
330	„ Kalidayal	... Teghoria School.
	„ Kalikumar	... Pakur School.
	„ Kaliprasanna	... Faridpur Zillah School.
	„ Kániálal	... Burdwan Moharaja's School.
	„ Kapilchandra	... Allahabad Government High School.
	„ Kedarnath	... Konnugger Aided School.
	„ Kesavchandra	... Metropolitan Institution, Sampooker Branch.
	„ Kherodchandra	... General Assembly's Institution.
	„ Madanmohan	... Commillah School.
	„ Mohendranath	... Hindu School.
340	„ Mahitchandra	... Joynarain's College.
	„ Mathuranath	... L. M. S. Institution, Bhowanipur.
	„ Narendrakrishna	... Doveton College.
	„ Nivaranchandra	... Hindu School.
	„ Nripendranath	... Hare School.
	„ Panchanan	... Midnapur High School.
	„ Panchkari.	... Chinsurah Hindu School.
	„ Prakaschandra	... Metropolitan Institution, Shampukur Branch.
	„ Priyanath	... Cuttack Collegiate School.
	„ Rajanikanta	... Naral H. C. E. School.
350	„ Rajendralal	... Hare School.
	„ Ramananda	... Garden Reach School.
	„ Ramanimohan	... Hare School.
	„ Sagarchandra	... Barisal School.
	„ Sasinath	... Sanskr College.
	„ Satischandra	... Barrackpur School.
	„ Syamacharan	... L. M. S. Institution, Bhowanipur.
	„ Taraknath	... Bhaugulpur H. C. E. School.
	„ Tinkari	... Metropolitan Institution, Shampukur Branch.
	Ghoshal, Anangamohan	... Horinavi A. S. School.
360	„ Harinath	... General Assembly's Institution.
	„ Hariprasad	... L. M. School, Khagra.
	Gill, A. B.	... Doveton College.
	Girdhar Lal	... Lahore District School.
	Giridharilal	... Upper School, Delhi.
	Gosvami, Satkari	... Ooterparah School.
	Govind Balwant Pandhripande	... F. C. Institution, Nagpur.
	Gregory, S.	... Hugli Collegiate School.
	Guha, Dvarkanath	... Jenkin's School.
	„ Girischandra	... Noakhali School.

370	Guha, Haladhar	... Pogose School.
	„ Janakinath	... Faridpur Zillah School.
	„ Kasichandra	... Noakhali School.
	Gupta, Asutosh	... Howrah School.
	„ Bamacharan	... Ditto.
	„ Dvarkanath	... F. C. Institution, Calcutta.
	„ Kunjalal	... Sanskrit College.
	„ Kunjavihari	... Andul School.
	„ Sivendranath	... Barisal School.
	Gurandit	... Teacher.
380	Haldar, Haricharan	... Deogurh Zillah School.
	„ Satkari	... Hare School.
	Harnarayan	... Bareilly College.
	Hazarilal	... Lakhimpur High School.
	Hidayet-ullah	... Gujrat Govt. School.
	Higgs, J.	... La Martiniere College, Calcutta.
	Hiranand	... Teacher.
	Housden, F. G.	... Mussooree School.
	Huku, Niranjannath	... Victoria School.
	Hushmat Ulla	... C. M. School, Gorakpur.
390	Indurkar, Balwant Khanda	... F. C. Institution, Nagpur.
	„ Hari Lakshman	... Ditto.
	Jaganai Kulu, C.	... Jubbulpur High School.
	Jagannath	... Hushyarpur District School.
	Jagannath	... Jeypur Moharaja's College.
	Jana, Ajodhyalal	... L. M. School, Midnapur.
	Jayram	... Gujranwallah Mission School.
	Jebb, N. J.	... St. Xavier's College.
	Jha, Ramanath	... Benares College.
	Jitanprasad	... Arrah School.
400	Jitraj	... Rawulpindee Mission School.
	Joakim, C. V.	... Doveton College.
	Joshi, Lakshman Vithal	... Private Student.
	Kabir-ullah	... Barisal School.
	Kamptaprasad	... Balrampur A. School.
	Kamptaprasad	... Gonda High School.
	Karamchand	... Rawulpindee Mission School.
	Karmakar, Baikantanath	... Dacca Collegiate School.
	Khanna, Narottamdas	... Moradabad Zillah School.
	Kumar, Gajendranarayan	... Patna Collegiate School.
410	„ Purnachandra	... Hindu School.
	Kundu, Gopalchandra	... Calcutta School.
	„ Kedarnath	... Howrah School.
	„ Nilmani	... F. C. Institution, Calcutta.
	„ Prannath	... Metropolitan Institution.
	Kushari, Chandkisore	... Commillah School.
	Laha, Saratchandra	... Hindu School.
	Lahiri, Bipinchandra	... Mymensing School.
	„ Dwarkanath	... Ditto.
	„ Lalitmohan	... Bauleah High School.
420	„ Mahendrachandra	... Metropolitan Institution.
	„ Mahendranath	... Howrah School.
	„ Satyajivan	... Kishnaghur A. V. School.
	Lajjaram	... Hurdui School.
	Lala, Baldeo	... Gya School.
	„ Baniprasad	... Joynarain's College.
	„ Hari	... Budaon School.
	„ Syamsundar	... Ditto.
	Le Blanc, W.	... St. Xavier's College.
	MacCrea, J.	... Ditto.
430	Madak, Ramchandra	... Hugli Collegiate School.
	Madangopal	... Hushyarpur District School.
	Madhavprasad	... Government High School, Allahabad.
	Mahadevprasad	... Gonda High School.
	Mahesprasad	... Christ Church School, Cawnpur.
	Maitra, Dvarkanath	... Chatmohar School.
	„ Kaliprasad	... Berhampur Collegiate School.
	„ Mathuranath	... Santipur Municipal School.
	„ Sureschandra	... Bauleah School.
	Majumdar, Akshaykumar	... Ooterparah School.
440	„ Amvikacharan	... L. M. S. Institution, Bhowanipur.
	„ Durgacharan	... Oriental Seminary.
	„ Jogendranath	... Hindu School.
	„ Jogeschandra	... Rungpur School.
	„ Khemacharan	... Patna Collegiate School.
	„ Maheschandra	... Mogultuli School.
	„ Mathuranath	... Santosh Johnavi School.

	Majumdar, Parikshitchandra	... Joynarain's College.
	„ Rakhavesvar	... Birbhum School.
	„ Rohinikumar	... Pogose School.
450	„ Srikrishna	... Behar English School.
	Mallik, Bhagavicharan	... St. Peter's College, Allahabad.
	„ Lalitmadhav	... South Suburban School.
	Mandal, Girischandra	... Birbhum School.
	Manilal	... Furruckabad Zillah School.
	Manook, G.	... St. Xavier's College.
	Marik, Akhilchandra	... Barrackpur School.
	Martin, P. Z.	... Armenian Phil. Academy.
	Masad Ali	... Sylhet Government School.
	Mathur, Kedarnath	... Moradabad Zillah School.
460	Matilal	... Cawnpur Zillah School.
	Maulik, Jadavchandra	... Rungpur School.
	„ Mahendrachandra	... Sarodaprosad Institution, Chukdigi.
	Mayes, J. C.	... La Martiniere College, Lucknow.
	Mayz-ud-din	... Rungpur School.
	Misra, Baldeoprasad	... Hurdui School.
	„ Brahmasankar	... Benares College.
	„ Harinarayan	... Birbhum School.
	„ Ishanchandra	... Pandra School.
	„ Sukhmangal	... Canning College.
470	„ Surajnarayan	... Hurdui School.
	Mitra, Abhayacharan	... Oriental Seminary.
	„ Anandakumar	... St. Peter's College, Allahabad.
	„ Bhavatosh	... Hare School.
	„ Charuchandra	... Patna Collegiate School.
	„ Harendranath	... F. C. Institution, Chinsurah.
	„ Jogendranath	... Metropolitan Institution.
	„ Kiransasi	... Hare School.
	„ Lakshminarayan	... L. M. School, Midnapur.
	„ Lalchand	... Shambazar H. G. E. School.
480	„ Netramohan	... Ooterparah School.
	„ Nimáicharan	... Cuttack Collegiate School.
	„ Piyarilal	... Hare School.
	„ Prasannakumar	... Monghyr Zillah School.
	„ Purnachandra	... Dacca Collegiate School.
	„ Raicharan	... Jessore School.
	„ Rajvallabh	... Hare School.
	„ Srinath	... Sibpur Institution.
	„ Sureshchandra	... Hindu School.
	„ Sureshchandra	... F. C. Institution, Calcutta.
490	„ Sureshchandra	... Ranchi Government School.
	„ Suryyakumar	... Jessore School.
	„ Upendrachandra	... Bankura School.
	„ Upendragopal	... L. M. S. Institution, Bhowanipur.
	Mohanlal	... Shahjehanpur Mission School.
	Mohanty, C.	... Cuttack Collegiate School.
	Moohta, Premraj	... Durbar School, Jodhpur.
	Muhammad Abul Majid	... Government High School, Allahabad.
	„ Amjad	... Calcutta Mudrassa.
	„ Ata	... Government High School, Allahabad.
500	„ Hafizuddin	... Lahore Mission School.
	Mukhopadhyay, Adhyanath	... Gossi Durgapur School.
	„ Akshoykumar	... Kuchiakole Radhabhallab Institution.
	„ Akshoykumar	... St. Joseph's School.
	„ Anangamohan	... South Baharoo School.
	„ Asutosh	... Ranchi Government School.
	„ Bankavihari	... Baraset School.
	„ Basantakumar	... L. M. S. Institution, Bhowanipur.
	„ Bhagavaticharan	... Ooterparah School.
	„ Bharatchandra	... Nawab Abdul Gunny's Free School.
510	„ Bhavanath	... Ilsoba Moudlye School.
	„ Bhushanchandra	... Goverdangah School.
	„ Biharilal	... Bankura School.
	„ Chandrakumar	... Ditto.
	„ Dineschandra	... Barisal School.
	„ Durgaprasanna	... Kalipara H. C. E. School.
	„ Haragovinda	... Behar English School.
	„ Haricharan	... F. C. Branch School, Culna.
	„ Haridas	... Santipur Municipal School.
	„ Harilal	... Barisa School.
520	„ Harinath	... Bankura School.
	„ Harischandra	... Pakoor School.

	Mukhopadhyay, Indubhushan	... Kishnaghur Collegiate School.
	„ Jagadiskumar	... Mozufferpore School.
	„ Jayhari	... Baraset School.
	„ Jogendrachandra	... Bankura School.
	„ Jogendranath	... Kishnaghur A. V. School.
	„ Jogeschandra	... Cuttack Collegiate School.
	„ Krishnajivan	... C. M. School, Calcutta.
	„ Nagendranath	... Bhagulpur School.
530	„ Nivaranchandra	... Jonye Training School.
	„ Panchkari	... Santipur Municipal School.
	„ Priyanath	... F. C. Institution, Calcutta.
	„ Rajendranath	... Konnugger A. School.
	„ Ramsaday	... Burdwan Moharaja's School.
	„ Saradaprasad	... Bhagulpur School.
	„ Sasibhushan	... Burranugger Hindu School.
	„ Satischandra	... Birbhum School.
	„ Satischandra	... Metropolitan Institution.
	„ Srinarayan	... Useful Arts School.
540	„ Srischandra	... Bhagulpur School.
	„ Susilendra	... Faridpur School.
	„ Syamacharan	... Baraset School.
	„ Upendrachandra	... Bauleah School.
	Mulraj	... Jullundur Mission School.
	Munasingha S.	... Private Student.
	Nafre, Makund Rao	... Jubbulpur High School.
	Nag, Bijaykrishna	... Metropolitan Institution.
	„ Chandrakesor	Silchar Government School.
	„ Ramcharan	... Doulatpur H. C. E. School.
550	Nandi, Asutosh	... Hindu School.
	„ Hridaychandra	... Calcutta Training Academy.
	„ Purnachandra	... Hare School.
	Nathulal	... Loodianah Mission School.
	Neal, F.	... Allahabad Diocesan High School.
	Niogi, Batavihari	... Metropolitan Institution, Shampooker Branch.
	„ Jadunath	... Cuttack Colleigate School.
	„ Kailaschandra	... Mymensing School.
	Nursimooloo	... High School, Rangoon.
	O'Brien, S. C.	... La Martiniere College, Calcutta.
560	Ollenbach, D. S.	Patna Collegiate School.
	Parbi, Damodar	... Cuttack Collegiate School.
	Pakrasi, Devendranath	... Howrah School.
	Pal, Baishnavcharan	... Rungpur School.
	„ Haranchandra	... F. C. Institution, Calcutta.
	„ Satkari	... Hugli Collegiate School.
	„ Syamlal	... Hare School.
	„ Trailokyanath	... Midnapur High School.
	Pant, Gupinath	... Hindu School.
	„ Ramlal	.. Ranaghat School.
570	„ Sastidas	... Patna Collegiate School.
	Panchbhai, Govinda Sitaram	... City School, Nagpur.
	„ Madhao Sitaram	... Ditto.
	Pande, Beniram	... Benares College.
	„ Rajaram	... Jubbulpur High School.
	Pandit, Govinda Lakshman	... F. C. Institution, Nagpur.
	„ Navadwipchandra	... Dalal Bazar School.
	„ Sankarnath	... Hare School.
	Pant, Harkishan	... Almorah Mission School.
	Patnaik, Krishnamohan	... Puri School.
580	Patton, L.	... La Martiniere College, Calcutta.
	Peter, D. A.	... C. M. School, Gorakpur.
	Phadnavis, Rajaram Yeshwant	... City School, Nagpur.
	Pirchand	... Ajmere College.
	Piyarelal	... Bareilly College.
	Puranmal	... Allyghur Government School.
	Purnachandra	.. Benares College.
	Rabbani, Golam	... Kishnaghur Collegiate School.
	Racburne, H.	... St. Xavier's College.
	Radharaman	... Government High School, Allahabad.
590	Raghuvar Dyal	... Christ Church School, Cawnpore.
	Raha, Amritlal	.. Khulna School.
	Rajbahadur	... Fyzabad High School.
	Rajnarayan	... Victoria High School.
	Rakshit, Sridharchandra	... Hare School.
	Rambahadur, Rai	... Sarun School.
	Ramchand	... Upper School, Delhi.

	Ramesvarnath	... Canning College.
	Ramkrishna	... Hushyarpur District School.
	Ramkumar	... Jeypur Moharaja's College.
600	Ramprasad	... L. M. High School, Benares.
	Raoji Navlekar	... C. M. School, Jubbulpur.
	Ray, Asutosh	... Kishnaghur Collegiate School.
	„ Biharilall	.... Kandi School.
	„ Chandramohan	Dacca Collegiate School.
	„ Charuchandra	... Barrackpur Wesleyan Mission School.
	„ Dvarkanath	... Dacca Collegiate School.
	„ Girindrachandra	... Birbhoom School.
	„ Govindacharan	... South Suburban School, Kalighât.
	„ Haridas	... Kishnaghur Collegiate School.
610	„ Harinarayan	... Hare School.
	„ Harinath	... Kishnaghur Collegiate School.
	„ Jagatchandra I	... Mymensing School.
	„ Jogatchandra II	... Ditto.
	„ Jogendranath	... Hare School.
	„ Jogeschandra	... Tumlook Hamilton's English School.
	„ Joguesvar	... Benares College.
	„ Kshetranath	... Kustia School.
	„ Kunjamohan	... Mymensing School.
	„ Kunjavihari	... Garden Reach School.
620	„ Lalvihari	... Hugli Branch School.
	„ Lavanchandra	... L. M. School, Midnapur.
	„ Naphardas	... Berhampur Collegiate School.
	„ Navakrishna	... Midnapur High School.
	„ Phakirchandra	... Ditto.
	„ Prankrishna	... Purulia School.
	„ Prasannakumar	... Bankura School.
	„ Radhavallabh	... Bogra School.
	„ Radhikanath	... F. C. Institution, Calcutta.
	„ Rajanikanta	... Midnapur High School.
630	„ Rajkumar	... F. C. Institution, Calcutta.
	„ Rasvihari	L. M. S. Institution, Bhowanipur.
	„ Rasvihari	... Dacca Collegiate School.
	„ Saratchandra	... Rungpur School.
	„ Sasibhusan	.. Midnapur High School.
	„ Satyanath	... Kishnaghur A. V. School.
	„ Sivgovinda	... General Assembly's Institution.
	„ Sureshchandra	... Kishnaghur Collegiate School.
	„ Syamaprasad	... Calcutta Training Academy.
	„ Taruknath	... Serajgunge School.
640	„ Upendranarayan	... Kandi School.
	Raychaudhuri, Girindranath	... Ramnagur School.
	„ Jogendranath	... Sibpur Institution.
	„ Lalitkisor	... South Suburban School, Kalighat.
	„ Saradaprasad	... Harinavi A. S. School.
	Reilly, E. W.	... Doveton College.
	Rostan, J. F.	... St. Xavier's College.
	Routh, Krishnachandra	... Santosh Jahnavi School.
	Rudra, Kaminibhushan	... Dacca Collegiate School.
	Ruplal	... Umritsur District School.
650	Sadhu, Kunjavihari	... Chundernugger School.
	Saha, Ramlal	... Pakoor School.
	Sahây, Baijnath	... Government High School, Allahabad.
	„ Bhavani	... Ulwar High School.
	„ Chandranath	.... Bhagulpur School.
	„ Ganga	... Futtehgurh High School.
	„ Jagannath (junior)	... Bhagulpur School.
	„ Mahadev	... Ranchi School.
	„ Nilkanta	... Purnea School.
	„ Ram	... Canning College.
660	Samanta, Brajanath	... Burdwan E. School.
	„ Kalitaran	... Searsole School.
	Sandel, A. L.	... Doveton College.
	Sankarlal	... Sultanpur School.
	Santram	... Gujrat School.
	Sanyal, Bamacharan	... Metropolitan Institution, Shampooker Branch.
	„ Janakinath	... Government High School, Allahabad.
	„ Kasikanta	... Serajgunge School.
	„ Radhanath	... Santipur Municipal School.
	„ Ramchandra	... Midnapur High School.
670	Sarkar, Amarnath	... Jessore School.
	„ Baradakanta	... Gossydurgapur School.
	„ Basantakumar	... L. M. S. Institution, Bhowanipur.
	„ Ganeschandra	... Gulna Moharaja's School.
	„ Hariharan	... Metropolitan Institution, Shampooker Branch.
	„ [illegible]	... [illegible] School.

	Sarkar, Kunjavihari	... Maldah School.
	,, Paresnath	... F. C. Institution, Calcutta.
	,, Prasannakumar	... Kishnaghur A. V. School.
	,, Srischandra	... Dacca Collegiate School.
680	,, Sureschandra	... Ilsoba Mondlye School.
	,, Tinkari	... Metropolitan Institution, Shampooker Branch.
	Sarkhel, Gopallal	... Howrah School.
	Sarma, Srinarayan	... Ajmere College.
	Sarvanlal	... Agra College.
	Sekandarkhan	... Ajmere College.
	Sen, Akshaykumar	... Dacca Collegiate School.
	,, Amritalal	... Barisal School.
	,, Amritalal	... Jeypur Moharaja's College.
	,, Amvicacharan	... Jenkin's School.
690	,, Avinaschandra	... Bauleah School.
	,, Bhuvanmohan	... Jagannath School.
	,, Bidhubhusan	... General Assembly's Institution.
	,, Bireshvar	... Patna Collegiate School.
	,, Bisveswar	... Barisal School.
	,, Girischandra (junior)	... Rungpur School.
	,, Girischandra (senior)	... Ditto.
	,, Gopalchandra	Sanskrit College.
	,, Haralal	... Bankura School.
	,, Jogeschandra	... Calcutta School.
700	,, Kedarnath	... L. M. S. Institution, Bhowanipur.
	,, Nagendrachandra	... Ditto.
	,, Parvaticharan	... Kishnaghur Collegiate School.
	,, Pratapchandra	... Jagannath School.
	,, Purnakam	... L. M. School, Khagra.
	,, Ramchandra	... Calcutta Training Academy.
	,, Ramcharan	... Hugli Collegiate School.
	,, Rishikes	... Monghyr Zillah School.
	,, Sasikumar	... Barisal School.
	,, Satischandra	... Chittagong School.
710	,, Sivesvar	... Barisal School.
	,, Syamacharan	... Metropolitan Institution, Shampooker Branch.
	,, Taraprasanna	... Dacca Collegiate School.
	,, Upenchandra	... General Assembly's Institution.
	Sengupta, Girijananda	... Daulatpur H. C. E. School.
	Seth, E.	... Diocesan High School, Allahabad.
	Sewaram	... Lahore District School.
	Shaik Muhammad Ahmed	... Canning College.
	Shio Baksh	... Jeypur Moharaja's College.
	Shionarainlal	... Gazipur Mission School.
720	Sikdar, Ramkalpa	... Private Student.
	Singh, Gouriprasad	... Monghyr Zillah School.
	,, Manahar	... Baptist Mission School, Monghyr.
	Sinha, Adhar Chandra	Pogose School.
	,, Gopalchandra	... Midnapur High School.
	,, Gosiandas	... General Assembly's Institution.
	,, Harinath	Sanskrit College
	,, Jagannath	... Birbhum School.
	,, Janajitlal	... Sanskrit College.
	,, Krishnakumar	... Mymensing School.
730	,, Radhikaprasad	... Hugli Collegiate School.
	,, Ramanimohan	... Calcutta School.
	,, Ramlal	... Teacher.
	,, Sasibhusan	... Chinsurah Hindu School.
	,, Syamlal	... Patna Collegiate School.
	Sitalprasad	... Furruckabad Zillah School.
	Sivadayal	... Lahore District School.
	Sivaprasad	... Jabalpur High School.
	Som, Madanmohan	... Sylhet Govt. School.
	Sripet, Ramchandra	... C. M. School, Jabalpur.
740	Sujjad Hosen	... Canning College.
	Sur, Makanlal	... Metropolitan Institution, Shampooker Branch.
	Surajbhan	... A. P. Mission School, Saharanpur.
	Suriarachchi, A	... Kandy Collegiate School.
	Syed Ahmed Hosen	... Sitapur High School.
	,, Wajah Ullah	... Calcutta Mudrassa.
	Tarachand	... St. John's College.
	Temarnikar, Govind Setaram	... Jabalpur High School.
	Tiwari, Avadhanarayan	... C. M. School, Gorakpur.
	Ticonan, E.	... Bishop Cotton's School.
750	Trikha, Rambhaj	... Lahore District School.
	Twidale, B.	... St. Xavier's College.
	Uhdadar, Narendranath	... Benares College.
	Upadhya, Grishchandra	... Pakoor School.

	Valuppillai, C.	.... Wesleyan Central Institution.
	Wahaj, Abdool	... Moradabad Mission High School.
	Wazir Mahommed Khan	... Gonda High School.
	Wazul Haq	... Patna Collegiate School.
	Weeresekere, R.	... St. Thomas College, Colombo.
	Wilson, H. E.	... La Martiniere College, Lucknow.
760	Younan, A. C.	... St. Xavier's College.

THIRD DIVISION.

In Alphabetical Order.

	Abdul Aziz	... Shahjahanpur Zillah School.
	,, Hamid	... Patna Collegiate School.
	Acharyya, Kaliprasanna	... Bauleah School.
	,, Nilratan	... Kishnaghur Collegiate School.
	Ajoodhyaprasad	... Banda Zillah School.
	Ali Hasan	... Benares College.
	,,	... Hume's High School, Etawah.
	Anantaram	.. Bengalitollah Preparatory School.
	Bajpeyi, Basudev	... Joynarayan's College.
10	Bandyopádhyáy, Bamandás	... Balagar English School.
	,, Banawarilál	.. Navadwipa A. S. School.
	,, Baradadás	... Kishnaghur Collegiate School.
	,, Bhudevcharan	... Puri Zillah School.
	,, Bidhubhushan	... Hare School.
	,, Bipinchandra	... Faridpur School.
	,, Bishnuchandra	... Gonda High School.
	,, Dvarkanath	... Chinsurah Free Church Institution.
	,, Girischandra	... Kuchiakole Radhaballabh's Institution.
	,, Haricharan	... Chinsurah Free Church Institution.
20	,, Harikishen	... Maldah School.
	,, Kailaspati	... Seebpur Institution.
	,, Kalipada	... Metropolitan Institution.
	,, Pramathanath	... Berhampur Collegiate School.
	,, Rajendranath	... Ilsoba Mondlye School.
	,, Ramnath	... Kishnaghur Collegiate School.
	,, Saratchandra	... Mirzapur Zillah School.
	,, Sasibhushan	... Hazaribagh School.
	,, Sureschandra	... L. M. School, Khagra.
	,, Tarinicharan	... Purulia School.
30	Baral, Nilratan	... Berhampur Collegiate School.
	Barkatram	... Lahore Mission School.
	Barua, Muktaram	... Sibsagar Zillah School.
	Basak, Anathvandhu	... Nawab Abdul Gunny's Free School.
	,, Devendranath	... Dacca Collegiate School.
	,, Jagadananda	... Dighapatia School.
	Basu, Batakrishna	.... Seebpur Institution.
	,, Bidhubhusan	... Daulatpur H. C. E. School.
	,, Haranath	... Barisal School.
	,, Kalinath	... Private Student.
40	,, Lalitkrishna	... Pogose School.
	,, Nandalal	... Hugli Branch School.
	,, Nirodvihari	... Metropolitan Institution.
	,, Nrityagopál	... L. M. S. Institution, Bhowanipore.
	,, Priyagopal	... Burdwan Moharaja's School.
	,, Rajanikanta	... Muragacha School.
	,, Rasiklal	... General Assembly's Institution.
	,, Sadhuprasad	... Puri Zillah School.
	,, Saratchandra	... Upper School, Delhi.
	,, Syamaprasanna	.... Dacca Collegiate School.
50	,, Umeschandra	... Behar English School.
	Bhandari, Mangalchand	... Jodhpur Durbar School.
	Bhattacharyya, Aghornath	... Benares College.
	,, Amritalal	... Agarpara C. M. S. Institution.
	,, Binodilal	... Navadwipa A. S. School.
	,, Haranchandra	... Joynarayan's College.
	,, Hemchandra	... Santipur Municipal School.
	,, Jadunath	.. Beerbhoom School.
	,, Kalicharan	... Barabanki High School.
	,, Mahendranath	... Baranagar Hindu School.
60	,, Ramchandra	.. Chinsurah Free Church Institution.
	Bhaumik, Arjunchandra	.. Serajgunge School.
	,, Bamacharan	... Bauleah School.
	,, Sasibhusan	... Kishnaghur Collegiate School.
	Bhavanipraśad	... Bareilly College.
	Bishenlal	... Ajmere College.
	Biswas, Dipnarain	... Kishnaghur Collegiate School.

	Bisvas, Bisvanath	... L. M. School, Khagra.
	„ Gopalchandra	... Bauleah School.
	Bisvesvarprasad	... Teacher.
70	Brijpaldás	... Moradabad Zillah School.
	Busaid	... Calcutta Mudressa.
	Chakravarti, Atulchandra	... Sylhet Govt. School.
	„ Chandrakanta	... Fyzabad High School.
	„ Dayalchandra	... L. M. S. Institution, Bhowanipore.
	„ Harilal	... Calna Free Church Branch School.
	„ Isánchandra	... Banda Zillah School.
	„ Madanmohan	... Calcutta School.
	„ Navinchandra	.. Commillah School.
	„ Pnakirchandra	... P. Gupinathpur School.
80	„ Saradacharan	... Mymensing School.
	„ Saratchandra	Jagannath School.
	„ Suryyakanta	... Serajgunge School.
	Chandra, Avinasdas	... St. Peter's College, Allahabad.
	Chandragir, Ghanasyam	... Dinagepore School.
	Chattopadhyay, Atulchandra	... Jabalpur High School.
	„ Benimadhav	... Daulatpur H. C. E. School.
	„ Girischandra	Metropolitan Institution.
	„ Jadunath	... Bankura School.
	„ Jogendranath	... General Assembly's Institution.
90	„ Mahendranath	... L. M. School, Khagra.
	„ Navinchandra	... Hugli Branch School.
	„ Nimáichand	... L. M. S. Institution, Mirzapur.
	„ Panchanan	... Calcutta Free Church Institution.
	„ Phanindrabhushan	... Hindu School.
	„ Priyanath	... Hetampur School.
	„ Siddhesvar	.. L. M. S. Institution, Bhowanipur.
	„ Trailokyanath	... L. M. School, Khagra.
	Chaudhuri, Amvikacharan	... Putia School.
	„ Bipinvihari	... Bauleah School.
100	„ Devendranath	... Taki School.
	„ Gyanananda	... Hugli Collegiate School.
	„ Manmathanath	... Kishnaghur Collegiate School.
	„ Pratapchandra	... Bauleah School.
	„ Purnachandra	... Kishnaghur A. V. School.
	„ Rajanikanta	... Barisal School.
	„ Syamsundar	... Burdwan English School.
	„ Tarakchandra	... Bauleah School.
	Chhotelal	... Bareilly College.
	Cleophas, C. D.	... L. M. S. Institution, Mirzapur.
110	D'Abreu, W. F.	.. Patna Collegiate School.
	Damodarcharan	... Moradpur School, Bankipur.
	Dás, Bhagwan	... Fyzabad High School.
	„ Dvarkanath	... Dacca Collegiate School.
	„ Harinath	... Calcutta Free Church Institution.
	„ Hridaychandra	... Ananda School, Brahmanbaria.
	„ Jaynarayan	... Cuttack Collegiate School.
	„ Kalikamal	... Mufti School, Sylhet.
	„ Khagendranarayan	... Tushbunder English School.
	„ Krishnachandra	... Pogose School.
120	„ Rajendrachandra	... Sridharpur School.
	„ Ramcharan	... Jagannath School.
	„ Ramkrishna	... Cuttack Collegiate School.
	Datta, Annadaprasad	... Ranchi Government School.
	„ Dakshinaranjan	... Metropolitan School.
	„ Durlabhchandra	... Chundernagar School.
	„ Jadunath	... Shampuker Preparatory School.
	„ Jaykisor	... Mufti School, Sylhet.
	„ Kaminikumar	... Dacca School.
	„ Nagendrachandra	... Hare School.
130	„ Panchkari	... Jehanabad School.
	„ Purnachandra	... Chittagong School.
	„ Saratchandra	... Pogose School.
	„ Srinath	... Barisal School.
	De, Bhagavaticharan	... Church Mission School, Calcutta.
	„ Gopalchandra	... Kishnaghur Collegiate School.
	„ Gopinath	... Cuttack Collegiate School.
	„ Jaduprasad	... Debrugarh School.
	„ Piyaremohan	... Hugli Collegiate School.
	„ Prasannakumar	... Commillah School.
140	„ Prasannakumar	... Bauleah School.
	„ Prasannakumar	... Sylhet Government School.
	„ Saradaprasad	... Hare School.
	Deviprasad	... L. M. High School, Benares.

	Dhanpatlal	... Cawnpur Zillah School.
	Durgaprasad	... Banda Zillah School.
	Durgaprasad	... Cawnpur Zillah School.
	Dvarkaprasad	... L. M. High School, Benares.
	Gajadharprasad	... Ray Bareilly High School.
	Ganes Madho Rao Katesthani	... Jabalpur High School.
150	Gangadhar Sadashiv Gokhale	... City School, Nagpur.
	Gangopadhyay, Biharilal, I	... Jagannath School.
	„ Gopalchandra	... Shambazar H. G. E. School.
	„ Kaminikumar	... Hugli Branch School.
	Gaurisankar	... Hurdui High School.
	Ghatak, Rajkumar	... Pogose School.
	Ghosh, Anujcharan	... Chinsurah Free Church Institution.
	„ Bidhubhusan	... Dacca School.
	„ Dvarikanath	... Barisal School.
	„ Girischandra	... Bhagalpur School.
160	„ Hemchandra	... Sulkea A. S. School.
	„ Jogendrakumar	... Piljung School.
	„ Khudiram	... Nizamat School.
	„ Mahendrachandra	... Jounpur C. M. School.
	„ Nepalchandra	... General Assembly's Institution.
	„ Rajendralal	... Piljung School.
	„ Rakhaldas	... Ilsoba Mondlye School.
	„ Ramlal	... Howrah School.
	„ Tarapada	... Metropolitan Institution.
	Ghoshal, Avinaschandra	... Sodepur H. C. E. School.
170	„ Bipinvihari	... Seal's Free College.
	„ Radhikapada	... Metropolitan Institution, Shampuker Branch.
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	Gokulprasad	... Canning College.
	Gopallal	... Allygurh Govt. School.
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	Guha, Chandrakumar	... Pogose School.
	„ Umeschandra	... Jenkin's School, Cooch Behar.
	Gupta, Gopalchandra	... Hugli Collegiate School.
180	„ Gourgopal	... Kandi School.
	Hajra, Mihirchandra	... Metropolitan Institution, Shampuker Branch.
	Haldar, Rajendranath	... Calcutta School.
	Harikrisna Kharabi	... Nagpur Free Church Institution.
	Harprasad	... Bareilly College.
	Hpó Myah	... Government High School, Rangoon.
	Hazarilal	... Sarun School.
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	Jaykaranlal	... Benares College.
	Josi, Jaidatta	... Almora Mission School.
190	Jugalkishore	... Hushiarpur District School.
	Kashiram	... Umritsar Mission School.
	Khalilur Rahman	... Dighapatia School.
	Khan, Haridas	... Kuchiakole Radhaballabh's Institution.
	„ Hariprasanna	... Canning College.
	Khudi Rai	... Gazipur Mission School.
	Krishnananda	... Bareilly College.
	Kukriti, Bala Datta	... Ditto.
	Kunjavihari	... Hume's High School, Etawah.
	Lahiri, Gopalchandra	... L. M. High School, Benares.
200	„ Prasannanath	... Nizamat School.
	Lálá, Ramananda	... Joynarain's College.
	Liládhar	... Bareilly College.
	Loorindamal	... Peshawar Mission School.
	Madak, Avinaschandra	... Seal's Free College.
	Madanmohanlal	... Bareilly College.
	Madanviharilal	... Bhagalpur School.
	Mahanti, Bansidhar	... Puri Zillah School.
	Mahomed, Faseth	... L. M. High School, Benares.
	„ Ibrahim Khan	... Bareilly College.
210	„ Isa	... Mirzapur Zillah School.
	„ Ismail	... Nizamat School.
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	„ Srischandra	... Bauleah School.
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230	„ Ganeschandra	... Gya School.
	„ Gopallal	... Calcutta Institution.
	„ Haranchandra	... Patna Collegiate School.
	„ Jogendranarayan	... Berhampore Collegiate School.
	„ Matilal	... Metropolitan Institution.
	„ Rajkumar	... Campbell Medical School.
	„ Tulsicharan	... Seal's Free College.
	„ Umeschandra	... Culna Maharaja's School.
	Mukhopádhyáy, Amirtalal	... L. M. S. Institution, Bhowanipore.
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240	„ Bankavihari	... Chybassa Govt. School.
	„ Bijaykhrishna	... Oriental Seminary.
	„ Devendranath	... Behala Mission School.
	„ Dvarkanath	... Joynarain's College.
	„ Hariha[illegible]	... Ootterparah School.
	„ Kaliprasanna	... Beerbhoom School.
	„ Lálgopál	... Fyzabad High School.
	„ Prasannakumar	... Borah H. C. E. School.
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250	Nageshvarprasad	... Gorakpur C. M. School.
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	Niogi, Trailokyanath	... Bauleah School.
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260	„ Kailaschandra	... Dighapatia School.
	Pál, Binadvihari	... Hugli Branch School.
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	„ Ramgopal	... Dighapatia School.
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	Pánja, Banawarilal	... Private Student.
	„ Dvarkanath	... Howrah School.
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	Patnaik, Udaynath	... Cuttack A. V. School.
270	Pramanik, Gopivallabh	... Kandi School.
	„ Manmathanath	... Ranaghat School.
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	Rai, Badriprasad	... Agra College.
280	„ Dewanganput	... Lahore District School.
	„ Salamut	... Ditto.
	Rajkumarlal	... Victoria School, Gazipur.
	Ramcharan	... Bareilly College.
	Ramkumar	... Arrah School.
	Ramnath	... Canning College.
	Rashid Uddin	... Beerbhoom School.
	Ray, Bhuvanchandra	... Pogose School.
	„ Binaychandra	... Santipur Municipal School.
	„ Biswatosh	... Jagannath School.
290	„ Ganesh	... Bareilly College.
	„ Govindavandhu	... Bogra Zillah School.
	„ Kisarilál	... Chinsurah Free Church Institution.
	„ Paranchandra	... Bankurah School.
	„ Pramathanath	... Culna Maharajah's School.
	„ Prasannanath	... Dinagepur School.
	„ Priyanath	... Church Mission School, Calcutta.
	„ Rajaninath	... L. M. School, Khagra.
	„ Ramanimohan	... Bauleah School.
	„ Ramgopal	... Ula H. C. E. School.
300	„ Ratikanta	... Kishnaghur Collegiate School.

	Ray, Saratchandra	... Barisal School.
	„ Srischandra	... Mahespur H. C. E. School.
	„ Udhavchandra	... Sylhet Govt. School.
	„ Umeschandra	... Searsole H. C. E. School.
	Raychaudhuri, Bishnupada	... Private Student.
	„ Prasannachandra	... Chinsurah Free Church Institution.
	Riazuddin	... Chittagong School.
	Riyasat Ullah	... Seebpur Institution.
	Rudraprasad	... Gorakpur Govt. Zillah School.
310	Saha, Baikuntanath	... Bogra Zillah School.
	„ Hiralal	... L. M. School, Khagra.
	„ Srikrishna	... Kustea School.
	Sahay, Baldeo	... Moradpore School, Bankipore.
	„ Jaduvans	.. Arrah School.
	„ Jagannath (Senior)	... Bhagalpur School.
	„ Kuldip	... Mozufferpur School.
	„ Lachmi	... Unao High School.
	„ Ram	... Ditto.
	Sankarlal	... Allygurh Govt. School.
320	Sántram	... Umritsur District School.
	Sanyal, Bhushanchandra	... Bareilly College.
	„ Sureschandra	... Culna Moharajah's School.
	„ Suryyakanta	... Kishnaghur A. V. School.
	Sarkar, Brindavanchandra	... Comillah School.
	„ Ditto	... L. M. School, Khagra.
	„ Jogendranath	... St. John's College.
	„ Nilratan	... South Baharoo School.
	Sarma, Badan Singh	... Allygurh Govt. School.
	„ Rajchandra	... Sylhet Govt. School.
330	Sattar Bux	... L. M. S. Institution, Bhowanipore.
	Sayyad Sadaddin	... Comillah School.
	Sen, Avinaschandra	... Howrah School.
	„ Baikuntanath	... Bagnan School.
	„ Bijaykanta	... Bauleah School.
	„ Chandrakumar	... Comillah School.
	„ Durgacharan	... Calcutta Free Church Institution.
	„ Harakisar	... Mymensing Zillah School.
	„ Harischandra	... Jagannath School.
	„ Jogendranath	... Monghyr Zillah School.
340	„ Kalidás	... Jaynarayan's College.
	„ Kantichandra	... Calcutta Free Church Institution.
	„ Kshetramohan	... Hugli Collegiate School.
	„ Maheschandra	... Cuttack Collegiate School.
	„ Manmohan	... Hugli Collegiate School.
	„ Prasannakumar	... Comillah School.
	„ Priyanath	... Kishnaghur College.
	„ Rajanikanta	... Chittageng School.
	„ Ditto	... Jagannath School.
	„ Saradaprasad	... Barisal School.
350	„ Saratchandra	... Konnagur Aided School.
	„ Satischandra	... Hazaribagh School.
	Seth, Bisvesvarnath	... Ditto.
	Shigogal	... Upper School, Delhi.
	Singh, Chhedi	... Gonda High School.
	„ Gurdatt	... Sitapur High School.
	„ Ram	... Azimgurh Mission School.
	„ Udaybhan Narayan	... Ditto.
	Sinha, Devendranarayan	... Hindu School.
	„ Jagrup	... Benares College.
360	„ Janakinath	... Kishnaghur Collegiate School.
	„ Nandalal	... Hugli Branch School.
	„ Pratapchandra	... Bhagalpur School.
	„ Priyanath	... Bhastara School.
	„ Ramraj	... L. M. High School, Benares.
	„ Sasibhúsan	... Pogose School.
	Sobharam	... Upper School, Delhi.
	Som, Manmathanath	... Metropolitan Institution.
	„ Saradacharan	... Pogose School.
	Somadhar, Gurucharan	... Teacher.
370	Sukul, Girijadatta	... Canning College.
	„ Jagatnarayan	... Hurdui High School.
	Surajmal	... Upper School, Delhi.
	Surui, Umeschandra	... Calcutta Free Church Institution.
	Syam Sujah	... Seebpore Institution.
	Tivari, Mulraj	... Jodhpur Durbar School.
	„ Tulsiram	... Bhagalpur School.
377	Wilson, L.	... St. Joseph's School.

SENATE HOUSE,
The 27th December 1876.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

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PART II.

Notifications by High Court, Comptroller General, &c.

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NOTICE.

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HIGH COURT, APPELLATE SIDE, *The 1st December 1876.* } W. M. SOUTTAR, *Registrar.*

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 5th January 1877.

Mr. W. E. H. Forsyth, Clerk of the Crown, High Court, having resumed charge of his duties on the forenoon of this day, the unexpired portion of his leave is hereby cancelled.

R. BELCHAMBERS,

Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 8th January 1877.

Offices closed during the month of December 1876.

Name of Station.	Where situated.	Date.	REMARKS.
*Cherat ...	Punjab ...	21st.	
Mozufferpore ...	Tirhoot ...	15th	Railway Office, open for receipt of messages.

* Season Office.

ALBERT CAPPEL,

Offg. Director General of Telegraphs in India.

No. 1380.—Account of the Revenue and Expenditure of the Government of India for the fifth month of the year 1876-77, as compared with the corresponding period of 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimate, 1876-77.	April to Aug. 1875.	April to Aug. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	7,746,940	7,520,039	...	226,901
II.—Tributes ...	700,000	306,178	287,972	...	18,206
III.—Forest ...	600,000	184,418	178,517	...	5,901
IV.—Excise on Spirits and Drugs ...	2,525,000	1,018,216	1,050,549	32,333	...
V.—Assessed Taxes ...	...	187	223	36	...
VI.—Customs ...	2,620,000	1,128,616	921,983	...	206,633
VII.—Salt ...	6,300,000	2,484,952	2,478,869	...	6,083
VIII.—Opium ...	8,200,000	3,372,559	3,674,153	301,594	...
IX.—Stamps ...	2,837,000	1,277,633	1,306,767	29,134	...
X.—Mint ...	124,000	44,558	123,620	79,062	...
XI.—Post Office ...	778,000	322,024	329,770	7,746	...
XII.—Telegraph* ...	281,500	60,995	66,703	5,718	...
XIII.—Law and Justice ...	316,000	135,689	147,778	12,089	...
XIV.—Marine ...	198,000	63,201	70,157	6,956	...
XV.—Interest ...	488,000	270,066	274,707	4,641	...
XVI.—Pensions ...	504,400	63,917	62,518	...	1,399
XVII.—Gain by Exchange ...	347,000	124,074	154,693	30,619	...
XVIII.—Miscellaneous ...	238,400	48,419	91,885	43,466	...
TOTAL ...	48,438,300	18,652,632	18,740,903	88,271	...
Army ...	840,800	331,158	297,685	...	33,473
Public Works, Ordinary ...	65,000	17,709	20,546	2,837	...
Canals ...	527,000	211,791	210,205	...	1,586
State Railways ...	415,000	99,520	138,796	39,276	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	2,773,526	3,107,905	334,379	...
TOTAL ...	58,174,100	22,086,336	22,516,040	429,704	...
England, including Army and Public Works ...	193,900	150,005	97,389	...	52,616
GRAND TOTAL ...	58,368,000	22,236,341	22,613,429	377,088	...

EXPENDITURE.	Estimate, 1876-77.	April to Aug. 1875.	April to Aug. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,166,400	1,172,633	1,302,381	129,748	...
2.—Interest on Service Funds ...	390,000	111,992	119,724	7,732	...
3.—Refunds and Drawbacks ...	300,000	128,234	118,156	...	10,078
4.—Land Revenue ...	2,467,800	996,024	989,212	...	6,812
5.—Forest ...	414,500	144,755	159,873	15,118	...
6.—Excise on Spirits ...	87,000	34,061	39,976	5,915	...
8.—Customs ...	189,000	76,413	79,198	2,785	...
9.—Salt ...	525,600	225,320	191,786	...	33,534
10.—Opium ...	2,199,000	1,474,954	2,088,151	613,197	...
11.—Stamps ...	71,700	31,330	32,029	699	...
12.—Mint ...	79,000	34,779	37,250	2,471	...
13.—Post Office ...	760,400	331,402	311,629	...	19,773
14.—Telegraph* ...	381,300	121,363	128,197	6,834	...
15.—Administration of Justice ...	1,251,500	497,096	530,128	33,032	...
16.—Minor Departments ...	249,100	92,667	86,755	...	5,852
17.—Law and Justice ...	2,361,200	982,205	987,836	55,631	...
18.—Marine ...	493,400	137,172	149,526	12,054	...
19.—Ecclesiastical ...	161,100	63,667	64,875	1,208	...
20.—Medical ...	184,000	75,485	73,957	...	1,529
21.—Political ...	293,400	132,481	124,428	...	8,053
22.—Allowances ...	1,675,200	512,395	511,211	...	31,184
24.—Superannuation ...	586,000	308,108	258,737	...	49,371
25.—Loss by Exchange ...	2,332,000	616,018	1,001,250	385,241	...
26.—Miscellaneous ...	45,000	15,519	34,763	19,244	...
27.—Allotments for Provincial Services ...	5,059,400	2,117,751	2,108,997	...	8,787
TOTAL ...	25,576,300	10,444,128	11,533,094	1,088,966	...
Army ...	11,820,700	4,728,593	4,640,273	...	88,320
Public Works, Ordinary ...	2,441,500	990,387	1,062,015	71,628	...
Extraordinary including Railways ...	3,015,900	1,233,568	1,221,472	...	12,096
Canals ...	93,000	28,483	11,589	...	16,894
State Railways ...	30,000	17,833	22,727	4,894	...
Traffic Receipts of the Guaranteed Railways including Surplus Profits ...	292,000	79,603	124,489	44,886	...
Army ...	4,418,000	1,270,138	1,193,689	...	82,449
Public Works, Ordinary ...	2,144,954	982,205	987,836	55,631	...
Ditto Extraordinary ...	1,474,954	2,088,151	2,088,151	613,197	...
Land and Supervision ...	32,330	32,029	32,029	699	...
Interest in India ...	34,779	37,250	37,250	2,471	...
State Railways ...	331,402	311,629	311,629	...	19,773
Working Expenses, Guaranteed Railways including Surplus Profits ...	121,363	128,197	128,197	6,834	...
England, including Army and Public Works, &c. ...	14,295,600	5,781,893	6,076,109	291,216	...
GRAND TOTAL ...	61,983,000	24,523,626	25,825,457	1,301,831	...

E. F. HARRISON,
Comptroller General.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 11th January 1877.*

* Telegraph Accounts received up to July 1876.

R. TAYLOR,
Offg. Deputy Comptroller General.

BANK OF BENGAL.

Calcutta, the 11th January 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Friday the 19th, and Saturday the 20th instant, on account of the Hindoo festival "Sree Punchomey," in conformity with Government Notification No. 3464 of the 29th October 1867.

By order of the Directors,

R. HARDIE,
Secretary & Treasurer.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

11th January 1877 ... Rs. 86,892-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *12th Jan. 1877.*

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th January 1877.

ERRATUM.—In this office Notification dated 9th December 1876, granting Captain Cowan, Assistant Superintendent, subsidiary leave for 22 days from the 8th November 1876, read "23 days from the 7th November 1876."

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 5th January 1877.

Mr. E. W. Lasseron, Assistant Surveyor, 2nd Grade, Great Trigonometrical Survey, has passed an examination in Canarese in the Lower Standard, as prescribed in G. G. O. No. 734, dated 9th September 1864.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 9th January 1877.

No. 1.—The privilege leave granted to Mr. J. O. Hughes, Assistant Surveyor, 3rd Grade, in Notification No. 31, dated the 29th August last, is commuted to leave under Section 3, Supplement F of the Civil Leave Code.

J. B. N. HENNESSEY,
Offg. Superintendent, G. T. Survey of India.

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

The 20th December 1876.

No. 4.—Sergeant C. Butler, Overseer, 1st Grade, is transferred from the 8th to the 7th Circle, Military Works.

L. RUSSELL, *Colonel,*
Offg. Chief Engineer, Military Works.

5th Circle.

Rawal Pindi, the 20th December 1876.

No. 20.—Captain J. H. Crowdy, R.E., Executive Engineer, 1st Rawal Pindi Division, is granted privilege leave for three months, from the 24th December 1876, or such subsequent date as this Officer avails himself of it.

No. 21.—Mr. T. H. Bainbridge, Overseer, 1st Grade, attached to the Lahore Division, Military Works, is allowed privilege leave for six weeks, from the 15th December 1876, or such subsequent date as he may avail himself of it.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

CONSULTING ENGINEER'S OFFICE— GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lahore, the January 1877.

No. .—Mr. F. Morrison, Examiner, Guaranteed Railway Accounts, Lahore (temporary rank), availed himself of the three months' privilege leave granted him by Government of India, Public Works Department, Notification No. 520 of 15th December 1876, on the forenoon of the 5th January 1877.

No. .—Mr. D. C. Gordon, Examiner of Accounts, Punjab Northern State Railway, assumed charge of the Office of Examiner, Guaranteed Railway Accounts, Lahore, on the forenoon of the 5th January 1877.

No. .—Captain H. W. Clarke, R.E., appointed by Government of India, Public Works Department, Notification No. 515 of 14th December 1876, to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Sind, assumed charge of the Deputy Consulting Engineer's Office, Sind, on the forenoon of the 26th December 1876.

CHARLES POLLARD, *Colonel, R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 3rd January 1877.

No. 1.—With reference to Government of India, Public Works Department, Notification No. 463 of the 17th November 1876, appointing Captain T. B. B. Savi, R.E., to be Manager of the Punjab Northern Railway (Open Line), that Officer joined the Establishment of the Director of State

Railways on the morning of the 1st December 1876, and relieved Mr. Alexander Grant, Engineer-in-Chief, Punjab Northern Railway, of the duties connected with the management of the open line on the forenoon of the 11th December 1876.

The 4th January 1877.

No. 2.—The services of the under-mentioned temporary Upper Subordinates of the Tirhoot Railway being no longer required have been dispensed with, with effect from the 1st December 1876:—

Mr. W. Rose, Supervisor, 2nd Grade.
Baboo Bhootnauth Mookerjee, Overseer, 2nd Grade.

The 8th January 1877.

No. 3.—Referring to Director's Notification, No. 195 of the 27th November last, Mr. J. B. Chalmers, Assistant Engineer, 1st Grade, Indus Valley State Railway, took over charge of the Shujabad Division from Captain J. B. Sparks on the forenoon of the 14th November 1876.

No. 4.—Mr. S. deV. H. Alexander, temporary Executive Engineer, 2nd Grade, Holkár State Railway, on special duty at Calcutta, availed himself, on the afternoon of the 25th December 1876, of the thirty days' subsidiary leave granted in Director's Notification No. 206 of the 18th December 1876.

No. 5.—Referring to Government of India, Public Works Department, Notification No. 500 of the 6th December 1876, Dr. R. M. Meiklejohn is appointed to the medical charge of the Rajputana and Sindia State Railways, with effect from the 27th April 1876.

No. 6.—Dr. R. M. Meiklejohn is transferred from the medical charge of the Rajputana and Sindia State Railways to that of the Indus Valley State Railway.

No. 7.—Dr. R. Willmot, on the Establishment of the Director of State Railways, reported his return, on the 6th December 1876, from the leave granted to him in Director's Notification No. 29 of the 17th February 1876, and is posted to the medical charge of the Rajputana and Sindia State Railways.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 8th January 1877.

No. 1.—With reference to this Office Notification No. 30, dated 22nd November 1876, Mr. W. Michell, Assistant Engineer, 2nd Grade, is transferred from Engineer-in-Chief's Office to 1st Division.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 8th January 1877.

No. 1.—Mr. F. M. Avern, Executive Engineer, 2nd Grade, received charge of the Bakrala Division from Mr. H. F. Geoghegan, Executive Engineer, 1st Grade, on the forenoon of the 1st December 1876.

No. 2.—Mr. E. C. S. Younghusband, Assistant Engineer, 2nd Grade, Jhelum Division, returned to duty from the privilege leave granted to him by Notification No. 169, dated 2nd December 1876, on the forenoon of the 15th December 1876.

No. 3.—Conductor C. Montgomery, Supervisor, 1st Grade, Chenab Division, returned to duty from the three months' privilege leave granted to him by Notification No. 85, dated 22nd July 1876, on the afternoon of the 20th September 1876.

No. 4.—Baboo Hurish Chunder Paul, Overseer, 1st Grade, Chenab Division, is allowed sick leave on medical certificate for one hundred and twenty-seven days, with effect from the forenoon of the 25th July 1876. This cancels Notification No. 97, dated 12th August 1876.

No. 5.—Baboo Hurish Chunder Paul, Overseer, 1st Grade, Chenab Division, returned to duty from the sick leave granted to him by Notification No. 4 of this date, on the forenoon of the 29th November 1876.

No. 6.—Baboo Ishan Chunder Chatterjee, Overseer, 2nd Grade, Chenab Division, returned to duty from the sick leave granted to him by Notification No. 126, dated 14th August 1876, on the forenoon of the 7th August 1876.

No. 7.—Mirza Tahir Hussein, Overseer, 1st Grade, Ravi Division, is allowed an extension of twelve days to the privilege leave granted by Notification No. 112, dated 30th September 1876.

No. 8.—Mirza Tahir Hussain, Overseer, 1st Grade, returned to duty from the privilege leave on the forenoon of the 23rd November 1876.

No. 9.—Lala Jumna Dass, Accountant, 4th Grade, left the Jhelum Division on the forenoon of 30th November 1876, and joined the Ravi Division on the afternoon of the same date.

No. 10.—Mr. S. Williams, Accountant, 4th Grade, is transferred from the Office of Examiner of Accounts to the Jhelum Division, which Division he joined on the afternoon of 27th November 1876.

No. 11.—Mr. J. A. S. Ellis, Accountant, 3rd Grade, returned to duty from three months' privilege leave granted to him by Notification No. 119, dated 30th September 1876, on the forenoon of 18th December 1876, and is transferred to the Jhelum Division from the same date.

ALEX. GRANT,
Engineer-in-Chief.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.	Rs.	Rs.	Rs.	Rs.
Jany. 1 ...	Holidays				
„ 2 ...					
„ 3 ...	...	...	10,71,409	40,72,227	53,10,712
„ 4 ...	...	...	10,71,409	40,78,173	52,10,712
„ 5 ...	...	...	10,71,409	40,84,980	51,10,712
„ 6 ...	...	...	10,71,409	40,34,966	51,10,712

CALCUTTA MINT, *The 8th Jan. 1877.*

J. F. TENNANT,
Offg. Mint Master.

ACCOUNTANT GENERAL'S OFFICE.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 5.—Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 31st December 1876.

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.				IRRIGATION.				STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Simla Imperial Circle.	Nov. 1876	Dec. 18, 1876	1	Rajputana ...	Nov. 1876	Dec. 30, 1876	1	Rangoon and Sittang.	Nov. 1876	Dec. 22, 1876
2	Central Provinces	Ditto ...	Do. 28 „	2	Mysore ...	Oct. 1876	Do. 19 „	2	Calcutta and South-Eastern.	Ditto ...	Do. 23 „
3	Assam ...			3	Bengal ...	Ditto ...	Do. 20 „	3	Nagpur and Chattisgurh.	Ditto ...	Do. 26 „
4	Rajputana ...	Ditto ...	Do. 30 „	4	Bombay ... North-Western Provinces.	Ditto ...	Do. 26 „		Tirhoot Surveys...		
5	Port Blair ...	Oct. 1876	Do. 7 „	6	Madras ...	Ditto ...	Do. 29 „	5	Wurdah Valley ...	Ditto ...	Do. 28 „
6	Coorg ...	Ditto ...	Do. 13 „	7	Punjab ... British Burmah...	Ditto ...	Do. 29 „	6	Western Rajputana	Oct. 1876	Do. 7 „
7	Bengal ... Oudh ... Central India ... Indian Telegraph Indo-European Telegraph.	Ditto ...	Do. 22 „					7	Tirhoot ...	Ditto ...	Do. 15 „
12	Military Works ...	Ditto ...	Do. 23 „		GUARANTEED RAILWAYS.			8	Nulhati ...	Ditto ...	Do. 18 „
13	North-Western Provinces. Punjab ... Mysore ...	Ditto ...	Do. 26 „	1	Bengal ...	Oct. 1876	Dec. 22, 1876	9	Northern Bengal Sindhia ... Assam Extension	Ditto ...	Do. 19 „
16	Madras ... Bombay ... Hyderabad ... Hyderabad Assigned Districts.	Ditto ...	Do. 28 „	2	Oudh ...	Ditto ...	Do. 26 „	12	Rajputana ...	Ditto ...	Do. 20 „
20	Grand Trunk Road	Ditto ...	Do. 29 „	3	Bombay ...	Ditto ...	Do. 27 „	13	Rangoon and Irrawaddy Valley.	Ditto ...	Do. 22 „
21	British Burmah ...	Sept. 1876	Do. 8 „	4	Madras ...	Ditto ...	Do. 28 „	14	Nizam's ...	Ditto ...	Do. 23 „
				5	Punjab ...	Ditto ...	Do. 29 „	15	Holkar ... Indus Valley ... Neemuch ... Store-keeper, Calcutta. Dhond and Munmar.	Ditto ...	Do. 26 „
								20	Hyderabad Imperial State Railway.	Ditto ...	Do. 28 „
								21	Punjab Northern...	Ditto ...	Do. 29 „
									STATE RAILWAYS (REVENUE).		
								1	Wurdah Valley ...	Nov. 1876	Dec. 15, 1876
								2	Calcutta and South-Eastern.	Ditto ...	Do. 23 „
								3	Khamgaum ...	Oct. 1876	Do. 4 „
								4	Oomraotee ...	Ditto ...	Do. 5 „
								5	Tirhoot ...	Ditto ...	Do. 15 „
								6	Nulhati ...	Ditto ...	Do. 18 „
								7	Rajputana ...	Ditto ...	Do. 21 „
								8	Nizam's ...	Ditto ...	Do. 23 „
								9	Holkar ... Neemuch ...	Ditto ...	Do. 26 „
								11	Punjab Northern ...	Ditto ...	Do. 29 „

Dated 6th January 1876.

G. J. MELLISS, *Lieut.-Colonel,*
Offg. Accountant General, P. W. Dept.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
351	... L 70—91461	... 1,000	... The District Superintendent of Police, Fureedpore.
352	... L 67—90136	... 50	... Mr. F. W. Gough.
353	... L 82—96733	... 100	... Mr. T. McCullugh.
	„ —82277	... 100	
	L 83—02491	... 100	
354	... L 83—28019	... 100	... Mr. R. S. Ramun Chetty.
	„ —26951	... 100	
	„ —18514	... 100	
	„ —26950	... 100	
355	... L 85—09961	... 1,000	... Moona Roona Moona Lutchmon Setty.
356	... L 81—40856	... 50	... Messrs. Mally Mull Sunkur Das.
	„ —40857	... 50	
357	... L 81—42655	... 50	... The Post Master General of Bengal.
	„ —42656	... 50	
	L 89—46826	... 20	
	L 87—86848	... 10	
	„ —75563	... 10	

Calcutta Circle —*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
282	... L 22—76726 } „ —76729 }	... 5	... } Babu Kangalee Churn Mitter.
	L 21—57997 } „ —57998 }	... 5	...
283	... L 20—10376 } „ —10379 }	... 5	... Fool Chand Johoree.
284	... L 74—51579 } L 73—68467 }	... 10	... Babu Obhoy Churn Mitter.
285	... A 95—87936 } „ —87937 }	... 10	... Babu Baney Madhub Bhuttacharjee.
281	... L 43—27058 } „ 27060 }	... 10	... Messrs. Bathgate & Co.
414	... L 82—45517	... 100	... } Messrs. Kolyan Mull Gobind Ram.
	„ —36147	... 100	...
416	... L 70—94303	... 1,000	... } The Post Master General of Bengal.
	„ —98211	... 1,000	...
	„ —98958	... 1,000	...
	L 85—06442	... 1,000	...
417	... A 48—75480	... 10	... } Messrs. Bathgate & Co.
	A 62—26417	... 10	...
418	... L 82—26310	... 100	... The Treasury Officer, Jaunpore.
412	... L 71—36728	... 10	... } Jaikaram Lal.
	L 24—07890	... 5	...
413	.. L 48—55619	... 20	... Babu Baney Madhub Bose.
408	... L 82—59670	... 100	... Messrs. Macneill & Co.

CALCUTTA,—Paper Currency Office; *The 12th January 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 12th January 1877.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Kurrachee*, will be closed at the General Post Office on Sunday, the 14th January 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Bosheer*, will be closed at the General Post Office on Sunday, the 14th January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 15th January 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 16th January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Africa*, will be closed at the General Post Office on Wednesday, the 17th January 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 19th January 1877, by which mails for Mauritius, St. Denis and Reunion can be forwarded.

2. Book-post and pattern packets must be posted on the 18th January 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 12th January 1877.

Ackrill, Chas.
Addy, Mrs. D. A.
Allen, G.
Arbruthnot, J. W.
Auty, T. C.
Birch, Mrs. A. G. C.
Birke, Captain H. P.
Boot, James.
Borooah, J.
Brennan, Edward.
Carr, Dr.
Castle, Chas.
Clay, John.
Crach, Mrs.
Crisp, Miss A.
Daunts, C.
Davies, H.
Demetrius, Mrs. G.
Eastwick, E.
Eastwood, J.
Evans, R.
Fricher, C.
Gibson, James.
Gilmore, R.
Gilmour & Co., Messrs.
Hardinge, Harry Scott.
Harrison, A. S.
Herd, Mrs. J.
Hubbard, J. P.
Lyon, D. M.
Lynch, A. B.
Money, W.
Moore, John.
More, J.
Murray, Miss J.
Noel, Dr. A.
Newham, H.
Ord, W.
Owens, J.
Paliologus, Miss.
Palmer, Walter E.
Partridge, J. W.
Pennystone, Miss Alice.
Pennystone, R. W.
Perroux, F.
Pinson, T. H.
Pogson, R.
Pott, Genl. S.
Ridge, G. R.
Samuells, H. E.
Smith, Geo.
Smith, James.
Stephen, C.
Stroud, C. H.
Sturley, H.
Taylor, F.
Whyttenburry, E. A. G.
Wilson, Mrs. Alice C.
Wilson, W. J.
Williams, F.
Winscom, Miss K.

Letters marked "Care of Post Office, to be kept till called for."

Allatt, J.
Anderson, R. T.
Andrew, Walter G. G.
Armstrong, H. B.
Austin, R. H.
Barlow, H. E.
Beek, R. A.
Bergedi, Monsieur Gastow.
Berlowitz, H. W.
Borthwick, Mrs.
Browne, Mrs. J.
Evans, Mr.
Fendley, C. W.
F. A. P.
Carr, C. L.
Cavanagh, Jas.
Christian, A.
Condey, Mr.
Crentzberg, Monsieur Chas.
Delefaqe, Monsieur Leopold.
Douglas, Christie G.
E. F. W.
E. M.
Esse.
Findlay, Alfred.
Forker, H.
Galloway, John.
Gilling, Capt.
Graham, Mrs. C.
Griffith, Andrew.
Guimet, Monsieur Emile.
Gunther, John.
Haymes, Mrs.
Holmes, D. M.
Huguenot, M.
Jones, B. F.
Kelley, Edward.
Kelly, W. P.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Mazzaline, Mrs. J.
McParlan, Jas.
Mitchell, J. W.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.

Letters marked "Care of Post Office, to be kept till called for." —continued.

Munro, Major C. A.
Murphy, Mrs. M. A.
Nemo.
Nicholson, John S.
O'Brien, Denis.
O'Brien, T. H.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Regamey, Monsieur F.
Richardson, Geo.
Scolfi, A. L.
Scott, Walter.
Sheldrake, Miss H.
Shutz, J.
Sinclair, A.
Slaweeki, Monsieur T.
Stephens, Dr.
Stroesko, Michel.
Travis, Miss Ida.
Trotter, Capt.
Wallace, John Scott.
Watt, Capt. J. R.
Webb, A.
Williams, T.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Young, A.

Papers.

Armstrong, H. B.
Bellany, J.
Cayton, Geo.
Galloway, John.
Gilling, Capt.
Holland, Capt.
Jacob, Edward.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Richardson, Geo.
Stewart, A.

Registered Letters.

O'Brien, C.
Sandys, E. F.

Parcels.

Pemberton, Mrs.
Wood, Miss E.

W. ALPIN,
Offg. Post-Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Royal 8vo., stitched.

Unrepealed Circular Orders of the High Court of Judicature at Fort William in Bengal, from 1st July 1862 to 30th June 1876:—
Civil—*Price, Rs. 2-8; packing and postage, 10 annas.*
Criminal—*Price, Re. 1-4; packing and postage, 6 annas.*

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, War Services of Officers, and the Military Regulations, corrected up to 1st January 1877. *Price, Rs. 4; packing and postage, 8 annas.*

Just published.

Pay, Pension, and Promotion Code for the Military Services in India, corrected up to 1st May 1876.
Vol. I.—British Troops. *Price, Rs. 4; packing and postage, 12 annas; interleaved copies, Rs. 5; packing and postage, Re. 1-4.*
Vol. II.—Native Troops. *Price, Rs. 2; packing and postage, 6 annas; interleaved copies, Rs. 2-8; packing and postage, 10 annas.*

Just published.

The Indian Appendix to the British Musketry Regulations, 1876. *Price, Re. 1; packing and postage, 4 annas; interleaved copies, Re. 1-4; packing and postage, 4 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal, prescribed by the Lieutenant-Governor of Bengal on the 20th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-1.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

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Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 20, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,

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HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December 1876.* } W. M. SOUTTAR, *Registrar.*

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 13th January 1877.

No. 33.—Mr. R. W. Buller, an Assistant Superintendent of the 2nd Grade, is allowed furlough for one year under Section 14 and Subsidiary Leave for 16 days under Section 24 (*a*) of the Civil Leave Code, with effect from the forenoon of the 18th November 1876, or such other date on which he may avail himself of the same.

ALBERT CAPPEL,

Offg. Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 18th January 1877.

No. 56.—Dr. T. F. Odling, Assistant Medical Superintendent, has been granted by the Director, Persian Telegraph, privilege leave for three months, under Section 29 of the Civil Leave Code, with effect from afternoon of 4th December 1876.

No. 57.—Mr. T. S. Anderson, Signaller, has been granted by the Director, Persian Telegraph, privilege leave for one month, under Section 12 of Supplement F of the Civil Leave Code, with effect from 20th September 1876.

No. 58.—Mr. N. Semino, 2nd Class Signaller, has been granted by the Director, Persian Telegraph, privilege leave for three weeks, under Section 12 of Supplement F of the Civil Leave Code, with effect from 4th November 1876.

No. 59.—Mr. F. T. B. Daniell, Superintendent, Persian Section, Indo-European Telegraph Department, having returned to duty on the 5th November 1876, from the leave on medical certificate, notified in Indo-European Telegraph Department Notification No. 35, dated 26th June 1876, the unexpired portion of his leave has been cancelled.

W. PALMER,
Examiner of Telegraph Accounts.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

18th January 1877 ... Rs. 5,57,947-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
18th Jan. 1877.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATIONS.

Camp Nusseerabad, the 8th January 1877.

No. 35 *S.*—The Officiating Agent Governor General and Chief Commissioner is pleased to grant two months' privilege leave of absence to Mr. A. G. Crommelin, Superintending Engineer and Secretary, Public Works Department, Rajputana, from 26th December 1876, or from such subsequent date as he may avail himself of the same.

2. Lieutenant-Colonel J. M. Williams, Superintendent of Works, Ajmere and Mhairwarra, to officiate as Superintending Engineer and Secretary, Public Works Department, Rajputana, *vice* Mr. Crommelin.

3. Captain H. J. Nuthall, Executive Engineer, Nusseerabad Division, to officiate as Superintendent of Works, Ajmere and Mhairwarra, in addition to his other duties, *vice* Lieutenant-Colonel Williams.

The 10th January 1877.

No. 45 *S.*—Mr. A. G. Crommelin and Lieutenant-Colonel J. M. Williams, respectively, delivered over and received charge of the office of the Superintending Engineer and Secretary, Public Works Department, Rajputana, on the forenoon of the 26th December 1876.

Lieutenant-Colonel J. M. Williams and Captain H. J. Nuthall, respectively, delivered over and received charge of the office of the Superintendent of Works, Ajmere and Mhairwarra, on the forenoon of the 26th December 1876.

By Order,
J. M. WILLIAMS, *Lt.-Col.,*
Offg. Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 8th January 1877.

No. 1.—Mr. M. Martin, Assistant Engineer, Chakrata Division, Military Works, is granted leave of absence for three months from 8th January 1877, or such subsequent date as he may avail himself of this leave, to study the native languages.

No. 2.—Mr. W. Conlan, Accountant, 3rd Grade, returned to duty on the 18th December 1876, before noon, from the leave on medical certificate granted to him in Inspector General's Notification No. 105, dated 10th October 1876.

The unexpired portion of the leave is hereby cancelled.

The 11th January 1877.

No. 3.—Lieutenant F. F. N. Spratt, R.E., Assistant Engineer, passed the departmental standard examination in Hindustani, as required by Code II, iv, 22, on 6th November 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

1st Circle.

Fort William, the 12th January 1877.

No. 102.—Second Grade Overseer Baboo Shumbhoo Chunder Paul rejoined the Darjeeling Division, Military Works, from two months' privilege leave on the forenoon of 11th December 1876.

W. R. TUCKER, *Lieut.-Col.,*
Supdg. Engr., 1st Circle, Military Works.

2nd Circle.

Lucknow, the 11th January 1877.

No. 1.—One month's privilege leave of absence is granted to Sergeant George Booley, Overseer attached to the Allahabad Special Division, Military Works, from such date as he may avail himself of it.

No. 2.—With reference to Public Works Department Notification No. 117 of the 1st December 1876, Lieutenant J. E. Broadbent, R.E., Assistant Engineer, 1st Grade, attached to the Allahabad Special Division, Military Works, availed himself of preparatory leave to furlough on the 30th November 1876.

The 16th January 1877.

No. 3.—Privilege leave for the period of one month is granted to T. Permal Naidoo, Accountant attached to the Panchmaree Division, Military Works, from such date as he may avail himself of it.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 12th January 1877.

No. 1.—Moonshee Dowlet Ram, Overseer, 2nd Grade, Morar Division, Military Works, availed himself, on the 23rd December 1876, of the three months' privilege leave granted him in Notification No. 53, dated 28th November 1876.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

5th Circle.

Rawal Pindi, the 10th January 1877.

No. 1.—The two Assistant Engineers attached to this Circle in Inspector General's Notifications Nos. 122 and 123, dated 23rd December 1876, are posted as follows:—

Lieutenant A. O. Green, R.E., to the Lahore Division.

Lieutenant J. C. L. Campbell, R.E., to the 1st Peshawur Division.

No. 2.—Corporal S. Boon, R.E., Overseer, 1st Grade, attached to this Circle in Inspector General's Notification No. 121, dated 22nd December 1876, is posted to the Lahore Division, Military Works.

The 11th January 1877.

No. 3.—Captain D. Oliver, Assistant Engineer, 1st Grade, is transferred from the 1st Peshawur to the Lahore Division, Military Works.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 12th January 1877.

No. 32.—With reference to Chief Engineer's Notification No. 4 of 20th December 1876, Sergeant C. Butler, Overseer, 1st Grade, is posted to the Dugshaie Division, Military Works, which he joined on the afternoon of the 6th instant.

No. 34.—With reference to Chief Engineer's Notification No. 6C of 13th December 1876, Sergeant W. G. Westwood, Overseer, 1st Grade, reported his departure from the Chukrata Road Division on the afternoon of the 29th ultimo, to join the 8th Circle, Military Works.

J. BIRNEY, *Major, R. E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

The 6th January 1877.

No. 9.—Sergeant W. G. Westwood, Overseer, 1st Grade, reported his arrival in the 8th Circle, Military Works, on the 4th instant, and is posted to the 2nd Peshawur Division, Military Works, which he joined on the 6th idem, before noon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.

Port Blair, the 2nd January 1877.

No. 154.—Mr. F. A. de Roepstorff, Extra Assistant Superintendent, Andaman and Nicobar Islands, is granted one month's subsidiary leave from the date of his availing himself of it, to enable him to proceed to Calcutta and appear before a Medical Board.

M. PROTHEROE, *Capt.,*
Actg. Chief Commr., Andaman and Nicobar Islands.

GENERAL DEPARTMENT.

The 12th January 1877.

No. 8.—APPOINTMENTS.—With reference to Home Department Notifications Nos. 241 and 243, dated 13th September 1876, the following promotions are made with effect from the 27th instant, the date on which Major-General C. A. Barwell avails himself of privilege leave:—

Captain R. J. Wimberley, 1st Assistant Superintendent, Andaman and Nicobar Islands, to officiate as Deputy Superintendent.

Captain W. B Birch, 2nd Assistant Superintendent to officiate as 1st Assistant Superintendent.

Mr. E. H. Man, 3rd Assistant Superintendent, to officiate as 2nd Assistant Superintendent.

Mr. F. A. de Roepstorff, Extra Assistant Superintendent, 1st Class, to officiate as 3rd Assistant Superintendent.

Mr. F. E. Tuson, Extra Assistant Superintendent, 2nd Class, to officiate as Extra Assistant Superintendent, 1st Class.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 10th January 1877.

No. 1.—Mr. R. N. Burn, Deputy Examiner of Accounts, Rajputana State Railway, returned to duty on the afternoon of the 23rd December 1876 from the privilege leave granted to him in the Public Works Department Notification Nos. 428 and 503, dated 19th October and 8th November 1876, respectively.

The 16th January 1877.

No. 2.—Privilege leave of absence for one month, with effect from 4th January 1877, or such subsequent date as he may avail himself of the same, is granted to Babu M. C. Mullick, Assistant Engineer attached to the Sambhar Division, Rajputana State Railway.

FRED. FIREBRACE,
Offg. Manager.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 13th January 1877.

No. 1.—Mr. B. W. Cantopher, Assistant Engineer, 2nd Grade, attached to Neemuch Extension Survey Division, returned on the 29th December 1876 from the three months' privilege leave granted to him in Notification No. 61, dated 22nd September 1876.

No. 2.—Babu Babu Mull, Assistant Engineer, 3rd Grade, attached to Fatehabad Division, returned on the forenoon of the 8th January 1877 from the two months and seven days' privilege leave granted to him in Notifications Nos. 66 and 81, dated 13th October and 6th December 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Ajmere, the 13th January 1877.

No. 25.—With reference to Public Works Department Notification No. 520, dated 15th December last, Mr. R. G. MacDonald, Examiner of Accounts, made over charge of the Examinership of the Western Rajputana State Railway accounts to Mr R. B. Duncan, Examiner of Accounts, Rajputana and Sindia State Railways, on the forenoon of the 26th December 1876.

No. 26.—With reference to Public Works Department Notification No. 495, dated 5th December last, Mr. R. B. Duncan, Examiner of Accounts, Rajputana and Sindia State Railways, received charge of the Office of Examiner of Accounts, Western Rajputana State Railway, from Mr. R. G. MacDonald, on the forenoon of the 26th December 1876.

No. 27.—This Office Notifications Nos. 1299 and 1300, dated 16th November 1876, reporting arrivals of Messrs. E. W. V well and H. J. Oddie, Assistant Engineers, 2nd Grade, and No. 1342, dated 29th November 1876, notifying departure of Mr. H. J. Oddie, to the Rajputana State Railway, are cancelled.

JAMES COLLET,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 13th January 1877.

No. 12.—Mr. P. Jones, Sub-Engineer, 1st Grade, transferred by Public Works Department Notification No. 444, dated 1st November 1876, to British Burma, Railway Branch, was relieved of his duties on this Railway on the 8th January 1877.

No. 13.—Mr. W. Becker, Supervisor, 1st Grade, Ravi Division, is allowed two months' privilege leave, with effect from the afternoon of the 29th December 1876.

No. 14.—Mr. H. Johnson, Executive Engineer, 2nd Grade, Ravi Division, received charge of the Grand Trunk Road from Mr. P. J. Bruff, Executive Engineer, 3rd Grade, Open Line, on the afternoon of the 23rd December 1876.

No. 15.—Mr. P. J. Bruff, Executive Engineer, 3rd Grade, transferred by Director of State Railways' Notification No. 200, dated 6th December 1876, to the Indus Valley State Railway, left this Railway on the 27th December 1876.

No. 16.—Mr. C. Sexton, Overseer, 1st Grade, Chenab Division, and temporarily attached to the office of the Engineer-in-Chief, is transferred to the Ravi Division, with effect from the forenoon of the 15th January 1877.

No. 17.—Mr. P. H. Gorman, Supervisor, 2nd Grade, is transferred from the Chenab to the Ravi Division, with effect from the forenoon of the 16th December 1876.

No. 18.—Mr. S. Wilson, 1st Class Apothecary, is transferred from the Chenab to the Ravi Division, with effect from the afternoon of the 22nd December 1876.

ALEX. GRANT,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 26th December 1876.

No. 167.—Messrs. E. F. Jacob and A. Bewley, Assistant Engineers, 2nd Grade, are transferred from the Western Extension Survey to the Upper Sind District.

No. 169.—Mr. W. Scott, Executive Engineer, 2nd Grade, transferred to this line by the Director of State Railways' Notification No. 165 of the 26th October 1876, reported his arrival at Kurrachee on the forenoon of the 18th December, and is posted to the charge of the current duties of the office of the Superintending Engineer, Upper Sind District.

No. 170.—Mr. R. E. Wilson, Temporary Sub-Engineer, 3rd Grade, Bahawulpur Division, is granted one month's privilege leave from the 12th January 1877, or such subsequent date as he may be permitted to avail himself of it.

The 5th January 1877.

No. 1.—Sergeant C. Wickens, Supervisor, 2nd Grade, is transferred from the Upper Sind to the Lower Sind District.

The 10th January 1877.

No. 2.—With reference to Government of India Public Works Department's Notification No. 515, dated 14th December 1876, Captain H. W. Clarke, R.E., Executive Engineer, 3rd Grade, was relieved of his duties on this line on the afternoon of the 28th December 1876.

No. 3.—Mr. E. Hyde, Executive Engineer, 4th Grade, is transferred from the Bahawulpur Division to the office of the Engineer-in-Chief for special duty.

No. 4.—Mr. C. W. Hodson, Assistant Engineer, 2nd Grade, is transferred from the Western Extension Survey to the Mooltan District.

No. 5.—Mr. W. Scott, Executive Engineer, 2nd Grade, assumed charge of the current duties of the office of the Superintending Engineer, Upper Sind District, on the afternoon of the 23rd December 1876.

No. 6.—The following postings and transfers have been made by Superintending Engineers and the Examiner of Accounts:—

Mr. J. Mackenzie, Supervisor, 1st Grade, to the Reti Division.

Mr. W. Haig, Assistant Engineer, 2nd Grade, from the Khanpur to the Sutlej Bridge Division.

Mr. A. Pruce, Temporary Accountant, 4th Grade, from the Central Office of Accounts to the Kotri Division.

M. RAYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 10th January 1877.

No. 1.—The services of Surveyor Mr. G. F. Beyts, attached to the Assam Railway Extension Survey, Northern Bengal State Railway, are dispensed with from the forenoon of the 1st November 1876, at his own request.

No. 2.—With reference to Director's Notification No. 149 of 18th September 1876, Mr. R. J. Ives, Sub-Engineer, 1st Grade, joined this Railway on the afternoon of the 14th December 1876, and is posted to the Northern Division.

No. 3.—With reference to Government of India, Public Works Department, Notification No. 313 of 13th July 1876, Mr. F. M. Weedon, Executive Engineer, Assam Railway Extension Survey, ceased to belong to the Establishment of the Northern Bengal State Railway from the forenoon of the 14th idem.

No. 4.—With reference to Government of India, Public Works Department, Notification No. 366 of 18th August 1876, Lieutenant-Colonel M. G. Clerk, Assistant Engineer, 1st Grade, attached to the Assam Railway Extension Survey, ceased to belong to the Establishment of the Northern Bengal State Railway from the forenoon of the 19th idem.

No. 5.—With reference to Director's Notification No. 196 of 27th November 1876, Lieutenant H. L. Wells, R.E., Assistant Engineer, 2nd Grade, joined this Railway on the forenoon of the 11th December 1876, and is posted to the Seebsagar Coal Line Survey.

No. 6.—With reference to Director's Notification No. 168 of 24th October 1876, Mr. J. R. Scott, Assistant Engineer, 1st Grade, Southern Division, was relieved of his charge on the afternoon of the 5th December 1876, for transfer to the Indus Valley State Railway.

No. 7.—With reference to Director's Notification No. 193 of 27th November 1876, Sergeant C. Wickens, Supervisor, 2nd Grade, Northern Division, was relieved of his duties on the afternoon of the 3rd December 1876, for transfer to the Indus Valley State Railway.

No. 8.—Mr. W. B. Carter, Executive Engineer, 2nd Grade, returned from the leave granted to him in Director's Notifications Nos. 117 and 123, dated the 2nd July 1875 and 27th July 1876, respectively, and joined the Northern Bengal State Railway on the forenoon of 30th December 1876, assuming charge of the Northern Division on that date.

No. 9.—With reference to Notification No. 240 of 30th November 1876, Mr. W. W. Shanks, Temporary Executive Engineer, 4th Grade, made over charge of the Northern Division on the forenoon of the 30th December 1876, to Mr. W. B. Carter, Executive Engineer, 2nd Grade.

The 16th January 1877.

No. 10.—With reference to Government of India, Public Works Department, Notification No. 526, dated 22nd December 1876, Baboo Adya Nauth Mittra, Accountant, 4th Grade, reported his arrival and joined the Central Office of Accounts on the forenoon of 10th January 1877.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
83	B 52—17113	10	A. Arpootham Pillay, Pondicherry.
	„ —17130	10	
	B 49—27774	10	

NOTES PARTIALLY LOST OR DESTROYED.

218	B 29—68386	1,000	A. Ponnusawmy Chetty, Pondicherry.
	„ —68387	1,000	
219	B 13—67504	50	C. Vengoo Chetty, Conjeveram.
220	B 36—67929	5	A. Ramachandriah, Nizam's Dominions.
	„ —68274	5	
221	B 40—28637	5	A. Venkatiah, Toomkoor District.
	„ —28644	5	
	B 38—57141	100	
	B 44—94178	100	
222	B 41—74600	10	F. Nallathamby, Madras.
223	B 42—62369	20	R. Gopaulsawmy Naidu, Madras.
41	B 35—42504 } wrongly joined.	20	W. Therumalasawmy Chetty, Madras.
	„ —42502 }		
42	B 49—93252 } ditto	10	G. Namasevoya Moodelly, Madras.
	„ —51085 }		

FORT ST. GEORGE,
Accett. Genl.'s Office, Paper Currency Dept.;
The 8th January 1877.

F. de H. LARPENT,
Offg. Asstt. to the Accett. Genl., in charge of Paper Currency Dept.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
95	E 2—27580	500	Nabi Bux, Munshi, 4th Punjab Cavalry, Dera Ghazi Khan.
99	E 12—28466	20	Captain W. H. Scott, XI. P. W. O., Bengal Lancers, Nowshera.
	„ —28474	20	

LAHORE,—Paper Currency Office;
The 13th January 1877.

THOS. H. BIGGS,
Asstt. Accett. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
358	L 83—37024	100	Mr. C. Chisholm.
359	L 85—08985	1,000	Ebrahim Alibhoy.
	„ —08986	1,000	
360	L 90—14013	20	Babu Nemai Chandra Dey.
361	L 66—68428	50	Babu Krishna Kumar Sen.
362	L 83—06941	100	Dhoom Singh.
	L 77—56766	20	
	L 64—71491	20	
	L 80—52079	20	
363	L 52—76267	500	Messrs. Jugger Nath Sirdar Mull.
364	L 85—06840	1,000	Sham Chand Geery Mohanto.
365	L 26—00543	5	The Chief Supdt., Travelling Post Offices in India.
366	L 82—94442	100	The Superintendent of Police, Faridpur.
	L 66—32580	50	
367	L 70—24565	1,000	The Post Master General of Bengal.
368	L 69—16715	100	Babu Hurry Mohun Bose.
	L 79—39214	20	
	„ —39215	20	
	„ —39216	20	
	L 78—04200	20	
	L 67—99900	50	
	L 79—61389	20	
	L 67—54482	50	
	L 82—86108	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
287	L 59—39680, L 58—84204	10	Toppazoodeen Khonkar.
288	L 16—27872, „ —27873	5	Babu Muti Lal Gupta.
289	L 22—45281, „ —45121	5	Babu Preo Nath Sen.
290	A 68—53033, A 95—99464	10	Messrs. Choteedas Womed Mull.
291	L 57—38746, „ —38749	10	Colonel E. J. Lawder.
292	E 7—31844, L 16—02164	5	Messrs. Jumnadas and Co.
	M 3—78799, L 24—82553	5	
293	L 79—92147, „ —92146	20	Gool Raj Joydial.
419	L 51—98083	100	Mr. E. C. Roberts.
	L 82—93883	100	
	„ —37836	100	
420	L 86—97441	10	Babu Kally Churn Soor.
421	L 3—16999	10	Babu Aughor Nath Mukerjee.
422	L 9—59338	5	Babu Juggobundo Banerjee.
423	L 75—51203	10	Babu Nilmony Ganguly.
424	L 73—21835	10	Babu Muti Lal Gupta.
	L 16—14297	5	
425	L 88—45940	10	Rev. J. H. Wilkinson.
426	L 86—73253	10	Babu Nilmony Kower.
427	L 62—07630	10	Babu Manick Chandra Chowdhury.
	L 6—26123	10	
428	L 22—81657	5	Prosanna Kumar Mitter.
429	L 50—08294	100	Surgeon-Major G. Barnard.
	„ —08293	100	
430	L 67—17737	50	Gobind Ram Bannia.
431	L 65—99599	20	Messrs. Nusserwanjee & Framjee.
	„ —23366	20	
	L 62—28517	10	
432	L 62—87756	10	Babu Hira Lal Biswas.
433	A 91—83822	100	Messrs. Muti Lal Seal & Co.
434	L 81—30067	50	Mr. T. G. Sykes.

CALCUTTA,—Paper Currency Office; *The 18th January 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 6—86679	10	Mr. J. P. deSilva, Auditor, Madras Railway, Wolleokode.
J 4—53610	50	The Commissioner, Madras, for Mr. W. L. Bird, of Trikalore.
J 3—95100	100	The Commissioner, for K. Srirungiah, of Tiptur.
„ —96006	100	
J 5—59143	20	The Commissioner, for N. M. Chen Veerappa, of Tiptur.
J 3—68506	100	
J 2—04958	500	Eerlanthannah Venkiah, Adoni, Bellary.

CALICUT.—Paper Currency Office; *The 5th January 1877.*

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
61	D 7—83544	100	Ellahi Buksh, Umballa.
62	D 4—65143	50	Messrs. King, King & Co., Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
95	A 13—81280	100	Mr. James Hill, Calcutta.
	A 12—02253	50	
96	D 7—91343	100	Jwalla Pershad, Meerut.
	D 4—64461	50	
97	D 7—89301	100	Mr. E. C. Roberts, Meerut.
98	D 10—83640	5	Banarsee Dass and Beharee Lall, Benares.
99	D 4—53386	50	Jamsetji Nowroji, Baroda.
	„ —66443	50	
100	D 11—50246	10	Bhyron Pershad, Banda.
	„ —50247	10	
101	D 11—11306	10	Ram Pershad, Pertabgarh.
102	D 10—77875	5	Jay Gobind, Tanda, Zillah Faizabad.
33	D 10—46862, L 22—80413 (wrongly joined.)	5	Hidayutoolla, Mooradabad.
34	D 11—37201, „ —37202 (ditto)	10	Kaloosam, Nassecrabad.
	D 11—37301, „ —37302 (ditto)	10	
35	D 11—12086, „ —12087 (ditto)	10	The Traffic Superintendent's Office, E. I. R., Toondla.

ALLAHABAD.—Paper Currency Office; *The 11th January 1877.*

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1876.			
W55	M 24—23500	100	Mr. Manley, Cotton Department, Bombay.
	„ —35035	100	
	„ —28684	100	
	„ —33935	100	
	„ —65155	100	
	M 23—01117	50	
	„ —04511	50	
	„ —22272	50	
1877.			
W1	C 70—79637	500	Ramji Sukpall, Assistant, Staff Hospital, Mhow.
	C 93—25844	100	
	M 5—15644	50	
	„ —62862	50	
	„ —37603	50	
	C 85—99721	50	
W2	M 23—28678	50	Jadu Nath Banerji, Examiner's Office, Mhow.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
1876.			
H120	M 5—61091	50	Jemadar Peerkhan, Jacobabad.
147	M 24—31746	100	Alfred Porter, Sub-Engineer, P. W. D., Mhow.
	M 19—41610	10	
165	M 5—67424	50	K. Vallayndhur, Savanur.
166	M 5—92209	50	Shew Rutton, Cawnpur.
176	M 5—87839	50	Vrijbhukun Mucoondho Munshi, Ahmedabad.
H183	C 70—89904	500	Framji Edulji, Kolapurwalla, Poona.
184	M 24—89369	100	Motilal Ruplal, Mumbadevi.
	„ —41636	100	
	„ —31623	100	
	„ —27693	100	
	„ —25594	100	
185	M 4—97565	5	F. J. Quiny, Wooli, Bombay.
1877.			
1	M 4—38908	5	Haranchunder Mookerji, Calcutta.
2	M 21—77893	10	Sergeant J. Skinner, Bombay.
3	M 19—90765	10	Mahomedally Musaji, Bombay.
1876.			
M65	M 23—20859	50	Lucas Joshua, Mangalore.
	„ —20856	50	
1877.			
1	M 18—66713	10	P. C. Fernandez, Bombay.
	M 20—95595	10	
M2	C 73—88202	10	H. M. Padsha, 94, Bazar Gate.
	„ —81298	10	
H4	M 4—81175	5	Kuberram Tulsidas, Mahal Kachari, Jhalode.
	M 17—94428	10	
H5	M 3—43751	5	Narayen Moroji, General Account Office, Bombay.
H6	M 5—14946	50	Mr. L. P. Srinidade, Bombay.

BOMBAY,—Paper Currency Dept.; *The 16th January 1877.*

G. W. CLINE, LL.D.,
Assistant Commissioner.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 9—14554 ...	50 ...	Niaz Mahomed Khan and Oosman Khan, Sowars, Thur and Parkur Police.

KURRACHEE,—Paper Currency Dept.; *The 11th January 1877.*

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
24	... F 13—23334 ...	5 ...	Kalisa Thermala Rao, of Conjeveram, Chingelput District.

NAGPUR,—Paper Currency Office; *The 11th January 1877.*

H. KEENE,
Asstt. to Accts. Genl., C. P., in charge of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 31st December 1876.

LIABILITIES.		Rs.	A.	P.
Capital paid up ...	...	2,00,00,000	0	0
Reserve Fund ...	...	16,72,639	2	5
	Rs. A. P.			
Public Deposits at Head Office ...	59,43,154 9 10			
Public Deposits at Branches ...	1,20,24,485 7 4	1,79,67,940	1	2
Other Deposits at Head Office and Branches	...	2,27,42,288	4	2
Bank Post Bills, &c. ...	...	2,96,426	8	6
Sundries	...	9,83,352	9	1
TOTAL	...	6,36,62,646	9	4

ASSETS.		Rs.	A.	P.
Government Securities ...	...	1,22,44,195	12	6
Loans on Government Securities, &c., at Head Office and Branches ...		74,14,856	11	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches		66,58,532	5	10
Bills discounted and purchased at Head Office and Branches		1,65,75,909	5	3
Balances with other Banks ...		3,83,529	15	1
Bullion		10,082	0	9
Dead Stock		10,28,127	0	5
Stamps		11, 34	9	5
Sundries		5,32,568	1	1
		4,48,59,335	13	8
Rs. A. P.				
Cash and Currency Notes at Head Office ... 74,32,402 10 10				
Cash and Currency Notes at Branches ... 1,13,70,908 0 10		1,88,03,310	11	8
TOTAL	...	6,36,62,646	9	4

BANK OF BENGAL; *Calcutta, 16th January 1877.*

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,

R. HARDIE,
Secy. & Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 16th January 1877.

LIABILITIES.		Rs.	A.	P.
Capital paid-up ...	...	2,00,00,000	0	0
Reserve Fund ...	...	16,71,364	2	5
	Rs. A. P.			
Public Deposits at Head Office ...	61,03,323 9 3			
Public Deposits at Branches ...	1,00,94,528 4 3	1,61,97,851	13	6
Other Deposits at Head Office and Branches	...	2,29,32,570	14	10
Bank Post Bills, &c. ...	...	3,16,045	8	3
Sundries	...	6,44,515	8	8
TOTAL	...	6,17,62,347	15	8

ASSETS.		Rs.	A.	P.
Government Securities ...		1,09,28,717	2	0
Loans on Government Securities, &c., at Head Office and Branches ...		75,82,356	11	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches		54,67,230	10	11
Bills discounted and purchased at Head and Branches		1,41,73,134	14	8
Balances with other Banks ...		4,93,299	11	0
Bullion		10,082	0	9
Dead Stock		10,28,276	5	5
Stamps		11,938	1	5
Sundries		5,07,402	6	10
		4,02,02,438	0	4
Rs. A. P.				
Cash and Currency Notes at Head Office... 91,06,155 15 6				
Cash and Currency Notes at Branches ... 1,24,53,753 15 10		2,15,59,909	15	4
TOTAL	...	6,17,62,347	15	8

BANK OF BENGAL; *Calcutta, 18th January 1877.*

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,

R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th January 1877.

PARTICULARS.	4 PER CENT. LOANS of 1826.	4 PER CENT. LOANS of 1835-36.	4 PER CENT. LOANS of 1842-43.	4½ PER CENT. LOANS Transfer of 1865.	4½ PER CENT. LOANS of 1854-55.	4½ PER CENT. LOANS of 1870.	4½ PER CENT. LOANS of 1871.	4½ PER CENT. LOANS of 1872.	5 PER CENT. LOAN OF 1866-67.	5 PER CENT. DEBENTURES FOR 10 years. Repayable, June 1877.	5 PER CENT. DEBENTURES FOR 15 years. Repayable, June 1882.	TOTAL AMOUNT.
Balance of 31st December 1876	33,173	31,46,900	1,40,75,900	1,60,88,900	1,08,26,900	34,79,900	2,57,000	2,90,31,800	82,800	28,93,000	33,15,000	12,55,53,225
Add—												
Amount enfaced at Madras between 1st and 16th January 1877 ...	...	...	70,500	30,000	...	...	...	...	...	...	...	1,00,500
Amount enfaced at Bombay between 1st and 16th January 1877 ...	...	...	22,800	1,000	88,500	...	...	6,000	...	...	...	6,21,100
Amount enfaced at Calcutta between 1st and 15th January 1877 ...	...	...	5,84,000	36,500	55,500	...	...	5,000	...	...	...	7,24,700
	33,173	31,46,900	1,66,56,000	1,62,52,900	1,09,64,300	34,79,900	2,57,000	2,90,42,800	82,800	28,93,000	33,15,000	12,70,99,525
Deduct— Amount written off in the London Registers	...	...	1,05,700	57,200	38,800	18,200	...	10,900	...	1,000	...	6,32,200
Balance on 15th January 1877	33,173	31,46,900	1,65,50,300	1,62,05,700	1,08,25,500	34,61,700	2,57,000	2,90,32,000	82,800	28,92,000	33,15,000	12,73,67,325

NOTE.—From 9th June 1867 to 15th Nov.	1876, enfaced from India,	2,363 lakhs; re-transferred from London,	2,417 lakhs.
,, 16th Nov. 1876 to 30th ,,	,,	6 ,, ,, ,,	11 ,,
,, 1st Dec. ,, to 15th Dec.	,,	3 ,, ,, ,,	5 ,,
,, 16th ,, ,, to 31st ,,	,,	2 ,, ,, ,,	9 ,,
,, 1st Jan. 1877 to 16th Jan. 1877	,,	14 ,, ,, ,,	6 ,,
		2,388 lakhs.	2,448 lakhs.
			2,388 ,,
		Balance against London ...	60 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 17th January 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS. ON CURRENCY DEPT.	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.	Rs.	Rs.	Rs.	Rs.
Jany. 8th	...	...	10,71,409	40,46,037	50,10,712
„ 9th	...	2,12,594	8,71,976	40,17,162	51,10,144
„ 10th	...	2,15,906	6,69,291	40,29,184	52,12,829
„ 11th	20,80,933	1,04,258	26,61,263	39,88,185	52,10,790
„ 12th	50,000	2,04,415	25,18,611	39,19,101	53,03,143
„ 13th	...	1,84,690	23,14,795	39,30,169	53,77,258

CALCUTTA MINT, *The 15th Jany. 1877.*

J. F. TENNANT, *Offg. Mint Master.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 19th January 1877.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *vid* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 20th January 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Baghdad*, will be closed at the General Post Office on Sunday, the 21st January 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 21st January 1877, at 7 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Argyll* and *Hindustan*, will be closed at the General Post Office on Monday, the 22nd January 1877, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 23rd January 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 23rd January 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Bokhara*, will be closed at the General Post Office on Wednesday, the 24th January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Madura*, will be closed at the General Post Office on Wednesday, the 24th January 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 26th January 1877.

2. Book-post and pattern packets must be posted on the 25th January 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 19th January 1877.

Allen, G.
Auty, T. C.
Bailey, F. G.
Baker, Geo.
Boutler, R. F.
Bowen, H. G.
Birke, Captain H. P.
Brennan, Edward.
Butler, Arthur.
Campbell, E. A., Miss.
Clark, G. B., Dr.
Crach, Mrs.
Davies, H.
Demetrius, Mrs. G.
Doyle, P. J.
Fricher, C.
Gardner, C. H., Capt.
Gibson, James.
Gomes, V., Miss.
Hermes, M. J.
Hopewell, E.
Hubbard, J. P.
Hughes, Pringle.
Jones, C. R.
Kearsley, J., Genl. Sir.
Kenady, Robert.
Kiddle, J. C.
Lynch, A. B.
Maelzer, Mrs.
Mitscherlid, Prof.
Mooney, W. F.
Moore, John.
Moran, T. D.
More, J.
Morton, Isaac.
Murphy, E. T.
O'Sullivan, W. J.
Partridge, J. W.
Pennetes, Lewis.
Perroux, F.
Pinson, T. H.
Pogson, R.
Pott, Genl. S.
Pullin, H., Mrs.
Ridge, G. R.
Ross, Robertson, Col.
Samuells, H. E.
Scott, W. C.
Shamber, H. H.
Smith, E. F., Mrs.
Smith, James.
Todd, Jas.
Vieux, E. T.
White, Francis.
Wilson, W. J.
Williams, F.
Winscom, Miss K.
Woods, Miss.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Allatt, J.
Anderson, R. T.
Andrew, Walter G. G.
Armstrong, H. B.
Austin, R. H.
Barlow, H. E.
Beck, R. A.
Berardi, Monsieur Gastow.
Berlowitz, H. W.
Borthwick, Mrs.
Bruse, Mr.
Buckley, C. W.
Byraniji Nusermanji Servai.
C. A. P.
Caldecott, A.
Cameron, Keith R.
Cavanagh, Jas.
Christian, A.
Condey, Mr.
Cranmer, G. A., Mrs.
Daniel, D.
Delefaqe, Monsieur Leopold.
Douglas, Christie G.
Dalitz, H. Oscar.
E. F. W.
E. M.
Esse.
Findlay, Alfred.
Forker, H.
Francklin, J. F. R.
Frawley, M. A.
Friedwaht, Fany.
Galloway, John.
Gilling, Capt.
Graham, Mrs. C.
Greenfield, J. H.
Griffith, Andrew.
Gunther, John,
Haymes, Mrs.
Holmes, D. M.
Huguenot, M.
Johnson, Henry.
Jones, B. F.
Kelly, Edward.
Kelly, W. P.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Marshall, G., Capt.
Mazzaline, Mrs. J.
Mitchell, J. W.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
Munro, Major C. A.
Nemo.
Nicholson, John S.
O'Brien, Denis.
O'Brien, T. H.
Orban, Monsieur.
Penny, P.
Pierce, Mrs. J. O.
Poper, A. R.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Richardson, Geo.
Richardson, R.
Scolfi, A. L.
Scott, Walter.
Sheldrake, Miss H.
Shutz, J.
Sinclair, A.
Slaweeki, Monsieur T.
Stephens, Dr.
Travis, Miss Ida.
Valentino, C., Rev.
Watt, Capt. J. R.
Williams, C. A.
Williams, T.
Willins, W. E. S.
Wilkinson, J., Mrs.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Young, A.

Papers.

Armstrong, H. B.
Bellany, J.
Cayton, Geo.
Galloway, John.
Gilling, Capt.
Holland, Capt.
Jacob, Edward.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Richardson, Geo.
Stewart, A.

Registered Letters.

Caldecott, A.
Caddy, A. E.
Couley, Geo.
O'Brien, C.

Parcels.

Bailey, F.G.
Wood, Miss E.

W. ALPIN, *Offg. Post-Master of Calcutta.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 27, 1877. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 3rd November 1876.

From the 18th November next till further notice, all the Parts of the *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be addressed to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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Subscription for *Gazette* and Supplement per annum	15	0	0
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Subscription for Supplement only ...	6	0	0
Postage	3	0	0
For a single copy of the *Gazette* ...	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN, *Publisher, Gazette of India.*

HIGH COURT.

NOTICE.—The post of a Sworn Examiner of Translations of Urdu and Persian Documents is vacant in the Privy Council Appeal Department of the High Court.

Candidates are requested to apply to the Registrar.

HIGH COURT, APPELLATE SIDE, *The 1st December 1876.* W. M. SOUTTAR, *Registrar.*

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned:—

Robert Wood Everett Green, an Assistant Engineer in the Canal Department, died at Bul, in the District of Ludhiana, on the 12th September 1876.

Celia Henrietta Booth, of Sealkote, in the Province of Punjab, a widow, died at Sealkote, on the 1st August 1876.

Sahebzadee Furrook Nessa Begum, of Moulvee Imdad Ally's Lane, in the Town of Calcutta, widow of the late Sahebzadah Mahomed Ullah Enaith, of Russapuglah, one of the Mysore Princes, died at Calcutta, on the 24th December 1876.

Charles Frederick VonLintzgy, of No. 294, Bow Bazar Street, in the Town of Calcutta, a Surgeon, died at Calcutta, on the 30th December 1876.

James William Alexander Boothby, a Lieutenant in Her Majesty's 70th Regiment of Foot, died in Camp Topah, near Murree, on the 30th July 1876.

Henry Scott Vincent Fisher, a Lieutenant-Colonel in the Bengal Staff Corps, died at Simla, on the 22nd August 1876.

L. P. D. BROUGHTON, *Administrator Genl.*

HIGH COURT, CALCUTTA, *The 19th Jan. 1877.*

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 25th January 1877.

No. 34.—Major H. Mallock, Officiating Deputy Director General of Telegraphs in India, is allowed privilege leave for three months under Section 29 of the Civil Leave Code, with effect from the 9th of February 1877, or such subsequent date as he may avail himself of the same.

No. 35.—Mr. R. Boteler, an Assistant Superintendent of the 1st Grade, is allowed furlough for one year under Section 12 and subsidiary leave for one day under Section 24 (*a*) of the Civil Leave Code, with effect from the forenoon of the 9th January 1877.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Camp Koombher, the 18th January 1877.

No. $\frac{110}{83}$ *G.*—LEAVE.—Major P. W. Powlett, Bengal Staff Corps, Political Agent, Kota, is granted, with effect from the 14th December 1876, the usual subsidiary leave to enable him to join his appointment on return from furlough.

Camp Bhurtpore, the 20th January 1877.

No. $\frac{154}{107}$ *G.*—Lieutenant C. Herbert, Officiating Wing Subaltern of the Meywar Bheel Corps, is permitted to proceed to Bombay for the purpose of presenting himself for examination in Hindustani according to the higher standard.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Camp Tehra, the 16th January 1877.

No. 12*R.*—Colonel W. D. Dickson, Political Agent, 2nd Class, Cantonment Magistrate, Neemuch, is granted thirty days' leave, preparatory to his proceeding on the furlough to Europe on private affairs granted him in Bombay G. G. O. No. 815, dated 19th December 1876.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 13th January 1877.

No. 20.—Major A. Mayne, Cantonment Magistrate, Secunderabad, and Officiating Political Agent, 3rd Class, was granted privilege leave for ten days, with effect from the 18th to the 27th December last.

C. B. EUAN SMITH, *Captain,*
1st Assistant Resident,
In charge Hyderabad Residency.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd January 1877.

No. 9.—Mr. Edwin George Little, Surveyor, 4th Grade, having resumed his duties on the afternoon of the 15th instant, the unexpired portion of the leave of absence granted to him in Notification No. 7, dated 14th November 1876, is cancelled from the 16th instant.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

Dehra Dún, the 18th January 1877.

No. 5.—Mr. E. P. Wrixon, Assistant Surveyor, 2nd Grade, is permitted to resign his appointment from the 17th instant.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

2nd Circle.

Lucknow, the 20th January 1877.

No. 4.—With reference to this Circle Notification No. 1 of 11th January 1877, Sergeant George Booley, Overseer attached to the Allahabad Special Division, Military Works, availed himself of the one month's privilege leave therein granted on the 8th instant.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

4th Circle.

The 18th January 1877.

No. 1.—With reference to this Office Notification No. 27 of 23rd September 1876, Lieutenant G. H. Sim, R.E., Assistant Engineer, 2nd Grade, temporarily attached to the Umballa Division, Military Works, is posted to the Jullundur Division, Military Works.

No. 2.—Captain B. J. Goldie, R.E., temporary Executive Engineer, 3rd Grade, attached to the Jullundur Division, Military Works, on being relieved by Lieutenant G. H. Sim, R.E., is transferred to the Ferozepore Division, Military Works.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

7th Circle.

The 15th January 1877.

No. 51.—With reference to this Office Notification No. 2535 of 6th December 1876, Lieutenant F. T. Spratt, R.E., Assistant Engineer, 1st Grade, availed himself of the forty-two days' privilege leave from the forenoon of the 9th instant.

J. BIRNEY, *Major, R. E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

25th January 1877 ... Rs. 7,90,917-6-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *26th Jan. 1877.*

CONSULTING ENGINEER'S OFFICE—GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 24th January 1877.

With reference to Government of India, Public Works Department, Gazette Notification No. 527 of the 23rd December 1876, Mr. J. Jamieson, Accountant, 4th Grade, of the Audit Office, Oudh and Rohilkhund Railway Accounts, was relieved of his duties on the afternoon of the 10th January 1877.

R. DEBOURBEL, *Lieut.-Col., R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 18th January 1877.

No. 8.—Mr. G. B. Reynolds, Assistant Engineer, 2nd Grade, Sindia State Railway, passed, on the 19th September 1876, the examination prescribed in Public Works Department Code II, iv, 17, 18 and 19.

The January 1877.

No. 9.—The under-mentioned Assistant Engineers, 2nd Grade, passed students of the Royal Indian Engineering College, are posted as follows:—

Mr. C. J. S. Baker „ A. Bewley „ W. S. Haig „ E. F. Jacob	... ...	To the Indus Valley State Railway.
„ R. W. Roberts „ J. D. M. Burton	... ...	To the Punjab Northern State Railway.
„ E. W. Vowell „ H. J. Oddie	... ...	Western Rajputana State Railway.
„ A. Sulivan „ F. Wolley Dod	... ...	Holkar and Neemuch State Railways.
„ R. S. T. Routh „ J. M. Montague, B.A.	... 	Northern Bengal State Railway.
„ W. Michell	...	Sindia State Railway.
„ W. H. Cole	...	Rajputana State Railway.

No. 10.—Mr. H. J. Oddie, Assistant Engineer, 2nd Grade, Western Rajputana State Railway, is transferred temporarily to the Rajputana State Railway.

No. 11.—The one month's privilege leave granted to Mr. C. Cheyne, Superintending Engineer, temporary 1st Grade, and Engineer-in-Chief, Holkar and Neemuch State Railways, in Director's Notification No. 189 of the 18th November 1876, is cancelled.

No. 12.—*Erratum.*—In accordance with Government of India, Public Works Department, Notification No. 8, dated the 10th January 1877, the following correction is made in Director's Notifications Nos. 101 and 102, dated the 12th June 1876:—

For *Sabdha* Rama Sahui.
Read *Labdha* Rama Sahui.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 18th January 1877.

No. 3.—Mr. M. Kelly, Accountant, 4th Grade, transferred to the Tirhoot State Railway, under Public Works Department Notification No. 10 of 11th instant, was relieved of his duties in the Central Office of Accounts, Rajputana State Railway, on the afternoon of the 17th January 1877.

FRED. FIREBRACE,
Offg. Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATION.

Lahore, the 20th January 1877.

No. 19.—Lala Ram Ditt, Accountant, 4th Grade, returned to duty from the privilege leave granted to him by Notification No. 125, dated 14th October 1876, on the forenoon of the 29th November 1876.

ALEX. GRANT,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Ajmere, the 20th January 1877.

No. 55.—Babu Shyamlal Singh, Accountant, 4th Grade, has been granted one month's privileged leave of absence with effect from 5th February 1877.

JAMES COLLET,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 20th January 1877.

No. 3.—Mr. J. W. Wilson, Accountant, 3rd Grade, attached to Ghât Division, returned on the forenoon of the 13th January 1877 from the one month's privilege leave granted to him in Notification No. 87, dated 16th December 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATION.
Khandwa, the 22nd January 1877.

No. 5.—Mr. W. A. Campbell, 2nd Grade Accountant, attached to the Office of the Examiner of Accounts, returned to duty, on the morning of the 16th January 1877, from the forty-six days' privilege leave granted to him in this Office Notification dated 15th November 1876.

F. N. GUTERSLOH,
Offg. Manager (Open Line), Holkar and Neemuch State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.
The 15th January 1877.

No. 7.—With reference to Director of State Railways' Notification No. 200 of 6th ultimo, Mr. P. T. Bruff, Executive Engineer, 3rd Grade, reported his arrival at Mooltan on the forenoon of the 28th idem, and is posted to the charge of the locomotives and transport arrangements on the northern section.

No. 8.—Mr. G. H. R. Deverell, and Lieutenant E. Balfe, Assistant Engineers, 2nd Grade, are transferred from the Western Extension Surveys, to the Lower Sind District.

No. 10.—With reference to Director of State Railways' Notification No. 6, dated 8th instant, Dr. R. M. Meiklejohn reported his arrival at Mooltan on the forenoon of the 27th ultimo.

No. 11.—With reference to Director of State Railways' Notification No. 128, dated 5th August 1876, Sub-Conductor M. M. Johnstone, Sub-Engineer, 2nd Grade, and Baboo Tej Rai, Supervisor, 2nd Grade, joined this line at Jhelum on the forenoons of the 10th and 17th October, respectively, and are posted to the Mooltan District.

No. 12.—Mr. B. Baxter, Assistant Engineer, 2nd Grade, is transferred from the Lower Sind to the Mooltan District.

The 18th January 1877.

No. 15.—Mr. C. G. C. Davis, Accountant, 3rd Grade, is granted leave on medical certificate for twelve months from 1st instant, or such subsequent date as he may avail himself of it.

The 19th January 1877.

No. 16.—The following postings have been made by Superintending Engineers:—

Mr. E. C. Hawkes, Assistant Engineer, 1st Grade, to the Reti Division.
Mr. B. Baxter, Assistant Engineer, 2nd Grade, to the Sutlej Bridge Division.
Mr. C. W. Hodson, Assistant Engineer, 2nd Grade, to the Bahawalpur Division.

M. RAYNE,
Engineer-in-Chief.

WANTED.

A Cashier for the Sutlej Bridge Division, Indus Valley State Railway. Salary Rs. 40 per mensem.

The applicant must be able to keep his accounts in English and furnish security of Rs. 4,000.

Apply to the Superintending Engineer, Mooltan District, Indus Valley State Railway, Mooltan.

MOOLTAN,
The 17th January 1877.

Descriptive Roll of a Deserter from G Battery, 11th Brigade, Royal Artillery, "en route" to Meean Meer.

Number, Rank, and Name,—5671, Gunner George Thompson.
Age,—25 years and 1 month (appears older).
Size,—5 feet 8¾ inches.
Color of—
Complexion, fair; hair, brown inclined to be curly, almost bald on top; eyes, grey.
Peculiar marks by which his identity may be ascertained,—tattooed nearly all over arms and chest. Rather a slouching gait.
Date of Desertion,—8th January 1877.
From whence deserted.—Camp Alipore, near Delhi.
Date of Enlistment,—5th June 1874.
Place of Enlistment,—Hounslow.
Parish where born,—Kingston.
County,—Surrey.
Former Trade or Occupation,—Laborer (believed formerly to have been a merchant tailor).
Dress at time of Desertion,—Coat or Jacket, blue serge jacket (red cord shoulder-knots); Helmet, wicker pattern; Trousers, R.A. trousers, blue with red stripes.
REMARKS,—stating any particular circumstances attending his Desertion,—He asked leave to fall out for a necessary purpose whilst the battery was passing Camp Alipore (about 9 miles from Delhi) and did not return.

J. W. CAMPBELL, *Major,*
Commdg. 11th Brigade, R.A.

Report of a Deserter from the 85th (The King's) Light Infantry, dated at Lucknow, this 17th day of January 1877.

Number, Rank, and Name,—1486, Private Henry Shaw.
Age,—27 years 5 months.
Size,—5 feet 6 inches.
Color of—
Complexion, fair; hair, dark brown; eyes, hazel.
Date of Desertion,—13th January 1877.
Place of Desertion,—Lucknow.
Date of Enlistment,—17th August.
At what Place enlisted,—The Curragh Kildare.
Paris and County in which born,—Standonlacey, Ludlow, Shropshire.
Marks,—Two round moles under left arm.
Trade,—Laborer (Bandsman in 85th (King's) Light Infantry.)
Coat or Jacket,—Dark grey cloth coat cut short.
Waistcoat,—No waistcoat, regimental helmet.
Breeches or Trowsers,—Black trowsers, red stripe.
REMARKS,—had with him a double-barrelled breech-loading gun and a short Snider rifle.

H. APPLEYARD, *Colonel,*
Comdg. 85th K. L. I.

Report of a Deserter from the 54th Regiment of Foot, dated at Morar, this 19th day of January 1877.

Number, Rank, and Name,—1680, Private William Wadham.
Age,—25 years.
Size,—5 feet 6 inches.
Color of—
Complexion, fresh; hair, brown; eyes, grey.
Date of Desertion,—17th January 1877.
Place of Desertion,—Morar.
Date of Enlistment,—10th January 1871.
At what place enlisted,—Westminster, London.
Parish and County in which born,—Ventner, Newport, Hampshire.
Marks,—Scar, right thumb, circular scar, left side of nose.
Trade,—Gardener.
Coat or Jacket,—Regimental.
Waistcoat,—Regimental.
Breeches or Trowsers,—Regimental.
REMARKS,—Over six years' service.

M. C. TREVOR, *Colonel,*
54th Regiment.

Report of a Deserter from the G-4th Royal Regiment of Artillery, dated at Nusseerabad, this 20th day of January 1877.

Name,—Charles Melville.
Age,—24 years and 2 months.
Size,—5 feet 7½ inches.
Color of—
Complexion, fresh; hair, light brown; eyes, grey.
Peculiar marks by which his identity may be ascertained,—anchor across right forearm.
Date of Desertion,—18th January 1877.
From whence deserted,—Nusseerabad.
Date of Enlistment,—10th November 1870.
Place of Enlistment,—Liverpool.
Parish where born,—Bristol.
County,—Gloucester.
Former Trade or Occupation,—Laborer.
Dress at the time of Desertion,—Supposed to have left Nusseerabad in Artillery uniform and to have taken with him a drab tweed suit, complete, a black coat and vest, and worsted cord trowsers, one of which he would have probably put on; is supposed also to have with him a valuable gold watch, double case, and a silver lever watch.
REMARKS,—stating any particular circumstances attending his Desertion,—was accompanied probably by Driver Fraser, a description of whom is also sent.

J. A. TILLARD, *Captain,*
Comdg. G-4th Royal Artillery.

Report of a Deserter from the G-4th Royal Regiment of Artillery, dated at Nusseerabad, this 20th day of January 1877.

Name,—John Slate Fraser.
Age,—20 years and 9 months.
Size,—5 feet 4⅛ inches.
Color of—
Complexion, fresh; hair, fair; eyes, blue.
Peculiar marks by which his identity may be ascertained,—tattooed on both forearms.
Date of Desertion,—18th January 1877.
From whence deserted,—Nusseerabad.
Date of Enlistment,—26th May 1875.
Place of Enlistment,—Dundee.
Parish where born,—St. Clements, Aberdeen.
County,—Aberdeen.
Former Trade or Occupation,—Groom and Sailor.
Dress at the time of Desertion,—Supposed to have left Nusseerabad in Artillery uniform and to have taken with him a drab tweed suit, complete, a black coat and vest, and worsted cord trowsers, one of which he would probably have put on.
REMARKS,—stating any particular circumstances attending his Desertion,—was accompanied probably by Gunner Melville, a description of whom is also sent.

J. A. TILLARD, *Captain,*
Comdg. G-4th Royal Artillery.

Statement of the Affairs of the Bank of Bengal for the week ending 23rd January 1877.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0	Government Securities ...	1,07,80,151	8	0
Reserve Fund	16,71,164	2	5	Loans on Government Securities, &c., at Head Office and Branches ...	70,97,196	11	4
Public Deposits at Head Office ... 83,15,045 8 3				Accounts of Credit on Government Securities, &c., at Head Office and Branches	52,76,876	8	9
Public Deposits at Branches ... 1,04,23,025 5 9	1,87,68,070	14	0	Bills discounted and purchased at Head and Branches	1,42,98,581	9	0
Other Deposits at Head Office and Branches	2,14,06,473	12	10	Balances with other Banks ...	3,83,817	15	8
Bank Post Bills, &c.	3,82,821	15	1	Bullion	10,082	0	9
Sundries	6,38,969	11	5	Dead Stock	10,43,786	8	8
				Stamps	11,877	11	5
				Sundries	4,56,513	5	10
					3,93,58,883	15	5
	Rs.	A.	P.				
				Cash and Currency Notes at Head Office... 1,00,58,103 8 8			
				Cash and Currency Notes at Branches ... 1,34,50,512 15 8	2,35,08,616	8	4
TOTAL ...	6,28,67,500	7	9	TOTAL ...	6,28,67,500	7	9

By order of the Directors,

BANK OF BENGAL:
Calcutta, 25th January 1877.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
M 5—60336 ...	50	Felicio Britto, Butler, Hyderabad, Sind.
G 7—82468 ...	10	

KURRACHEE,—Paper Currency Dept.;
The 18th January 1877.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
370	L 79—44126	20	Babu Protap Chandra Kobiraj.
	„ —87214	20	
	L 76—43528	10	
	L 74—75816	10	
371	L 48—77711	20	Hakim Khan.
	L 79—22104	20	
	„ —40465	20	
	L 64—88334	20	
	L 80—39564	20	
	L 75—02790	10	
	„ —69923	10	
	L 62—13552	10	
	L 6—13745	10	
	L 60—85860	10	
	L 61—33874	10	
	„ —21669	10	
	L 58—00366	10	
	L 61—32081	10	
	L 59—84786	10	
	L 71—50416	10	
	L 57—68665	10	
	„ —95086	10	
	„ —38759	10	
	L 59—60101	10	
	L 58—56577	10	
	L 60—20096	10	
	L 71—12430	10	
	L 62—85338	10	
	L 60—89809	10	
	L 41—64529	10	
372	L 52—73976	500	Babu Hurish Chandra Chowdhury.
	„ —73977	500	
	„ —73978	500	
376	L 81—34563	50	Babu Mohes Chandra Sing.
	„ —29852	50	
377	L 52—79816	500	Messrs. Soroop Chunder, Modhusuden Poddar.
379	L 85—17391	1,000	Babu Gopaul Chunder Paul.
	„ —16811	1,000	
	„ —16810	1,000	
380	L 80—63324	20	Babu Krittas Chunder Biswas.
	„ —91841	20	
	L 89—07128	20	
381	L 64—40312	20	Babu Shunker Lal.
382	L 76—12123	10	Babu Ramgopal Chatterjee.
385	L 81—27068	50	Messrs. Begg, Dunlop and Co.
	L 89—78342	20	
	L 80—74876	20	
387	L 81—43014	50	Mr. C. N. Jefferies.
388	L 82—98103	100	Babu Amoracharan De.
389	L 82—58433	100	Babu Sham Pershad.
	L 81—24387	50	
	L 81—24388	50	
390	L 66—34621	50	Mr. P. I. Hallahan.
391	L 83—39004	100	Moonshi Amzed Ali.
	„ —11630	100	
392	A 59—72962	100	Moulvey Ahmed Ali.
	A 91—15129	100	
	„ —62988	100	
	„ —62058	100	
	„ —87053	100	
	L 8—08820	100	
	„ —31375	100	
	L 92—81746	50	
393	L 81—42827	50	The Manager, Delhi and London Bank, Limited.
	„ —13855	50	
394	L 80—74530	20	Mr. J. Mitchell.
395	L 79—78927	20	Ramnath Roy.
	L 65—90292	20	
	L 75—95895	10	
	„ —20171	10	
	„ —37510	10	
	L 73—78322	10	
	L 87—19955	10	
	L 95—08073	10	
396	L 52—75851	500	Mr. J. G. Yackjee.

NOTES PARTIALLY LOST OR DESTROYED.

435	L 86—87905	10	Miss E. R. Alexander.
436	L 43—69470	10	Bal Gobind Sahay.
437	L 57—36499	10	Babu Gurudas Mozumdar.
	„ —36502	10	
438	L 82—17952	100	Mr. T. C. Curtis.
	L 23—45644	5	

Calcutta Circle —*continued.*

NOTES PARTIALLY LOST OR DESTROYED,—*continued.*

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
439	L 20—05967	5	Babu Peary Lal Bose.
440	L 82—36887	100	Hurpersad.
441	L 62—14630	10	Corporal C. F. Wood.
	L 76—96127	10	
442	L 25—78176	5	Mr. J. C. Pratt.
443	L 61—19341	10	Lieutenant L. Dening, B.S.C.
444	L 89—27709	20	Hurkarun Das.
445	L 62—98503	10	Mr. T. Burke.
448	L 50—45365	100	Mr. S. Sunders.
449	L 82—31223	100	Idhani.
	L 78—04543	20	
450	L 88—07730	10	Babu Hurry Nath Bose.
451	L 80—31864	20	Mr. H. D. B. Lyness.
	L 76—41305	10	
	L 89—95640	20	
452	L 21—06107	5	Babu Rassick Lal Roy.
294	L 79—35469, „ —35467	20	The Chief Paymaster, E. I. Railway, Calcutta.
295	A 95—41007, „ —41008	10	Sudarsan Das.
296	L 20—06337, „ —06339	5	Babu Krittas Chandra Biswas.
446	L 49—01040	50	Narain Sing.
447	L 25—75152	5	Babu Rakhal Chunder Lalla, *alias* Rakhal Chunder Roy.

CALCUTTA,—Paper Currency Office;
The 26th January 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
3	E 4—84791	50	Allah Deen, Calcutta.
	„ —84792	50	

NOTES PARTIALLY LOST OR DESTROYED.

2	E 10—57316	10	Baboo K. D. Chackerbatti, Bhawulpur.
3	A 13—92206	100	Mr. J. E. Lucy, Agra.
4	E 4—89950	50	Jwala Pershad, Meerut.
	„ —98834	50	
5	E 6—90697	10	Gobind Sahai, Lahore.
98	E 5—99346	20	Messrs. Alfred & Co., Lahore.
	E 12—31021	20	

LAHORE.—Paper Currency Office;
The 20th January 1877.

THOS. H. BIGGS,
Asstt. Acctt. Genl., in charge of Currency Office.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
W51	D 11—49031	10	Bhawani Pershad, Mhow.
63	D 9—57184	1,000	Lalla Parus Dass, Saharunpur.

NOTES PARTIALLY LOST OR DESTROYED.

H103	D 10—78660	5	Madan Gopal, Delhi.
104	D 11—34243	10	Gobind Sahai, Lahore.
105	L 49—88701	50	Kailas Chunder Mitter, Shahabad.
M36	L 49—89703, „ —89705 (wrongly joined.)	50	Syud Ali Akbar, Barabankee.
37	D 4—65233, „ —65234 (ditto)	50	Mr. J. W. Jackson, Delhi.

ALLAHABAD.—Paper Currency Office;
The 18th January 1877.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
224	B 50—45678	100	Alli Raja Khan, Coorg.
225	B 40—42475	5	J. E. Paul, Esq., Gooty.
	„ —42476	5	
226	B 43—68754	50	Goobee Somannah Chetty, Bangalore.
227	B 43—53171	50	Sanka Kristnamurti, Vinukondah.
	„ —61315	50	
	„ —61316	50	
	„ —61317	50	
	„ —61318	50	
	„ —61322	50	
43	B 44—81892, „ —81893 (wrongly joined.)	100	B. Coottyannah Moodelliar, Coimbatore.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 15th January 1877.

F. de H. LARPENT,
Offg. Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES ON CURRENCY DEPT.	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.	Rs.	Rs.	Rs.	Rs.
Jany. 15th	...	1,75,083	21,79,869	38,01,347	54,42,184
„ 16th	...	26,319	21,55,039	39,01,164	53,67,014
„ 17th	...	...	21,55,039	38,62,097	52,67,014
„ 18th	...	4,02,066	17,60,695	38,23,153	55,61,359
„ 19th	} Holidays				
„ 20th					

CALCUTTA MINT,
The 22nd Jany. 1877.

J. F. TENNANT,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 26th January 1877.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 28th January 1877, at 7 P. M.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Malda*, will be closed at the General Post Office on Sunday, the 28th January 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 30th January 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Ava*, will be closed at the General Post Office on Wednesday, the 31st January 1877, at 7 P. M.

Mails for Ceylon and Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 31st January 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 2nd February 1877.

2. Book-post and pattern packets must be posted on the 1st February 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 26th January 1877.

Axe, T.
Banning, John.
Beatson, Mrs. P.
Birke, Captain H. P.
Blank, F. O.
Butler, Arthur.
Cadwallader, W. G.
Campbell, Miss E. A.
Clark, Dr. G. B.
Comber, Mrs.
Cooper, T. T.
Croft, J
Davies, H.
Doyle, P. J.
Francis, W.
Godfrey, T. P.
Gomes, Miss V.
Gruzelier, Mr.
Hendrix, Revd. E. R.
Hermes, M. J.
Hopewell, E.
Hughes, Pringle.
Johnson, Gen.
Kearsley, Genl. Sir J.
Lee, Mrs. H.
Leckie, Forbes & Co.
Longley, Col. G.
McConaig, Jas.
Mackie, Thos.
Marthin, Henry.
Mooney, W. F.
Moran, T. D.
More, J.
Morton, Isaac.
Murphy, E. T.
Pennetes, Lewis.
Samuells, H. E.
Shamber, H. H.
Sharkey, John.
Smith, Mrs. E. F.
Smith, James.
Smith, T. A.
Simpson, R. T.
Stack, G. A.
Templeton, A.
Todd, Jas.
Vieux, E. T.
Walker, N. T.
White, W. M.
White, Francis.
Williams, F.
Winscom, Miss K.
Woods, Miss.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Allatt, J.
Andrew, Walter G. G.
Austin, R. H.
Barry, J. M.
Barlow, H. E.
Beck, R. A.
Berardi, Monsieur Gastow.
Borthwick, Mrs.
Bruse, Mr.
Buckley, C. W.
Caldecott, A.
Campier, Jas. C. B.
Campbell, J. F.
Cameron, Keith R.
Cavanagh, Jas.
Christian, A.
Condey, Mr.
Corke, Chas.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Dalitz, H. Oscar.
Daniel, D.
Darby, W. K.
Douglas, Christie G.
Dyson, T.
E. F. W.
E. M.
Esse.
Ferguson, Duncan.
Findlay, Alfred.
Franeklin, J. F. R.
Frawley, M. A.
Friedwaht, Fany.
Galloway, John.
Gardner, William.
Glükman, Lione.
Graham, Mrs.
Griffith, Andrew.
Gunther, John.
Huguenot, M.
Johnson, Henry.
Jones, B. F.
Kelly, Edward.
Kelly, W. P.
Kramer, T. O.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Macnaughten, P.
Marshall, Capt. G.
Mazzaline, Mrs. J.
McWilliams, Miss.
Morgan, Mrs. Milton.
Morton, M.
Moseley, Capt. W. H.
Munro, Major C. A.
Musgrove, Geo.
Nemo.
Nicholson, John S.
O'Brien, T. H.
Orbair, Monsieur.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Read, Mrs.
Reed, J.
Reed, J. V. C.
Richardson, Geo.
Scalfi, A. L.
Scott, Walter.
Shutz, J.
Sinclair, A.
Slaweeki, Monsieur T.
Stephens, Dr.
Travis, Miss Ida.
Valentine, Rev. C.
Vansittart, J. P.
Watt, Capt. J. R.
Whitrow, Mr.
Williams, C. A.
Williams, T.
Willins, W. E. S.
Wilkinson, Mrs. S.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Young, A.
Zacharias, A. H.

Papers.

Bellany, J.
Cayton, Geo.
Galloway, John.
Holland, Capt.
Jacob, Edward.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Richardson, Geo.
Stewart, A.

Registered Letters.

Caldecott, A.
Caddy, A. E.
Coudey, Geo.
O'Brien, C.

W. ALPIN,
Offg. Post-Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, War Services of Officers, and the Military Regulations, corrected up to 1st January 1877. *Price, Rs. 4; packing and postage, 8 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 3, 1877. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 18th November 1876.

Until further notice, the entire *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be forwarded to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

The 30th January 1877.

The Honourable the Chief Justice has, with the approval of His Excellency the Governor General of India in Council, appointed Mr. John Cameron MacGregor, Barrister-at-law, to be the Receiver of the High Court, *vice* Mr. Clarke, resigned.

R. BELCHAMBERS,
Registrar.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 20th January 1877.

No. 4.—Mr. R. M. Slane, Accountant, 3rd Grade, Office of Examiner of Accounts, Military Works, is granted privilege leave for fourteen days, from 8th January 1877, or such subsequent date as he may be permitted to avail himself of the same.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

3rd Circle.

Meerut, the 30th January 1877.

No. 2.—Mr. J. Hogan, Assistant Engineer, is transferred from the Morar to the Meerut Division, Military Works, which he joined on the forenoon of the 23rd instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

4th Circle.

Umballa, the 29th January 1877.

No. 3.—With reference to this Office Notification No. 1 of the 18th current, Lieutenant G. H. Sim, R.E., Assistant Engineer, 2nd Grade, left the Umballa Division, Military Works, on the forenoon of the 20th idem, *en route* to join the

Jullundur Division, Military Works, and reported his arrival at the latter station on the same date.

The 30th January 1877.

No. 4.—Conductor B. Revell, Barrack Master, temporarily transferred to the 3rd Circle of Military Works by Inspector General's Notification No. 104 of 5th October 1876, rejoined his appointment in the Umballa Division, Military Works, on the forenoon of the 27th current.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

The 22nd January 1877.

No. 4.—Mr. A. J. P. Jones, Assistant Engineer, 2nd Grade, is granted privilege leave for twenty-nine days, from the 24th December 1876, or such subsequent date as this Officer may avail himself of it.

The 23rd January 1877.

No. 5.—The under-mentioned Upper Subordinates are transferred as noted below:—

NAMES AND GRADE.	DIVISION.	
	Present.	To which transferred.
Mr. W. Browne, Supervisor, 2nd Grade.	1st Peshawar	1st Rawal Pindi.
Mr. F. H. Bainbridge, Overseer, 1st Grade.	Lahore ...	1st Peshawar.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 22nd January 1877.

No. 98.—Privilege leave from the 25th January to 13th February 1877, inclusive, is granted to Sub-Conductor J. H. Quilter, Sub-Engineer, 2nd Chukrata Division.

J. BIRNEY, *Major, R. E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.
Indore, the 27th January 1877.

No. 1.—Mr. W. A. Smith, Executive Engineer, 4th Grade, was relieved of his charge in the Bundelcund Road Division on the afternoon of the 21st November 1876, and in accordance with Notification No. 37, dated 25th October 1876, joined the Mhow Division on the afternoon of the 28th November 1876.

No. 2.—Mr. W. H. Bonnaud, Executive Engineer, 4th Grade, availed himself, on the forenoon of the 25th instant, of thirty days' subsidiary leave preparatory to two years' furlough to England granted in Notification No. 50 of the 16th December 1876.

No. 3.—Baboo Khetter Nauth Chatterjee, Executive Engineer, 4th Grade, was relieved of his charge in the Mhow Division on the forenoon of the 22nd December 1876, and joined the Southern Road Division on the forenoon of the 23rd idem, receiving charge of that division from Mr. W. H. Bonnaud, Executive Engineer, 4th Grade, on the afternoon of the 24th January 1877.

No. 4.—Mr. J. Williams, Supervisor, 2nd Grade, returned on the afternoon of the 12th January 1877 from twenty days' privilege leave granted in Notification No. 47, dated 22nd November 1876.

No. 5.—Baboo Bahal Roy, Overseer, 1st Grade, returned on the afternoon of the 8th January 1877, from one month's privilege leave granted in Notification No. 48, dated 22nd November 1876.

No. 6.—Baboo Shoshee Bhooshun Singhi, Head Clerk of the Neemuch Division, officiated for the Divisional Accountant during the absence of the latter on one month's privilege leave, with effect from the forenoon of the 13th December 1876.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.
Camp Chokurwara, the 24th January 1877.

No. $\frac{225}{133}$ G.—Lieutenant-Colonel E. C. Impey, Political Agent in Meywar, has been granted subsidiary leave on his return from furlough from the 17th to the 25th November 1876, both days inclusive.

Camp Mowa, the 25th January 1877.

No. $\frac{259}{177}$ G.—Mr. H. M. Durand, C.S., Officiating Political Assistant of the 1st Class, and First Assistant to the Agent to the Governor General, is granted privilege leave for two months, with effect from the 22nd January 1877.

Camp Manpoor, the 27th January 1877.

No. $\frac{283}{201}$ G.—Captain C. A. Baylay, Officiating Political Agent in Jeypore and Kishengurh, is granted one month's subsidiary leave to enable him to proceed to Bombay to appear before the Medical Board at that place, with effect from the 7th February 1877, or such subsequent date as he may avail himself of the same.

Camp Kaliks, the 29th January 1877.

No. $\frac{301}{214}$ G.—The following Station Order, dated 19th January 1877, issued by the Officer Commanding at Deolie, is confirmed:—

Surgeon-Major F. W. A. De Fabeck, Deolie Irregular Force, having reported his arrival from duty to Delhi, will relieve Surgeon J. C. Ferris of the medical charge of the Deolie Irregular Force.

No. $\frac{305}{216}$ G.—Captain A. R. T. McRae, of the Meywar Bheel Corps, officiated as 2nd Assistant Political Agent in Meywar, from the 10th December 1875 to the 2nd November 1876, both days inclusive, during the absence on furlough of Captain A. Conolly.

List of Names of Places in Raiputana, comprising the States of Bhurtpore, Bickaneer, Harowtee and Tonk, Jeypore, Jeysulmere, Jodhpore, Kerowlee, Kishengurh, Oodeypore, Sirohee, Ulwur, and Ajmere.

[Names of Places which have acquired a fixed spelling.]

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
आबू ...	Ábú ...	Abu ...	Town and Cantonment.	Sirohee.
अजमेर ...	Ajmer ...	Ajmere ...	British District.	
आडावला ...	Ádávalá ...	Aravalli ...	Chain of Mountains.	
भरतपुर ...	Bharatpur ...	Bhurtpore ...	State.	
बीकानेर ...	Bíkáner ...	Bickaneer ...	Ditto.	
बूंदी ...	Bundi ...	Boondee ...	Ditto.	
डीग ...	Díg ...	Deeg ...	District and Town	Bhurtpore.
ईरनपुरा ...	Erinpura ...	Erinpura ...	Cantonment ...	Sirohee.
हाड़ौती ...	Hárauti ...	Harowtee ...	Group of States.	
जैपुर ...	Jaipur ...	Jeypore ...	State.	
जैसलमेर ...	Jaisalmer ...	Jeysulmere ...	Ditto.	
झालावार ...	Jháláwár ...	Jhallawar ...	Ditto.	
जोधपुर ...	Jodhpur ...	Jodhpore ...	Ditto.	
करौली ...	Karauli ...	Kerowlee ...	Ditto.	
किशनगढ ...	Kishangarh ...	Kishengurh ...	Ditto.	
कोटा ...	Kota ...	Kotah ...	Ditto.	
लसवारी ...	Laswári ...	Laswarree ...	Battle field ...	Ulwur.
मारवाड़ ...	Márwár ...	Marwar ...	Another name for Jodpore.	
मेवाड़ ...	Mewár ...	Meywar ...	Another name for Oodeypore.	
नावा ...	Náwa ...	Nawa ...	Cantonment and Town.	Jodhpore.
نصیرآباد ...	Nasírábád ...	Nusseerabad ...	Cantonment ...	Ajmere.
उदैपुर ...	Udaipur ...	Oodeypore ...	State.	
शाहपुरा ...	Sháhpura ...	Shahpoora ...	Ditto.	
सीरोही ...	Sirohi ...	Sirohee ...	Ditto.	
टाडगढ ...	Tádgarh ...	Todgarh ...	Cantonment ...	Ajmere.
टोंक ...	Tonk ...	Tonk ...	State.	
अलवर ...	Alwar ...	Ulwur ...	Ditto.	
अचरोल ...	Achrol ...	Achrol ...	Town ...	Jeypore.
आगोलाई ...	Ágoláí ...	Ágolai ..	Ditto ...	Jodhpore.
आहोर ...	Áhor ...	Áhor ...	Ditto ...	Ditto.
आहू ...	Áhú ...	Áhu ...	River ...	Harowtee and Tonk.
अजेराका ...	Ajeráka ...	Ajeráka ...	Railway Station ...	Ulwur.
अजीतपुरा ...	Ajítpura ...	Ajítpura ...	Town ...	Bickaneer.
अखेगढ	Akhegarh ...	Akhegarh ...	Town and District	Bhurtpore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
आलणियावास ...	Álaniawás ...	Álaniawás ...	Town ...	Jodhpore.
आलनपुर ...	Álanpur ...	Álanpur ...	Place of Pilgrimage and Fair.	Jeypore.
علي گڈھ ...	Alígarh ...	Aligarh ...	Town ...	Harowtee and Tonk.
علي پُور ...	Alípur ...	Alipur ...	Hill ...	Bhurtpore.
अमरगढ ...	Amargarh ...	Amargarh ...	Town ...	Kerowlee.
आमेर ...	Ámer ...	Ámer ...	Ditto and Hill ...	Jeypore.
आमेट ...	Ámet ...	Ámet ...	Ditto and Sub-division.	Oodeypore.
अमीरगढ ...	Amírgarh ...	Amírgarh ...	Town ...	Harowtee and Tonk.
अनादपुर ...	Anadpur ...	Anadpur ...	Ditto ...	Jodhpore.
अनादरा ...	Anádrá ...	Anádra ...	Ditto ...	Sirohee.
आनासागर ...	Aná Ságar ...	Ána Ságar ...	Lake ...	Ajmere.
अनडेरी ...	Anderí ...	Anderi ...	River ...	Harowtee and Tonk.
अनपूरना ...	Anpúrná ...	Anpúrna ...	Shrine ...	Ditto.
अनूपगढ ...	Anúpgarh ...	Anúpgarh ...	Town ...	Bickaneer.
अरैन ...	Arain ...	Arain ...	Town and Civil Station.	Jeypore.
आरनू ...	Árnú ...	Árnu ...	Railway Station...	Ditto.
आसोप ...	Ásop ...	Ásop ...	Town ...	Jodhpore.
अटलबंद ...	Atalband ...	Atalband ...	Lake ...	Bhurtpore.
औलाबटी ...	Aulábatí ...	Aulábati ...	Town ...	Harowtee and Tonk.
आऊवा ...	Áúwá ...	Áuwa ...	Ditto ...	Jodhpore.
बाबरा ...	Bábra ...	Bábra ...	Ditto ...	Ditto.
बदकोचरां ...	Badkochrán ...	Badkochrán ...	Ditto ...	Ajmere.
बागन ...	Bágan ...	Bágan ...	River ...	Oodeypore.
बघाना ...	Bágháná ...	Baghána ...	Town ...	Ajmere.
बघेरा ...	Bagherá ...	Baghera ...	Ditto ...	Ditto.
बघेरी ...	Bagherí ...	Bagheri ...	Ditto ...	Harowtee and Tonk.
बगडी ...	Bagrí ...	Bagri ...	Ditto ...	Jodhpore.
बगडी ...	Bagrí ...	Bagri ...	Ditto ...	Harowtee and Tonk.
बगरू ...	Bagrú ...	Bagru ...	Ditto ...	Jeypore.
बागसूरी ...	Bágsúrí ...	Bágsúri ...	Ditto ...	Ajmere.
बहादरां ...	Bahádrán ...	Bahádrán ...	Ditto ...	Bickaneer.
बहरोड़ ...	Bahror ...	Bahror ...	Town and Sub-division.	Ulwur.
बैराट ...	Bairát ...	Bairát ...	District and Town	Jeypore.
बायटू ...	Báyatú ...	Baitu ...	Town ...	Jodhpore.
बाखासर ...	Bákhásar ...	Bákhásar ...	Ditto ...	Ditto.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
बालाहेड़ा ...	Bálaherá ...	Bálahera ...	Town ...	Jeypore.
बलमगढ ...	Balamgarh ...	Balamgarh ...	Ditto ...	Bhurtpore.
बलारां ...	Balárán ...	Balárán ...	Ditto ...	Jeypore.
बाली ...	Bálí ...	Báli ...	Ditto ...	Jodhpore.
बालोतरा ...	Bálotrá ...	Bálotra ...	Ditto ...	Ditto.
बलूंदा ...	Balúndá ...	Balúnda ...	Ditto ...	Ditto.
बामनवाडा ...	Bámanwárá ...	Bámanwára ...	Place of Pilgrimage.	Sirohee.
बामनी ...	Bámní ...	Bámni ...	River ...	Oodeypore.
बामनयावास ...	Bámniáwás ...	Bámniawás ...	District and Town	Jeypore.
बनास ...	Banás ...	Banás ...	River ...	Oodeypore, Jeypore, &c.
बांदनवाडा ...	Bándanwárá ...	Bándanwára ...	Town ...	Ajmere.
बांडी ...	Bándí ...	Bándi ...	River ...	Jeypore.
बांडीकुई ...	Bándikúí ...	Bándikoi ...	Town and Railway Station.	Ditto.
बनेडा ...	Banerá ...	Banera ...	Town ...	Oodeypore.
बानगंगा ...	Bángangá ...	Bánganga ...	River ...	Jeypore, Bhurtpore, &c.
बांसीपहाडपुर ...	Bánsí Pahárpur	Bánsi Pahárpur	Hill ...	Bhurtpore.
बांसखो ...	Bánskho ...	Bánskho ...	Town ...	Jeypore.
बानसूर ...	Bánsúr ...	Bánsúr ...	Sub-division and Town.	Ulwur.
बांसवाडा ...	Bánswárá ...	Bánswára ...	Town and State.	
बर ...	Bar ...	Bar ...	Town ...	Jodhpore.
बार ...	Bár ...	Bár ...	Ditto ...	Ajmere.
बराखन ...	Barákhan ...	Barákhan ...	Ditto ...	Ditto.
बारां ...	Bárán ...	Bárán ...	Ditto ...	Harowtee and Tonk.
बरांटिया ...	Barántiá ...	Barántia ...	Ditto ...	Jodhpore.
बारठ ...	Bárath ...	Bárath ...	District ...	Sirohee.
बडगांव ...	Bargánw ...	Bargaon ...	Town ...	Jodhpore.
बडीयाल ...	Baríál ...	Bariál ...	Ditto ...	Jeypore.
बड़ीकाताळाव ...	Barí ká Táláb ...	Bari-ká-Talab ...	Lake ...	Oodeypore.
बरखेरेकीनदी ...	Barkhere-kí-Nadí	Barkhere-ki-nadi	River ...	Kerowlee.
बरली ...	Barlí ...	Barli ...	Town ...	Ajmere.
बड़लू ...	Barlú ...	Barlu ...	Ditto ...	Jodhpore.
बाड़मेर ...	Bármer ...	Bármer ...	Ditto ...	Ditto.
बरनाला ...	Barnálá ...	Barnála ...	Ditto ...	Jeypore.
बडोदा ...	Barodá ...	Baroda ...	Fair and place of Pilgrimage.	Ditto.
बरसलपुर ...	Barsalpur ...	Barsalpur ...	Town ...	Jeysulmere.
बडू ...	Barú ...	Baru ...	Ditto ...	Jodhpore.
बसई ...	Basai ...	Basai ...	Railway Station...	Ulwur.
बसी ...	Basí ...	Basi ...	Ditto ...	Jeypore.

Vernacular.	Correct Transliteration.	Fixed spelling.	Description of place.	State where situated.
बसवा ...	Baswá ...	Baswa ...	District and Town	Jeypore.
बाटारू ...	Bátárú ...	Bátáru ...	Town ...	Jodhpore.
बौनली ...	Baunlí ...	Baunli ...	District and Town	Jeypore.
बेआवर ...	Beáwar ...	Beáwar ...	Town and Cantonment.	Ajmere.
बेगूं ...	Begún ...	Begún ...	Town and Sub-division.	Oodeypore.
बेहड ...	Behar ...	Behar ...	Ravines on the Chambal River.	Kerowlee.
बेरच ...	Berach ...	Berach ...	River ...	Oodeypore and Harowtee.
भदरावती ...	Bhadráoti ...	Bhadraoti ...	Ditto ...	Kerowlee.
भगवंतगढ ...	Bhagwantgarh ...	Bhagwantgarh ...	Town ...	Jeypore.
भायलां ...	Bháilán ...	Bháilán ...	Town and Pergunnah.	Ajmere.
भाखर ...	Bhákhar ...	Bhákhar ...	District ...	Sirohee.
भखरी ...	Bhakhrí ...	Bhakhri ...	Town ...	Jodhpore.
भरक ...	Bharak ...	Bharak ...	Hill ...	Oodeypore.
भसावर ...	Bhasáwar ...	Bhasáwar ...	District ...	Bhurtpore.
भावी ...	Bháwí ...	Bháwi ...	Town ...	Jodhpore.
भीलवाडा ...	Bhílwárá ...	Bhílwára ...	Town and Post Office.	Oodeypore.
भीमलट ...	Bhímlat ...	Bhímlat ...	Town ...	Harowtee and Tonk.
भिनाए ...	Bhínáí ...	Bhinai ...	District and Town	Ajmere.
भींडर ...	Bhíndar ...	Bhíndar ...	Town and Sub-division.	Oodeypore.
भीनमाल ...	Bhínmál ...	Bhínmál ...	Town ...	Jodhpore.
भीतदोठ ...	Bhítroth ...	Bhítroth ...	District ...	Sirohee.
भोमगढ ...	Bhomgarh ...	Bhomgarh ...	Town and Fort ...	Harowtee and Tonk.
भूकरकी ...	Bhúkarkí ...	Bhúkarki ...	Town ...	Bickaneer.
भूमसेन ...	Bhúmsen ...	Bhúmsen ...	Hill ...	Jodhpore.
भूताला ...	Bhútálá ...	Bhutála ...	Ditto ...	Oodeypore.
बियाना ...	Biyáná ...	Biána ...	District ...	Bhurtpore.
बीदासर ...	Bídásar ...	Bídásar ...	Town ...	Bickaneer.
बिगगा ...	Biggá ...	Biggah ...	Ditto ...	Ditto.
बीजासन माता ...	Bíjásan Mátá ...	Bíjásan Máta ...	Shrine ...	Harowtee and Tonk.
बिकमपुर ...	Bikampur ...	Bikampur ...	Town ...	Jeysulmere.
बिलारा ...	Bilárá ...	Bilára ...	Ditto ...	Jodhpore.
बिरजेशजी ...	Birjeshjí ...	Birjeshji ...	Shrine ...	Harowtee and Tonk.
बीसलपुर ...	Bísalpur ...	Bísalpur ...	Town ...	Jodhpore.
बिसाऊ ...	Bissáû ...	Bissau ...	Town and Post Office.	Jeypore.

Vernacular.	Correct Transliteration.	Fixed spelling.	Description of place.	State where situated.
बिवाई ...	Biwáí ...	Biwai ...	Railway Station ...	Jeypore.
बोरावड ...	Boráwar ...	Boráwar ...	Town ...	Jodhpore.
बरज ...	Braj ...	Braj ...	Tract of country	Bhurtpore.
बूज ...	Bújh ...	Bújh ...	Town ...	Jeysulmere.
चकवाडा ...	Chakwárá ...	Chakwára ...	Ditto ...	Jeypore.
चमबल ...	Chambal ...	Chambal ...	River ...	Tonk, Harowtee, Kerowlee.
चानोद ...	Chánaud ...	Chánaud ...	Town ...	Jodhpore.
चंदाबो ...	Chandáná ...	Chandána ...	Ditto ...	Jeypore.
चंदरभाका ...	Chandar Bháká	Chandarbháka ...	River ...	Oodeypore and Harowtee and Tonk.
चंडावल ...	Chandáwal ...	Chandáwal ...	Town ...	Jodhpore.
चंदरावती ...	Chandráwati ...	Chandrawati ...	Place of historical interest.	Sirohee.
चांदसैन ...	Chándsain ...	Chándsain ...	Town ...	Jeypore.
चांग ...	Cháng ...	Cháng ...	Ditto ...	Ajmere.
चापेा ...	Chápí ...	Chápi ...	Ditto ...	Harowtee and Tonk.
चारभुजाजी ...	Chárbhujáji ...	Chárbhujaji ...	Shrine ...	Harowtee and Tonk.
चारचौमूहां ...	Chár Chaumúhán	Chár Chaumúhán	Ditto ...	Ditto.
चाटसू ...	Chátsú ...	Chátsú ...	District and Town	Jeypore.
चतुरभुज ...	Chaturbhuj ...	Chaturbhuj ...	Place of Pilgrimage	Oodeypore.
चतुरभुज ...	Chaturbhuj ...	Chaturbhuj ...	Shrine ...	Harowtee and Tonk.
चौमुखा ...	Chaumukhá ...	Chaumukha ...	Ditto ...	Ditto.
चौमूं ...	Chaumún ...	Chaumún ...	Town ...	Jeypore.
चवरा ...	Chaurá ...	Chaura ...	District ...	Sirohee.
चौथकाबरवाडा ...	Chauth-ká-Barwárá.	Chauth-ka-Barwára.	Town and Fair ...	Jeypore.
छबडा ...	Chhabrá ...	Chhabra ...	District and Town	Harowtee and Tonk.
छापर ...	Chhápar ...	Chhápar ...	Town ...	Bickaneer.
छःपनकापहाड ...	Chhappan-ká-pahár.	Chhappan-ka-Pahár.	Hill ...	Jodhpore.
छिरान ...	Chhiráná ...	Chhirána ...	Town ...	Jeypore.
छोटीकनवास ...	Chhotí Kanwás	Chhoti Kanwás	Ditto ...	Harowtee and Tonk.
छोटीनदी ...	Chhotí Nadí ...	Chhoti Nadi ...	River ...	Ditto.
छोटीसादरी ...	Chhotí Sádrí ...	Chhoti Sádri ...	Town ...	Oodeypore.
चिकसाना ...	Chiksáná ...	Chiksána ...	Ditto ...	Bhurtpore.
चिमनाबावडी ...	Chimná Báwarí	Chimna Báwari	Shrine ...	Harowtee and Tonk.
चिराबा ...	Chiráwá ...	Chiráwa ...	Town ...	Jeypore.
चीतलवाना ...	Chítalwáná ...	Chítalwána ...	Ditto ...	Jodhpore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
चीतोरगढ ...	Chítorgarh ...	Chítorgarh ...	Town and Fort ...	Oodeypore.
चोटीला ...	Chotílá ...	Chotíla ...	Mountain ...	Sirohee.
चूरू ...	Chúrú ...	Chúru ...	Town ...	Bickaneer.
चूरू ...	Chúrú ...	Chúru ...	Ditto ...	Jeypore.
ददरेवा ...	Dadrewá ...	Dadrewa ...	Ditto ...	Bickaneer.
डांग ...	Dáng ...	Dáng ...	Ravines ...	Bhurtpore and Kerowlee.
दांतारामगढ ...	Dántá Rámgarh	Dánta Rámgarh	District, Town and Railway Station	Jeypore.
दांथल ...	Dánthal ...	Dánthal ...	Town ...	Ditto.
दौसा ...	Dausá ...	Dausa ...	Hill, Province and Town.	Ditto.
दवेद ...	Dawer ...	Dawer ...	Town and Cantonment.	Ajmere.
देवगांव ...	Deogánw ...	Deogaon ...	Town ...	Ditto.
देवगढ	Deogarh ...	Deogarh ...	Ditto ...	Oodeypore.
देवली ...	Deolí ...	Deoli ...	Cantonment ...	Harowtee and Tonk.
देवलिया ...	Deolíá ...	Deolia ...	Town ...	Ajmere.
देवटी ...	Deotí ...	Deoti ...	Lake ...	Ulwur.
देशनोक ...	Deshnok ...	Deshnok ...	Town ...	Bickaneer.
देसूरी ...	Desúrí ...	Desuri ...	Ditto ...	Jodhpore.
धानाडूंगर ...	Dháná Dúngar...	Dhána Dúngar...	Place of Pilgrimage and Fair.	Jeypore.
धनेरू ...	Dhanerú ...	Dhaneru ...	Town ...	Bickaneer.
धानी ...	Dháni ...	Dháni ...	Ditto ...	Ajmere.
धरमपुरा ...	Dharampurá ...	Dharampura ...	Ditto ...	Bhurtpore.
धोला ...	Dholá ...	Dhola ...	Ditto ...	Jodhpore.
धोलागर ...	Dholágarh ...	Dholagarh ...	Hill ...	Oodeypore.
धूंड ...	Dhúnd ...	Dhúnd ...	River ...	Jeypore.
डीडवाना ...	Dídwáná ...	Dídwána ...	Town ...	Jodhpore.
डीडवाना ...	Dídwáná ...	Dídwána ...	Place of Pilgrimage and Fair.	Jeypore.
डिगगी ...	Diggí ...	Diggi ...	Ditto ...	Ditto.
दिलवाडा ...	Dilwárá ...	Dilwára ...	Town and Temple	Sirohee.
दिलवाडा ...	Dilwára ...	Dilwára ...	Ditto ...	Ajmere.
दोढो ...	Dodho ...	Dodho ...	Hill ...	Jodhpore.
दूदाकर ...	Dúdákar ...	Dúdákar ...	Ditto ...	Oodeypore.
दूदू ...	Dúdú ...	Dúdu ...	Town ...	Jeypore.
दूगारी ...	Dúgárí ...	Dugári ...	Ditto ...	Harowtee and Tonk.
दूनी ...	Dúní ...	Dúni ...	Ditto ...	Jeypore.
द्वारकाधीश ...	Dwárkádhísh ...	Dwárakadhísh ...	Shrine ...	Harowtee and Tonk.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
द्वारकानाथजी ...	Dwárkánáthjí ...	Dwaraknáthji ...	Place of Pilgrimage.	Oodeypore.
ऐचरानो ...	Echráno ...	Echráno ...	Hill ...	Jodhpore.
ऐकलङ्गजी ...	Eklingjí ...	Eklinji ...	Place of Pilgrimage.	Oodeypore.
एरांवन ...	Eráwan ...	Eráwan ...	Hill ...	Ditto.
इसरदा ...	Esardá ...	Esardah ...	Town ...	Jeypore.
फतेहगढ ...	Fatehgarh ...	Fatehgarh ...	Ditto ...	Kerowlee.
फतेहगढ ...	Fatehgarh ...	Fatehgarh ...	Ditto ...	Kishengurh.
फतेहपुर ...	Fatehpur ...	Fatehpur ...	Ditto ...	Jeypore.
गागरोन ...	Gágraun ...	Gágraun ...	Fort ...	Harowtee and Tonk.
गजनेर ...	Gajner ...	Gajner ...	Town ...	Bickaneer.
गलवो ...	Galwá ...	Galwa ...	River ...	Harowtee and Tonk.
गमभेरी ...	Gambherí ...	Gambheri ...	Ditto ...	Oodeypore.
गमभीर ...	Gambhír ...	Gambhír ...	Ditto ...	Bhurtpore.
गनेशगट ...	Ganeshgarh ...	Ganeshgarh ...	Town ...	Bickaneer.
गंगापर ...	Gangápur ...	Gangapur ...	Town and District	Jeypore.
गांगजी ...	Gángli ...	Gángli ...	Town ...	Harowtee and Tonk.
गंगपीयामहादेव ...	Gangúpíyá Maháđeo.	Gangupíya Maháđeo.	Place of Pilgrimage.	Sirohee.
गंगवाना ...	Gangwáná ...	Gangwána ...	Town ...	Ajmere.
गरडवासी ...	Gardwásí ...	Gardwási ...	Ditto ...	Jeypore.
गौंदेर ...	Gaunder ...	Gaunder ...	Town and place of Pilgrimage.	Ditto.
घानेराव ...	Ghánerάo ...	Ghánerao ...	Town ...	Jodhpore.
घेगल ...	Ghegal ...	Ghegal ...	Ditto ...	Ajmere.
घोटरु ...	Ghotru ...	Ghotru ...	Ditto ...	Jeysulmere.
घोंसला ...	Ghúnslá ...	Ghúnsla ...	District ...	Jeypore.
गोविंदगढ ...	Gobindgarh ...	Gobindgarh ...	Town ...	Ajmere.
गोएला ...	Goelá ...	Goela ...	Ditto ...	Ditto.
गोगुंदा ...	Gogundá ...	Gogunda ...	District ...	Oodeypore.
गोमती ...	Gomtí ...	Gomti ...	River ...	Ditto.
गोपाळगढ ...	Gopálgarh ...	Gopálgarh ...	District ...	Bhurtpore.
गोपालपुरा ...	Gopálpurá ...	Gopálpura ...	Town ...	Bickaneer.
गुरमजी ...	Goramjí ...	Goramji ...	Hill and Shrine ...	Ajmere.
गुसाईंसर ...	Gosháinsar ...	Gosháinsar ...	Town ...	Bickaneer.
गोविंदगढ ...	Govindgarh ...	Govindgarh ...	Ditto ...	Ulwar.
गूगोर ...	Gúgor ...	Gúgor ...	Town and Fort ...	Harowtee and Tonk.
गूंदोज ...	Gúndoj ...	Gúndoj ...	Town ...	Jodhpore.
गूंदोलाव ...	Gúndoláo ...	Gundoláo ...	Lake ...	Kishengurh.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
गूड़ा ...	Gúrá ...	Gúra ...	Town ...	Jodhpore.
गूयाबाला ...	Gúyábálá ...	Gúyabala ...	River ...	Ditto.
ग्याबनु ...	Gyábnu ...	Gyábnu ...	Hill ...	Ditto.
हाबुर ...	Hábur ...	Hábur ...	Town ...	Jeysulmere.
हाड़ोती ...	Hádotí ...	Hádoti ...	Ditto ...	Kerowlee.
हलेना ...	Halená ...	Halena ...	Ditto ...	Bhurtpore.
हमीरगढ ...	Hamírgarh ...	Hamírgarh ...	Ditto ...	Oodeypore.
हांसेरा ...	Hánserá ...	Hánsera ...	Ditto ...	Bickaneer.
हरमाडा ...	Harmárá ...	Harmára ...	Ditto ...	Ajmere.
हेलक ...	Helak ...	Helak ...	Railway Station...	Bhurtpore.
हिम्मतसर ...	Himmitsar ...	Himmatsar ...	Town ...	Bickaneer.
हिनडौन ...	Hindaun ...	Hindaun ...	District and Town	Jeypore.
हिनडोली ...	Hindolí ...	Hindoli ...	Town ...	Harowtee and Tonk.
इकासरामहादेव ...	Ikásirá Mahádeo	Ikásira Mahádeo	Place of Pilgrim-age.	Ditto.
इकरन ...	Ikran ...	Ikran ...	Railway Station ...	Bhurtpore.
عنایتی ...	Ináyatí ...	Ináyati ...	Town ...	Kerowlee.
इनदरगढ ...	Indargarh ...	Indargarh ...	Ditto ...	Harowtee and Tonk.
जाढण ...	Jádhan ...	Jádhan ...	Ditto ...	Jodhpore.
जायल ...	Jáel ...	Jáel ...	Ditto ...	Ditto.
जहाज़पुर ...	Jaházpur ...	Jaházpur ...	Town and Fort ...	Oodeypore.
जैपुर ...	Jaipur ...	Jaipur ...	Mountain ...	Jeypore.
जैराज ...	Jairáj ...	Jairáj ...	Ditto ...	Sirohee.
जैसमंदयानेढबर ...	Jaisamand *or* Dhebar.	Jaisamand *or* Dhebar.	Lake ...	Oodeypore.
जैतसर ...	Jaitsar ...	Jaitsar ...	Town ...	Bickaneer.
जाखम ...	Jákham ...	Jákham ...	River ...	Oodeypore.
जालोर ...	Jálor ...	Jálor ...	Town ...	Jodhpore.
जमालखेडा ...	Jamálkherá ...	Jamálkhera ...	Ditto ...	Jeypore.
جامع مسجد ...	Jámi Masjid ...	Jámi Masjid ...	Shrine ...	Harowtee and Tonk.
जरगाजी ...	Jargájí ...	Jargaji ...	Hill ...	Oodeypore.
जसाना ...	Jasáná ...	Jasána ...	Town ...	Bickaneer.
जसोल ...	Jasol ...	Jasol ...	Ditto ...	Jodhpore.
जसरासर ...	Jasrásar ...	Jasrásar ...	Ditto ...	Bickaneer.
जस्साखेडा ...	Jassákherá ...	Jassakhera ...	Town and Canton-ment.	Ajmere.
जटवाडा ...	Jatwárá ...	Jatwára ...	Railway Station...	Jeypore.
जवाजा ...	Jawájá ...	Jawája ...	Town ...	Ajmere.
जावर ...	Jáwar ...	Jáwar ...	Hill ...	Oodeypore.
जवारी ...	Jawárí ...	Jawári ...	Town ...	Harowtee and Tonk.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
जेतारण ...	Jetáran ...	Jetáran ...	Town ...	Jodhpore.
झाक ...	Jhák ...	Jhák ...	Ditto ...	Ajmere.
झापान ...	Jhapán ...	Jhapán ...	Ditto ...	Harowtee and Tonk.
झीको ...	Jhíko ...	Jhíko ...	Hill ...	Jodhpore.
झीलकाबारा ...	Jhíl-ká-bárá ...	Jhíl-ka-bára ...	Marsh ...	Bhurtpore.
झोरो ...	Jhoro ...	Jhoro ...	District ...	Sirohee.
झुगगा कीबावडी ...	Jhuggá-kí-báuri	Jhugga-ki-baori	Place of Pilgrim-age.	Jeypore.
झूनझूनूं ...	Jhúnjhnú ...	Jhúnjhnu ...	Town ...	Ditto.
जीनडोली ...	Jíndolí ...	Jíndoli ...	Hill ...	Oodeypore.
जीरोता ...	Jírotá ...	Jírota ...	District ...	Kerowlee.
जिसोद ...	Jisod ...	Jisod ...	Place of Pilgrim-age.	Jeypore.
जोबनेर ...	Jobner ...	Jobner ...	Town ...	Ditto.
जोजरी ...	Jojrí ...	Jojri ...	River ...	Jódhpore.
जुइनमाताजी ...	Júin Mátájí ...	Juin Mátaji ...	Place of Pilgrim-age.	Jeypore.
जूनियां ...	Júnián ...	Júnián ...	Town ...	Ajmere.
कहटन ...	Kahtan ...	Kahtan ...	Ditto ...	Harowtee and Tonk.
कैलाजी ...	Kailájí ...	Kailaji ...	Place of Pilgimage	Kerowlee.
काकंद ...	Kákand ...	Kákand ...	River ...	Bhurtpore.
कालीसिंध ...	Kálí Sindh ...	Káli Sindh ...	Ditto ...	Harowtee and Tonk.
कालक ...	Káluk ...	Káluk ...	District ...	Jeypore.
कलयानरायजी ...	Kalyán Ráejí ...	Kalyán Raeji ...	Shrine ...	Harowtee and Tonk.
कमलनाथ ...	Kamalnáth ...	Kamalnáth ...	Hill ...	Oodeypore.
कामां या कामबन ...	Kámán *or* Kám-ban.	Kámán *or* Kám-ban.	District ...	Bhurtpore.
कानौता ...	Kánautá ...	Kánauta ...	Railway Station...	Jeypore.
कांकरोली ...	Kánkrolí ...	Kánkroli ...	Town and Lake ...	Oodeypore.
कानुड ...	Kánur ...	Kánur ...	Town ...	Jeysulmere.
कन्यागिर ...	Kanyágir ...	Kanyagir ...	Hill ...	Jodhpore.
कपलधाराकुंड ...	Kapaldhárá Kund	Kapaldhárá Kund	River ...	Harowtee and Tonk.
करमे ...	Karmoí ...	Karmoi ...	Ditto ...	Oodeypore.
करनसर ...	Karnsar ...	Karnsar ...	Town ...	Jeypore.
काशबकोलाखेडा ...	Káshab Kolá Kherá.	Káshab Kola Khera.	Ditto ...	Harowtee and Tonk.
कठूनमर ...	Kathúnmar ...	Kathúnmar ...	Ditto ...	Ulwur.
काया ...	Káyá ...	Káya ...	Hill ...	Oodeypore.
केकडी ...	Kekrí ...	Kekri ...	Town ...	Ajmere.
केमरी ...	Kemrí ...	Kemri ...	Ditto ...	Jeypore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
केवलादेव ...	Keolá deo ...	Keola deo ...	Marsh ...	Bhurtpore.
केशोरायपाटन ...	Keshoráe Pátan	Keshorae Pátan	Town ...	Harowtee and Tonk.
खैरथल ...	Khairthal ...	Khairthal ...	Railway Station ...	Ulwur.
खंडेलाहरसनाथका ...	Khandelá-Harsnáth-ká.	Khandela-Harsnáth-ka.	Hill and Town ...	Jeypore.
खंधार ...	Khandhár ...	Khandhár ...	District and Town	Ditto.
खानुवा ...	Khánuá (Khánuá)	Khánua ...	Town ...	Bhurtpore.
खारी ...	Khárí ...	Khári ...	River ...	Oodeypore and Jeypore.
खारी ...	Khárí ...	Khári ...	Ditto ...	Ajmere.
खारी ...	Khárí ...	Khári ...	Town ...	Bickaneer.
खरजानीजपुरा ...	Kharjá Bíjpurá...	Kharja Bijpura...	Fair ...	Jeypore.
खरकरी ...	Kharkarí ...	Kharkari ...	Town ...	Ditto.
खरकडो ...	Kharkarí ...	Kharkari ...	Ditto ...	Kishengurh.
खटकड ...	Khatkar ...	Khatkar ...	Ditto ...	Harowtee and Tonk.
खाटू ...	Khátú ...	Khátu ...	Ditto ...	Jeypore.
खेडा ...	Kherá ...	Khera ...	Ditto ...	Ditto.
खेरवाडा ...	Kherwárá ...	Kherwára ...	Cantonment ...	Oodeypore.
खेतडी ...	Khetrí ...	Khetri ...	Hill and Town ...	Jeypore.
खींवसर ...	Khínwsar ...	Khinwsar ...	Town ...	Jodhpore.
खिरवा ...	Khirwá ...	Khirwa ...	Ditto ...	Ajmere.
खोहभील ...	Khohjhíl ...	Khohjhíl ...	Lake ...	Bhurtpore.
खुनी ...	Khuní ...	Khuni ...	District ...	Sirohee.
किशनगढ ...	Kishangarh ...	Kishangarh ...	Town ...	Jeysulmere.
किशनगढ ...	Kishangarh ...	Kishangarh ...	Ditto ...	Ulwur.
किशनगढ ...	Kishangarh ...	Kishangarh ...	Ditto ...	Jeypore.
कोलायत ...	Koláyat ...	Koláyat ...	Ditto ...	Bickaneer.
कोरमदेसर ...	Koramdesar ...	Koramdesar ...	Ditto ...	Ditto.
कोटबनावड ...	Kot Banáwar ...	Kot Banáwar ...	Ditto ...	Jeypore.
कोठेसरी ...	Kothesrí ...	Kothesri ...	River ...	Oodeypore.
कोटकासिम ...	Kot Kásim ...	Kot Kasim ...	Province ...	Jeypore.
कोटपूतली ...	Kot Pútlí ...	Kot Putli ...	Town ...	Ditto.
कोटरा ...	Kotrá ...	Kotra ...	Cantonment ...	Oodeypore.
कुचामण ...	Kucháman ...	Kucháman ...	Town ...	Jodhpore.
कूचेरा ...	Kúcherá ...	Kúchera ...	Ditto ...	Ditto.
कूमलगढ ...	Kúmalgarh ...	Kumalgarh ...	Fort ...	Oodeypore.
कुम्हेर ...	Kumher ...	Kumher ...	District ...	Bhurtpore.
कुपासन ...	Kupásan ...	Kupásan ...	Town ...	Oodeypore.
कूड़ा ...	Kúrá ...	Kúra ...	Ditto ...	Jodhpore.
कूरगांव ...	Kúrgánw ...	Kúrgaon ...	Ditto ...	Kerowlee.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
लक्ष्मनगढ ...	Lachhmangarh	Lachhmangarh	Town ...	Ulwur.
लक्ष्मनगढ ...	Lachhmangarh	Lachhmangarh	Ditto ...	Jeypore.
लक्ष्मीनारायन ...	Lachhmí Náráyan	Lachhmi Náráyan	Shrine ...	Harowtee & Tonk.
लाड़नूं ...	Ládnún ...	Ládnún ...	Town ...	Jodhpore.
लालगढ ...	Lálgarh ...	Lálgarh ...	Ditto ...	Bickaneer.
लालसोट ...	Lálsot ...	Lálsot ...	Town and District	Jeypore.
लांबा ...	Lámbá ...	Lámba ...	Town ...	Ditto.
लापली ...	Láplí ...	Lápli ...	River ...	Oodeypore.
लठाबन ...	Lathában ...	Lathában ...	District (another name for Deeg.)	Bhurtpore.
लिवाली ...	Liwálí ...	Liwáli ...	Town ...	Jeypore.
लोहागढ ...	Lohágarh ...	Lohagarh ...	Hill ...	Ditto.
लोहागढजी ...	Lohágarhjí ...	Lohagarhji ...	Placeof Pilgrimage	Ditto.
लोहवान ...	Lohwán ...	Lohwán ...	Town ...	Ditto.
लुदाना ...	Ludáná ...	Ludána ...	Ditto ...	Ditto.
लूनी ...	Lúní ...	Luni ...	River ...	Jodhpore.
लूणवा ...	Lúnwá ...	Lúnwa ...	Town ...	Ditto.
लूटाना ...	Lútáná ...	Lutána ...	Ditto ...	Ajmere.
मछीद ...	Machhíd ...	Machhíd ...	Hill ...	Oodeypore.
माधोला ...	Mádholá ...	Mádhola ...	Placeof Pilgrimage	Jeypore.
माढोनी ...	Mádhoní ...	Mádhoni ...	Hill ...	Bhurtpore.
माधोराजपुर ...	Mádhorájpur ...	Mádhorájpur ...	Town ...	Jeypore.
मदकोटरी ...	Madkotrí ...	Madkotri ...	Ditto ...	Bickaneer.
मगरा ...	Magrá ...	Magra ...	District ...	Sirohee.
महाजन ...	Mahájan ...	Mahájan ...	Town ...	Bickaneer.
महारसामोद ...	Mahár Sámod ...	Mahár Sámod ...	Hill ...	Jeypore.
महीजी ...	Mahíjí ...	Mahiji ...	Shrine ...	Harowtee and Tonk.
महवा ...	Mahwá ...	Mahwa ...	District and Town	Jeypore.
माकरजी ...	Mákarjí ...	Mákarji ...	Hill and Temple...	Ajmere.
माल ...	Mál ...	Mál ...	Hill ...	Sirohee.
मालाखेडा ...	Málákherá ...	Málakhera ...	Railway Station ...	Ulwur.
मलारना ...	Malárna ...	Malárna ...	District ...	Jeypore.
मलारनाचौडका ...	Malárná-chaur-ká	Malárna-chaur-ka	Town ...	Ditto.
मलारनाडूंगर ...	Malárná Dúngar	Malárna Dungar	Ditto ...	Ditto.
मालपुरा ...	Málpurá ...	Málpura ...	Town and District	Ditto.
मांडल ...	Mándal ...	Mándal ...	Town ...	Oodeypore.
मांडलगढ ...	Mándalgarh ...	Mándalgarh ...	Fort ...	Ditto.
मंडावरी ...	Mandáwarí ...	Mandáori ...	Placeof Pilgrimage	Jeypore.
मंडार ...	Mandár ...	Mandár ...	Post Office ...	Sirohee.
मंडावा ...	Mandáwá ...	Mandáwa ...	Town ...	Jeypore.
मंडावर ...	Mandáwar ...	Mandáwar ...	District and Railway Station.	Ditto.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
मंडोर ...	Mandor ...	Mandor ...	Town ...	Jodhpore.
मंडरायल ...	Mandráel ...	Mandráel ...	District ...	Kirowlee.
मांगलयावास ...	Mángaliáwás ...	Mángaliawás ...	Town ...	Ajmere.
मांकली ...	Mánkalí ...	Mánkali ...	Ditto ...	Harowtee and Tonk.
मनोहरपुर ...	Manoharpur ...	Manoharpur ...	Ditto ...	Jeypore.
मानपुर ...	Mánpur ...	Mánpur ...	Ditto ...	Ditto.
मारोठ ...	Mároth ...	Mároth ...	Ditto ...	Jodhpore.
मासलपुर ...	Másalpur ...	Másalpur ...	District ...	Kerowlee.
मसूदा ...	Masúdá ...	Masúda ...	Town ...	Ajmere.
माताजी ...	Mátájí ...	Mátaji ...	Shrine ...	Harowtee and Tonk.
मथानिया ...	Mathániya ...	Mathánia ...	Town ...	Jodhpore.
मथुरानाथजी ...	Mathuránáthjí ...	Mathuranáthji ...	Shrine ...	Harowtee and Tonk.
मातरीकुंडयान ...	Mátrí Kunryán...	Mátri Kunrián...	Place of Pilgrimage.	Oodeypore.
मन ...	Man ...	Man ...	Town ...	Harowtee and Tonk.
मेडाली ...	Medálí ...	Medáli ...	River ...	Oodeypore.
मेंडकी ...	Mendkí ...	Mendki ...	Ditto ...	Kerowlee.
मेडता ...	Mertá ...	Merta ...	Town ...	Jodhpore.
मेवात ...	Mewát ...	Mewát ...	Province ...	Bhurtpore.
मींढा ...	Míndhá ...	Míndha ...	Town ...	Jodhpore.
میران چهل تن ...	Mírán Chahaltan	Mírán Chahaltan	Place of Pilgrimage.	Harowtee and Tonk.
मीठरी ...	Míthrí ...	Míthri ...	Town ...	Jodhpore.
मोगरा ...	Mográ ...	Mogra ...	Ditto ...	Ditto.
मोहनगढ ...	Mohangarh ...	Mohangarh ...	Ditto ...	Jeysulmere.
مومنا مُصَوّر ...	Momná Musawwir	Momna Musawwir	Place of Pilgrimage.	Harowtee and Tonk.
मोरां ...	Morán ...	Morán ...	River ...	Jeypore.
मोरेल ...	Morel ...	Morel ...	Ditto ...	Kerowlee.
मोरी ...	Morí ...	Mori ...	Hill ...	Oodeypore.
मोतीझील ...	Motí Jhíl ...	Moti Jhíl ...	Lake ...	Bhurtpore.
مُعَظّم آباد ...	Muazzamábád ...	Muazzamabad ...	Town ...	Jeypore.
مُحَمّدگڑھ ...	Muhammadgarh	Muhammadgarh	Ditto ...	Harowtee and Tonk.
मुकंदगढ ...	Mukandgarh ...	Mukandgarh ...	Ditto ...	Jeypore.
मुकंदरा ...	Mukandra ...	Mukandra ...	Ditto ...	Harowtee and Tonk.
मुंदावारा ...	Mundáwárá ...	Mundawára ...	Ditto ...	Ditto.
मूंडिया ...	Mundiyá ...	Múndia ...	Place of Pilgrimage.	Jeypore.
मूंदडा ...	Múndrá ...	Múndra ...	Town ...	Bickaneer.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
मुंड़वा ...	Múndwá ...	Múndwa ...	Town ...	Jodhpore.
नाचना ...	Náchaná ...	Náchana ...	Ditto ...	Jeysulmere.
नदबाई ...	Nadbáí ...	Nadbai ...	Railway Station ...	Bhurtpore.
नाडोल ...	Nádol ...	Nádol ...	Town ...	Jodhpore.
नागन ...	Nágan ...	Nágan ...	Ditto ...	Harowtee and Tonk.
नगर ...	Nagar ...	Nagar ...	Ditto ...	Jodhpore.
नगर ...	Nagar ...	Nagar ...	District ...	Bhurtpore.
नागौर ...	Nágaur ...	Nágaur ...	Town ...	Jodhpore.
नागेला ...	Nágelá ...	Nágela ...	Ditto ...	Ajmere.
नगो ...	Nago ...	Nago ...	Hill ...	Jodhpore.
नागपहाड ...	Nágpahár ...	Nágpahár ...	Ditto ...	Ajmere.
नाहरगढ ...	Náhargarh ...	Náhargarh ...	Town and Fort ...	Harowtee and Tonk.
ननानेकीनदी ...	Nanáne-kí-nadí	Nanáne-ki-nadi	River ...	Kerowlee.
नांद ...	Nánd ...	Nánd ...	Town ...	Ajmere.
नांडोली ...	Nándolí ...	Nándoli ...	Ditto ...	Jeypore.
नरायना ...	Naráyaná ...	Naraina ...	Ditto ...	Ditto.
नरायनपुर ...	Naráyanpur ...	Náráyanpur ...	Ditto ...	Ulwur.
नरहर ...	Narhar ...	Narhar ...	Fair ...	Jeypore.
नारोली ...	Nárolí ...	Nároli ...	Town ...	Kerowlee.
नासरीदा ...	Násrídá ...	Násrída ...	Ditto ...	Jeypore.
नाथद्वारा ...	Náthdwárá ...	Náthdwára ...	Town and Shrine	Oodeypore.
नवाई ...	Nawáí ...	Nawai ...	Town ...	Jeypore.
नवलगढ ...	Nawalgarh ...	Nawalgarh ...	Ditto ...	Ditto.
نیک نامجی ...	Neknámjí ...	Neknámji ...	Place of Pilgrimage.	Harowtee and Tonk.
नियारां ...	Niyárán ...	Niárán ...	Town ...	Ajmere.
निभेरा ...	Nibherá ...	Nibhera ...	Ditto ...	Bhurtpore.
नीलकंठमहादेव ...	Nílkanth Mahádeo.	Nílkanth Mahádeo.	Shrine ...	Harowtee and Tonk.
नीमान ...	Nímán ...	Nímán ...	Town ...	Bickaneer.
नींबाज ...	Nímbáj ...	Nímbáj ...	Ditto ...	Jodhpore.
नीमकाथाना ...	Ním-ká-tháná ...	Ním-ka-thána ...	Ditto ...	Jeypore.
नीमली ...	Nímlí ...	Nímli ...	Place of Pilgrimage and Fair.	Ditto.
निवाई ...	Níwáí ...	Niwai ...	District ...	Ditto.
नोहर ...	Nohar ...	Nohar ...	Town ...	Bickaneer.
ओराई ...	Oráí ...	Orai ...	River ...	Oodeypore.
ओड़पुरकाताल ...	Orpure-ká-tál ...	Orpure-ka-tál ...	Lake ...	Kerowlee.
पचेवर ...	Pachewar ...	Pachewar ...	Town ...	Jeypore.
पचपदरा ...	Pachpadrá ...	Pachpadra ...	Ditto ...	Jodhpore.
पदमनाथजी ...	Padamnáthjí ...	Padamnáthji ...	Place of Pilgrimage.	Harowtee and Tonk.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
पछेसर ...	Pahesar ...	Pahesar ...	Town ...	Bhurtpore.
पाकरयावास ...	Pákariáwás ...	Pákariawás ...	Cantonment ...	Ajmere.
पाली ...	Pálí ...	Páli ...	Town ...	Jodhpore.
पांचून ...	Pánchún ...	Pánchún ...	Ditto ...	Bickaneer.
पंजना ...	Panjná ...	Panjna ...	River ...	Kerowlee.
पावटा ...	Páotá ...	Páota ...	Town ...	Jeypore.
पार्बती ...	Párbatí ...	Párbati ...	River ...	Harowtee and Tonk.
परबतसर ...	Parbatsar ...	Parbatsar ...	Town ...	Jodhpore.
परवन ...	Parwan ...	Parwan ...	River ...	Harowtee and Tonk.
पाटन ...	Pátan ...	Pátan ...	Town ..	Jeypore.
पथेना ...	Pathená ...	Pathena ...	Ditto ...	Bhurtpore.
पटली ...	Patlí ...	Patli ...	Ditto ...	Harowtee and Tonk.
फागी ...	Phágí ...	Phági ...	Ditto ...	Jeypore.
फालेदी ...	Phalodi ...	Phalodi ...	Ditto ...	Jodhpore.
फलसूंड ...	Phalsúnd ...	Phalsúnd ...	Ditto ...	Ditto.
पिछोला ...	Pichholá ...	Pichhola ...	Lake ...	Oodeypore.
पीलोदा ...	Pílandá ...	Pílanda ...	Town ...	Jeypore.
पीपाड ...	Pípár ...	Pípár ...	Ditto ...	Jodhpore.
पीसांगन ...	Písángan ...	Písángan ...	Ditto ...	Ajmere.
पोहकर या पुष्कर ...	Pohkar *or* Pushkar.	Pohkar *or* Pushkar.	Town and Fair ...	Ditto.
पोकरन ...	Pokaran ...	Pokáran ...	Town ...	Jodhpore.
पोटलां ...	Potlán ...	Potlán ...	Ditto ...	Oodeypore.
प्रागपुरा ...	Prágpurá ...	Prágpura ...	Ditto ...	Jeypore.
पुंगल ...	Pungal ...	Pungal ...	Ditto ...	Bickaneer.
पुर ...	Pur ...	Pur ...	Ditto ...	Oodeypore.
पुष्पसागर ...	Pushp Ságar ...	Pushp Ságar ...	Lake ...	Harowtee and Tonk.
रायपुर ...	Ráepur ...	Raepur ...	Town ...	Oodeypore.
रायपुर ...	Ráepur ...	Raepur ...	Ditto ...	Jodhpore.
रघुनाथगढ ...	Raghunáthgarh	Raghunáthgarh	Hill ...	Jeypore.
रायसर ...	Ráesar ...	Raisar ...	Town and Fair ...	Ditto.
राजलदेसर ...	Rájaldesar ...	Rájaldesar ...	Town ...	Bickaneer.
राजगढ ...	Rájgarh ...	Rájgarh ...	Ditto ...	Ulwur.
राजगढ ...	Rájgarh ...	Rájgarh ...	Ditto ...	Bickaneer.
राजगढ ...	Rájgarh ...	Rájgarh ...	Ditto ...	Ajmere.
राजमहल ...	Rájmahal ...	Rájmahal ...	Ditto ...	Jeypore.
राजनगर ...	Rájnagar ...	Rájnagar ...	Ditto ...	Oodeypore.
राजपुरा ...	Rájpurá ...	Rájpura ...	Ditto ...	Bickaneer.
राजसमंद ...	Rájsamand ...	Rájsamand ...	Lake ...	Oodeypore.
रलावता ...	Raláotá ...	Raláota ...	Town ...	Jeypore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
रामदारा ...	Rámdwárá ...	Rámdwárá ...	Place of Pilgrimage.	Harowtee and Tonk.
रामगढ ...	Rámgarh ...	Rámgarh ...	Town ...	Ulwur.
रामसर ...	Rámsar ...	Rámsar ...	Ditto ...	Ajmere.
रानीडूंगरी ...	Ráni Dúngrí ...	Ráni Dúngrí ..	Hill ...	Kishengurh.
रणथमभोर ...	Ranthambhor ...	Ranthambhor ...	Town and Fortress	Jeypore.
रास ...	Rás ...	Rás ...	Town ...	Jodhpore.
रसया ...	Rasyá ...	Rasia ...	Hill ...	Bhurtpore.
रसीदपुर ...	Rasídpur ...	Rasídpur ...	Town ...	Jeypore.
रातादेवी ...	Rátádeví ...	Rátadeyi ...	Shrine ...	Harowtee and Tonk.
रतनगढ ...	Ratangarh ...	Ratangarh ...	Town ...	Bickaneer.
रतनजीला ...	Ratanjílá ...	Ratanjíla ...	District ...	Jeypore.
राथासन ...	Rathásan ...	Rathásan ...	Hill ...	Oodeypore.
रतनागिर ...	Ratnágir ...	Ratnagir ...	Ditto ...	Jodhpore.
रवाई ...	Rawáí ...	Rawai ...	District ...	Sirohee.
रावलया ...	Ráwalyá ...	Ráwalya ...	Hill ...	Oodeypore.
रावतसर ...	Rawatsar ...	Ráwatsar ...	Town ...	Bickaneer.
रायण ...	Ráyan ...	Ráyan ...	Ditto ...	Jodhpore.
रेनी ...	Rení ...	Reni ...	Ditto ...	Bickaneer.
रेडी ...	Rerí ...	Reri ...	Ditto ...	Ditto.
रिखबदेव ...	Rikhabdev ...	Rikhabdeo ...	Place of Pilgrimage	Oodeypore.
रिशीकिशन ...	Rishíkishan ...	Rishikishan ...	Old Temples ...	Sirohee.
रोहट ...	Rohat ...	Rohat ...	Town ...	Jodhpore.
रोजो ...	Rojo ...	Rojo ...	Hill ...	Ditto.
रुदावल ...	Rudáwal ...	Rudáwal ...	Town ...	Bhurtpore.
रूपाहेली ...	Rúpáhelí ...	Rúpaheli ...	Fair ...	Jeypore.
रूपारेल ...	Rúpárel ...	Rúparel ...	River ...	Bhurtpore and Ulwur.
रूपबास ...	Rúpbás ...	Rúpbás ...	District ...	Bhurtpore.
रूपनगर ...	Rúpnagar ...	Rúpnagar ...	Town ...	Ajmere.
रूपनागढ ...	Rúpnágarh ...	Rúpnagarh ...	Province ...	Kishengurh.
रूपनारायन ...	Rúpnáráyan ...	Rúpnáráyan ...	Place of Pilgrimage	Oodeypore.
साबी ...	Sábí ...	Sábi ...	River ...	Ulwur.
सांचौर ...	Sáchor ...	Sáchor ...	Town ...	Jodhpore.
सादडी ...	Sádrí ...	Sádri ...	Ditto ...	Ditto.
सागरमती ...	Ságarmatí ...	Ságarmati ...	River ..	Ajmere.
साहीवा ...	Sáhíwá ...	Sáhíwa ...	Town ...	Bickaneer.
सकरहालपुर ...	Sakarhálpur ...	Sakarhálpur ...	Ditto ...	Harowtee and Tonk.
सकरा ...	Sakrá ...	Sakra ...	Ditto ...	Ditto.
सालासर ...	Sálásar ...	Sálasar ...	Ditto ...	Bickaneer.
सालावास ...	Sálawás ...	Sálawás ...	Ditto ...	Jodhpore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
سَلِیم آبَاد ...	Salímábád ...	Salímabad ...	Town ...	Kishengurh.
सलूंबर ...	Salúmbar ...	Salúmbar ...	District ...	Oodeypore.
सांभर ...	Sámbhar ...	Sámbhar ...	Lake, Cantonment, &c.	Jeypore, Jodhpore, Ajmere.
समदडी ...	Samdarí ...	Samdari ...	Town ...	Jodhpore.
समेल ...	Samel ...	Samel ...	Ditto ...	Ditto.
सामोद ...	Sámod ...	Sámod ...	Ditto ...	Jeypore.
सांपला ...	Sámplá ...	Sámpla ...	Ditto ...	Kishengurh.
सांडेराव ...	Sánderáo ...	Sánderao ...	Ditto ...	Jodhpore.
सांडवा ...	Sándwá ...	Sándwa ...	Ditto ...	Bickaneer.
सांगानेर ...	Sánganer ...	Sánganer ...	Town and Railway Station.	Jeypore.
सांखूं ...	Sánkhún ...	Sánkhún ...	Town ...	Bickaneer.
सांडमाता ...	Sánr Mátá ...	Sánr Máta ...	Hill ...	Oodeypore.
सांथू ...	Sánthú ...	Sánthu ...	Town ...	Jodhpore.
सांतनाथजी ...	Sántnáthjí ...	Santnáthji ...	Place of Pilgrimage.	Harowtee and Tonk.
सराधना ...	Saráthná ...	Saráthna ...	Town ...	Ajmere.
सारनेश्वरमहादेव ...	Sáraneshwar Mahádeo.	Sáraneshwar Mahádeo.	Place of Pilgrimage.	Sirohee.
सरदारगढ ...	Sardárgarh ...	Sardárgarh ...	Town ...	Bickaneer.
سَردَار شَهر ...	Sardárshahr ...	Sardárshahr ...	Ditto ...	Ditto.
सारोठ ...	Sároth ...	Sároth ...	Cantonment and Town.	Ajmere.
सरसरा ...	Sarsurá ...	Sarsura ...	Place of Pilgrimage.	Kishengurh.
सरसती ...	Sarsutí ...	Sarsuti ...	River ...	Ajmere.
सरवाड ...	Sarwár ...	Sarwár ...	Town and District	Kishengurh.
साठ ...	Sáth ...	Sáth ...	District ...	Sirohee.
सथाना ...	Sathánáa ...	Sathána ...	Town ..	Ajmere.
सथलाना ...	Sathláná ...	Sathlána ...	Ditto ...	Jodhpore.
सावर ...	Sáwar ...	Sáwar ...	Ditto ...	Ajmere.
सेमली ...	Semlí ...	Semli ...	Ditto ...	Harowtee and Tonk.
सेन ...	Sen ...	Sen ...	River ...	Ditto.
सेंदरा ...	Sendrá ...	Sendra ...	Town ...	Ajmere.
सेंथल ...	Senthal ...	Senthal ...	Ditto ...	Bickaneer.
شَاہ آبَاد ...	Sháhábád ...	Shahabad ...	Ditto ...	Harowtee and Tonk.
शाहगढ ...	Sháhgarh ...	Shahgarh ...	Ditto ...	Jeysulmere.
شَاہ بُلدَان ...	Sháh-i-buldán ...	Shah-i-Buldán *or* Nogaza.	Place of Pilgrimage.	Harowtee and Tonk.
شَاہ پُورہ ...	Sháhpúrah ...	Shahpura ...	Town ...	Oodeypore.
सेखावाटी شیخاوَٹی ...	Shaikhàwátí ...	Shaikhawáti ...	Town and Province.	Jeypore.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
सेखसर شَیخسَر ...	Shaikhsar ...	Shaikhsar ...	Town ...	Bickaneer.
शामगढ ...	Shámgarh ...	Shámgarh ...	Town and Pergunnah.	Ajmere.
शेरगढ ...	Shergarh ...	Shergarh ...	Town ...	Harowtee and Tonk.
सीदमुख ...	Sídmukh ...	Sídmukh ...	Ditto ...	Bickaneer.
सिहोदरा ...	Sihodrá ...	Sihodra ...	Ditto ...	Harowtee and Tonk.
सिकंदरा ...	Sikandrá ...	Sikandra ...	Ditto ...	Jeypore.
सीकर ...	Síkar ...	Síkar ...	Ditto ...	Ditto.
सिकराई ...	Sikráí ...	Sikrai ...	District and Town	Ditto.
सीकरी ...	Síkrí ...	Síkri ...	Town ...	Bhurtpore.
सीलीसढ ...	Sílíserh ...	Síliserh ...	Lake ...	Ulwur.
सिंदा ...	Sindá ...	Sinda ...	Town ...	Harowtee and Tonk.
सिंदरी ...	Sindrí ...	Sindri ...	Ditto ...	Jodhpore.
सिंघाना ...	Singháná ...	Singhána ...	Ditto ...	Jeypore.
सीताबाडी ...	Sítábárí ...	Síta bári ...	Shrine ...	Harowtee and Tonk.
सिवाई जैपुर ...	Siwáí Jaipur ...	Siwai Jaipur ...	Province ...	Jeypore.
सिवाई माधोगढ ...	Siwáí Mádhopur	Siwai Mádhopur	Province and District.	Ditto.
सिवाई रामगढ ...	Siwáí Rámgarh	Siwai Rámgarh	Town ...	Ditto.
सिवाना	Siwáná ...	Siwána ...	Ditto ...	Jodhpore.
सोजत ...	Sojat ...	Sojat ...	Ditto ...	Ditto.
श्री माधोपुर ...	Srí Mádhopur ...	Srí Mádhopur ...	Ditto ...	Jeypore.
श्री नगर ...	Srínagar ...	Srínagar ...	Ditto ...	Ajmere.
श्री नाथजी ...	Srínáthjí ...	Srínáthji ...	Place of Pilgrimage.	Oodeypore.
सुगरी ...	Sugrí ...	Sugri ...	Town ...	Harowtee and Tonk.
सुजानगढ ...	Sujángarh ...	Sujángarh ...	Ditto ...	Bickaneer.
सुखली ...	Sukhlí ...	Sukhli ...	River ...	Oodeypore.
सुकरी ...	Sukrí ...	Sukri ...	Ditto ...	Jodhpore.
सुंधो ...	Súndho ...	Súndho ...	Hill ...	Ditto.
सुरजगढ ...	Súrajgarh ...	Súrajgarh ...	Town ...	Jeypore.
सुरतगढ ...	Súratgarh ...	Súratgarh ...	Ditto ...	Bickaneer.
टाला ...	Tálá ...	Tála ...	Place of Pilgrimage.	Jeypore.
तलेरा ...	Talerá ...	Talera ...	Province ...	Kerowlee.
तमनगढ ...	Tamangarh ...	Tamangarh ...	Town ...	Ditto.
तामडा ...	Támrá ...	Támra ...	Place of Pilgrimage.	Jeypore.
तारागढ ...	Tárágarh ...	Táragarh ...	Hill ...	Ajmere.
टेकरी रसया ...	Tekrí Rasyá ...	Tekri Rasya ...	Ditto ...	Harowtee and Tonk.

Vernacular.	Correct Transliteration.	Fixed Spelling.	Description of place.	State where situated.
टेम ...	Tem ...	Tem ...	Town ...	Harowtee and Tonk.
تھانہ غازي ...	Thánah Ghází ...	Thána Gházi ...	Ditto ...	Ulwur.
थांवला ...	Thánwlá ...	Thánwla ...	Ditto ...	Jodhpore.
तिबारा नीलगरी ...	Tibárá Nílgarrí...	Tibára Nílgarri	Place of Pilgrimage.	Jeypore.
टीबी ...	Tíbí ...	Tíbi ...	Town ...	Bickaneer.
तिजारा ...	Tijárá ...	Tijára ...	Ditto ...	Ulwur.
तिलवाडा ...	Tilwárá ...	Tilwára ...	Ditto ...	Jodhpore.
तिंवरी ...	Tinwrí ...	Tinwri ...	Ditto ...	Ditto.
टोड़ा भीम ...	Todá Bhím ...	Toda-Bhím ...	Town and District	Jeypore.
टोड़ारायसिंघ ...	Todá Ráe Singh	Toda-Rae Singh	Ditto ...	Ditto.
तोरावाटी ...	Toráwátí ...	Torawáti ...	Town, District and Province.	Ditto.
तोडी ...	Torí ...	Tori ...	Town ...	Ditto.
उबेसरजी ...	Ubesarjí ...	Ubesarji ...	Hill ...	Oodeypore.
उचेन ...	Uchen ...	Uchen ...	District ...	Bhurtpore.
उदई ...	Udaí ...	Udaí (1) ...	Town ...	Jeypore.
उदई ...	Udaí ...	Udai (2) ...	Ditto ...	Ditto.
उदैसागर ...	Udaiságar ...	Uday Ságar ...	Lake ...	Oodeypore.
उदेपुर ...	Udepur ...	Udepur ...	Town and District	Jeypore.
اُمیدگنج ...	Umedganj ...	Umedganj ...	Town ...	Harowtee and Tonk.
उनीयार ...	Uniárá ...	Úniára ...	Ditto ...	Jeypore.
उटंगन ...	Utangan ...	Utangan ...	River ...	Bhurtpore.
उटगिर ...	Utgir ...	Utgir ...	District ...	Kerowlee.
वैर ...	Wair ...	Wair ...	Ditto ...	Bhurtpore.
वाघाट ...	Wálghát ...	Wálghát ...	Ditto ...	Jeypore.
वज़ीरपुर ...	Wazírpur ...	Wazirpur ...	Ditto ...	Ditto.
वीनावास ...	Wínáwás ...	Wínawás ...	Town ...	Jodhpore.
वींजुवा ...	Wínjuwá ...	Wínjua ...	Ditto ...	Ditto.

A supplementary list of places in Banswara, Dholpur, Partabgarh, Dungarpur, and Harowtee and Tonk will be published hereafter.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajpootana.

POLICE DEPARTMENT, OUDH.

NOTIFICATION.

Lucknow, the 29th January 1877.

No. 26.—Mr. H. A F. Smith, District Superintendent of Police, 5th Grade, officiated as District Superintendent of Police, 4th Grade, from 8th December 1876 to 7th January 1877, both days inclusive, *vice* Mr. N. A. Garstin, absent on privilege leave.

DE S. BARROW, *Colonel,*
Depy. Secy. to the Chief Commr., Oudh, Police Dept.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 29th January 1877.

No. 13.—Mr. A. Brereton, Assistant Engineer, 2nd Grade, Indus Valley Railway, is granted one day's leave without allowance, in extension of the leave granted him in Director's Notification No. 107, dated 28th June 1876.

No. 14.—With reference to Government of India, Public Works Department, Notification No. 18 of the 18th January 1877, placing the services of Captain W. S. S. Bisset R.E., temporarily at the disposal of the Department of Revenue, Agriculture and Commerce, Mr. F. N. Gutersloh, Locomotive Superintendent, is appointed to officiate temporarily as Manager of the Open Line, Holkar and Neemuch Railways.

Captain Bisset and Mr. Gutersloh respectively made over, and received, charge of the office and duties of Manager, Open Line, Holkar and Neemuch State Railways, on the morning of the 18th January 1877.

Mr. Gutersloh will conduct the duties of Manager in addition to his own.

No. 15.—The services of Ardaseer Harmusjee, Temporary Overseer, 2nd Grade, Northern Bengal State Railway, being no longer required, have been dispensed with from the afternoon of the 22nd December 1876.

No. 16.—Mr. H. B. Ginger, Temporary Sub-Engineer, 2nd Grade, Holkar and Neemuch State Railways, is permitted to resign his appointment, with effect from the 31st December 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 29th January 1877.

No. 2.—Mr. W. Tatlock, Sub-Engineer, 2nd Grade, 1st Division, has been granted two months' privilege leave, with effect from the 20th December 1876.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 20th January 1877.

No. 17.—Mr. P. C. Augier, Temporary Sub-Engineer, 3rd Grade, Sehwan Division, is granted leave without allowances from August 10th to November 14th, 1876.

The 22nd January 1877.

No. 18.—Mr. W. A. Lesmond, Assistant Engineer, 1st Grade (temporary rank), is transferred from the Western Extension Survey to the Mooltan District.

The 25th January 1877.

No. 19.—Baboo Tej Rai, Supervisor, 2nd Grade, has been posted by the Superintending Engineer, Mooltan District, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 26th January 1877.

No. 20.—Mr. P. T. Large, Assistant Engineer, 1st Grade, is transferred temporarily from the Ravi Division to the Office of Engineer-in-Chief, which office he joined on the forenoon of the 19th January 1877.

No. 21.—Sheik Edoo, Overseer, 1st Grade, is transferred from the Chenab Division to the Open Line of this Railway. He joined the Open Line on the 18th September 1876.

No. 22.—Baboo Khetter Chunder Chatterjee, Accountant, 3rd Grade, is transferred from the Jhelum to the Chenab Division. He left the former on the forenoon of the 12th January 1877, and joined the latter on the afternoon of the same date.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 23rd January 1877.

No. 11.—Mr. R. S. Reynolds, Executive Engineer, 2nd Grade, returned from the leave granted to him in Notification No. 222 of 25th October 1876, and joined the Northern Division on the afternoon of 2nd January 1877.

No. 12.—Baboo Keddar Nath Banerjee, Temporary Overseer, 2nd Grade, Southern Division, availed himself of the privilege leave granted to him in Notification No. 247 of 8th December 1876, on the forenoon of 9th January 1877.

No. 13.—With reference to Government of India, Public Works Department, Notification No. 527 of 23rd December 1876, Mr. J. Jamieson, Accountant, 4th Grade, transferred from the Auditor's Office, Oudh and Rohilcund Railway, has reported his arrival and joined the Central Office of Accounts on the forenoon of the 22nd January 1877.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

1st February 1877 ... Rs. 2,68,821-8-2.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
2nd Feb. 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE	SILVER TENDERED. ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES ON CURRENCY DEPT.	BALANCE OF BULLION		
			Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.	Rs.	Rs.	Rs.	Rs.
Jany. 22nd	...	3,06,750	13,59,878	38,33,885	58,92,175
,, 23rd	2,29,531	4,27,965	12,67,679	37,95,170	61,03,925
,, 24th	7,50,000	4,13,580	16,29,357	37,52,884	61,52,227
,, 25th	...	4,15,562	12,38,131	37,03,085	67,12,[illegible]
,, 26th	...	1,98,875	10,52,186	36,99,999	68,20,[illegible]
,, 27th	...	64,034	9,91,902	36,99,893	67,89,082

CALCUTTA MINT,
The 29th Jany. 1877.

J. F. TENNANT,
Offg. Mint Master.

COMPTROLLER GENERAL'S OFFICE.

No. 1470.—*Account of the Revenue and Expenditure of the Government of India for the six months of the year 1876-77, as compared with the corresponding period of 1875-76.*

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

Revenue and Receipts.	Estimates, 1876-77.	April to Sept. 1875.	April to Sept. 1876.	Comparison of 2 years. Increase.	Comparison of 2 years. Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	8,678,848	8,302,741	...	376,107
II.—Tributes ...	700,000	336,527	321,808	...	14,719
III.—Forest ...	600,000	222,127	208,693	...	13,434
IV.—Excise on Spirits and Drugs ...	2,525,000	1,226,964	1,243,150	16,186	...
V.—Assessed Taxes ...	...	250	233	...	17
VI.—Customs ...	2,620,000	1,305,484	1,073,195	...	232,289
VII.—Salt ...	6,300,000	2,944,940	2,869,115	...	75,825
VIII.—Opium ...	8,200,000	4,071,390	4,494,057	422,667	...
IX.—Stamps ...	2,837,000	1,513,662	1,498,254	...	15,408
X.—Mint ...	124,000	63,003	138,474	75,471	...
XI.—Post Office ...	778,000	384,139	387,340	3,201	...
XII.—Telegraph* ...	281,500	61,756	73,215	11,459	...
XIII.—Law and Justice ...	316,000	164,560	173,766	9,206	...
XIV.—Marine ...	198,000	74,134	78,430	4,296	...
XV.—Interest ...	488,000	288,537	300,526	11,989	...
XVI.—Pensions ...	504,400	88,370	78,559	...	9,811
XVII.—Gain by Exchange	347,000	134,931	172,046	37,115	...
XVIII.—Miscellaneous ...	238,400	60,403	106,111	45,708	...
Total ...	48,438,300	21,620,025	21,519,713	...	100,312
Army ...	840,800	455,602	363,331	...	92,271
Public Works, Ordinary ...	65,000	21,038	24,253	3,215	...
Canals ...	527,000	255,417	244,217	...	11,200
State Railways ...	415,000	114,550	162,367	47,817	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	3,214,241	3,570,574	356,333	...
Total ...	58,174,100	25,680,873	25,884,455	203,582	...
England, including Army and Public Works ...	193,900	161,048	109,417	...	51,631
GRAND TOTAL ...	58,368,000	25,841,921	25,993,872	151,951	...

Expenditure.	Estimates, 1876-77.	April to Sept. 1875.	April to Sept. 1876.	Comparison of 2 years. Increase.	Comparison of 2 years. Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,106,400	1,466,577	1,501,454	34,877	...
2.—Interest on Service Funds	390,000	183,999	190,939	6,940	...
3.—Refunds and Drawbacks	300,000	153,551	142,227	...	13,324
4.—Land Revenue	2,467,800	1,187,041	1,180,986	...	6,055
5.—Forest	414,500	168,712	188,508	19,796	...
6.—Excise on Spirits and Drugs	87,000	41,935	48,470	6,535	...
7.—Assessed Taxes	...	...	...	...	...
8.—Customs	189,000	91,883	97,386	5,503	...
9.—Salt	525,600	259,374	245,422	...	13,952
10.—Opium	2,199,000	1,853,121	2,423,795	570,674	...
11.—Stamps	71,700	37,453	37,551	98	...
12.—Mint	79,000	41,516	44,717	3,201	...
13.—Post Office	760,400	395,954	373,987	...	21,967
14.—Telegraph*	381,300	125,897	131,849	5,952	...
15.—Administration	1,251,500	615,562	648,794	33,232	...
16.—Minor Departments	249,400	114,527	105,503	...	9,024
17.—Law and Justice	2,364,200	1,138,936	1,194,270	55,334	...
18.—Marine	403,400	170,443	180,671	10,228	...
19.—Ecclesiastical	161,100	76,762	77,369	607	...
20.—Medical	184,000	90,065	88,283	...	1,782
21.—Political	293,400	161,663	145,236	...	16,427
22.—Allowances	1,675,200	624,008	594,590	...	29,418
23.—Civil Furlough	...	...	94	94	...
24.—Superannuation	586,000	312,874	296,183	...	46,691
25.—Loss by Exchange	2,332,000	781,318	1,132,667	351,349	...
26.—Miscellaneous	45,000	18,383	38,932	20,549	...
27.—Allotments	5,059,400	2,541,610	2,532,508	...	9,102
Total ...	25,576,300	12,685,164	13,642,391	957,227	...
Army	11,820,700	5,696,678	5,565,251	...	131,427
Public Works, Ordinary, including Irrigation	2,441,500	1,120,596	1,175,339	54,743	...
Ditto Extraordinary, including Railways	3,015,900	1,451,456	1,470,048	18,592	...
Land and Supervision	93,000	34,758	17,280	...	17,478
Interest in India	30,000	17,833	22,727	4,894	...
State Railways	292,000	100,120	145,255	45,135	...
Working Expenses, Guaranteed Railways, including Surplus Profit	4,418,000	1,580,096	1,433,299	...	116,797
Total ...	47,687,400	22,686,701	23,471,590	784,889	...
England, including Army, Public Works, &c.	14,295,600	6,343,591	6,728,521	384,930	...
GRAND TOTAL ...	61,983,000	29,030,292	30,200,111	1,169,819	...

COMPTROLLER GENL.'S OFFICE;
CALCUTTA,
The 1st February 1877.

* Indian, including Ceylon up to July. Indo-European up to August.

E. W. KELLNER,
Offg. Deputy Comptroller General.

E. F. HARRISON,
Comptroller General.

***STATEMENT** of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st January 1877.*

Particulars.	3½ per cent. Loan of 1853-54.	4 per cent. Loans of 1824-25.	4 per cent. Loans of 1828-29.	4 per cent. Loans of 1832-33.	4 per cent. Loans of 1835-36.	4 per cent. Loans of 1842-43.	4 per cent. Loans of 1854-55.	4 per cent. Loans Transfer of 1865.	4½ per cent. Loans of 1870.	4½ per cent. Loans of 1871.	4½ per cent. Loans of 1872.	5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	5 per cent. Debentures for 10 years. Repayable, June 1877.	5 per cent. Debentures for 15 years. Repayable, June 1882.	Total Amount.
Balance of 15th January 1877	55,600	33,173	2,346	14,54,506	31,46,900	1,55,50,300	1,08,25,500	1,62,05,700	34,61,700	2,57,000	2,90,32,000	82,800	4,10,52,800	28,92,000	33,15,000	12,73,67,325
Add—																
Amount enfaced at Madras between 16th and 31st January 1877 ...	...	...	...	...	...	5,000	...	...	...	...	...	...	...	...	...	5,000
Amount enfaced at Bombay between 16th and 31st January 1877 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Amount enfaced at Calcutta between 16th and 31st January 1877 ...	...	...	...	...	...	85,300	...	16,500	10,000	...	5,39,500	...	5,77,000	...	70,000	12,98,300
	55,600	33,173	2,346	14,54,506	31,46,900	1,56,40,600	1,08,25,500	1,62,22,200	34,71,700	2,57,000	2,95,71,500	82,800	4,16,29,800	28,92,000	33,85,000	12,86,70,625
Deduct—																
Amount written off in the London Registers	...	...	...	...	...	...	1,000	17,000	...	...	47,000	...	1,23,500	21,000	6,12,000	8,21,500
Balance on 31st January 1877	55,600	33,173	2,346	14,54,506	31,46,900	1,56,40,600	1,08,24,500	1,62,05,200	34,71,700	2,57,000	2,95,24,500	82,800	4,15,06,300	28,71,000	27,73,000	12,78,49,125

NOTE.—From 9th June 1867 to 30th Nov. 1876, enfaced from India, 2,369 lakhs; re-transferred from London, 2,428 lakhs.
„ 1st Dec. 1876 to 15th Dec. „ „ 3 „ „ „ 5 „
„ 16th „ „ to 31st „ „ „ 2 „ „ „ 9 „
„ 1st Jan. 1877 to 15th Jan. 1877 „ 14 „ „ „ 6 „
„ 16th „ „ to 31st „ „ „ 13 „ „ „ 8 „
2,401 lakhs. 2,456 lakhs.
2,401
Balance against London ... 55 lakhs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 1st February 1877.

R. HARDIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 30th January 1877.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	16,71,164	2	5
Public Deposits at Head Office ... Rs. 93,18,366 14 4			
Public Deposits at Branches ... 1,03,79,108 5 11	1,96,97,475	4	3
Other Deposits at Head Office and Branches	1,94,88,940	0	4
Bank Post Bills, &c.	5,01,240	0	3
Sundries	5,89,145	11	8
TOTAL ...	6,19,47,965	2	11

ASSETS.	Rs.	A.	P.
Government Securities ...	1,06,67,302	2	0
Loans on Government Securities, &c., at Head Office and Branches ...	66,06,316	4	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches	59,12,768	4	7
Bills discounted and purchased at Head Office and Branches	1,50,44,515	11	10
Balances with other Banks ...	6,46,667	0	3
Bullion	10,082	0	9
Dead Stock	10,48,006	6	11
Stamps	11,791	14	5
Sundries	4,51,555	15	4
	4,03,99,005	12	5
Cash and Currency Notes at Head Office... Rs. 82,05,773 0 6			
Cash and Currency Notes at Branches ... 1,33,43,186 6 0	2,15,48,959	6	6
TOTAL ...	6,19,47,965	2	11

By order of the Directors,

BANK OF BENGAL; *Calcutta, 1st February 1877.*

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 34.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 31st January 1877.*

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Simla Imperial Circle.	Nov. 1876	Dec. 18, 1876
2	Central Provinces	Ditto ...	Do. 28 ,,
3	Assam ...		
4	Rajputana ...	Ditto ...	Do. 30 ,,
5	Port Blair ...	Ditto ...	Jan. 15, 1877
6	Oudh ...	Ditto ...	Do. 25 ,,
	Hyderabad ...		
	Hyderabad Assigned Districts.		
9	Coorg ...	Ditto ...	Do. 26 ,,
	Central India ...		
	Mysore ...		
12	North-Western Provinces.	Ditto ...	Do. 29 ,,
13	Bombay ...	Ditto ...	Do. 30 ,,
	Punjab ...		
	Indo-European Telegraph.		
16	Bengal ...	Ditto ...	Do. 31 ,,
17	Indian Telegraph...	Oct. 1876	Dec. 22, 1876
18	Military Works ...	Ditto ...	Do. 23 ,,
19	Madras ...	Ditto ...	Do. 28 ,,
20	Grand Trunk Road	Ditto ...	Do. 29 ,,
21	British Burmah ...	Ditto ...	Jan. 5, 1877

IRRIGATION.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajputana ...	Nov. 1876	Dec. 30, 1876
2	British Burmah ...	Ditto ...	Jan. 26, 1877
3	Mysore ...	Ditto ...	Do. 29 ,,
4	Bombay ...	Ditto ...	Do. 30 ,,
	Punjab ...		
6	Bengal ...	Ditto ...	Do. 31 ,,
	North-Western Provinces.		
8	Madras ...	Oct. 1876	Dec. 28, 1876

GUARANTEED RAILWAYS.

1	Bombay ...	Nov. 1876	Jan. 29, 1877
	Oudh ...		
3	Punjab ...	Ditto ...	Do. 30 ,,
4	Bengal ...	Oct. 1876	Dec. 22, 1876
5	Madras ...	Ditto ...	Do. 28 ,,

STATE RAILWAYS (CAPITAL).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Nagpur and Chatisgurh.	Dec. 1876	Jan. 29, 1877
2	Rangoon and Sittang.	Nov. 1876	Dec. 22, 1876
3	Calcutta and South-Eastern.	Ditto ...	Do. 23 ,,
4	Tirhoot Surveys ...	Ditto ...	Do. 26 ,,
5	Wurdah Valley ...	Ditto ...	Do. 28 ,,
6	Sindhia ...	Ditto ...	Jan. 22, 1877
	Western Rajputana.		
8	Tirhoot ...	Ditto ...	Do. 23 ,,
9	Nizam's ...	Ditto ...	Do. 24 ,,
10	Rajputana ...	Ditto ...	Do. 25 ,,
11	Holkar ...	Ditto ...	Do. 29 ,,
	Punjab Northern		
	Neemuch ...		
	Hubli and Karwar		
	Dhond and Munmar.		
16	Northern Bengal	Ditto ...	Do. 30 ,,
	Assam Extension		
	Seebsagur Coal Line Survey.		
19	Indus Valley ...	Ditto ...	Do. 31 ,,
20	Rangoon and Irrawaddy Valley.	Oct. 1876	Dec. 22 ,,
21	Store-keeper, Calcutta.	Ditto ...	Do. 26 ,,
22	Hyderabad ...	Ditto ...	Do. 28 ,,

STATE RAILWAYS (REVENUE).

1	Wurdah Valley ...	Nov. 1876	Dec. 15, 1876
2	Calcutta and South-Eastern.	Ditto ...	Do. 23 ,,
3	Oomraotee ...	Ditto ...	Jan. 17, 1877
	Khamgaum ...		
5	Nulhati ...	Ditto ...	Do. 22 ,,
6	Nizam's ...	Ditto ...	Do. 23 ,,
	Tirhoot ...		
8	Rajputana ...	Ditto ...	Do. 24 ,,
9	Holkar	Ditto ...	Do. 29 ,,
	Punjab Northern		
	Neemuch		

Dated 1st February 1877.

G. J. MELLISS, *Lieut.-Colonel, Offg. Accountant General, P. W. Dept.*

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned students have passed the B. A. Examination :—

FIRST DIVISION.
In Order of Merit.

1	Sarkar, Chandrasekhar	...	Presidency College.
2	Mukhopadhyay Haranchandra	...	Ditto.
3	Thomson, W. H.	...	Hugli College.
4	Mitra, Amvikacharan	...	Ditto.
5	Nagwant Sahay	...	Patna College.
6	Bandyopadhyay, Sasisekhar	...	Presidency College.
7	Bagchi, Brajagopal	...	Ditto.
8	Nag, Haradhan	...	Ditto.
	Basu, Jogendrachandra	...	Ditto.
10	Mukhopadhyay, Upendranath	...	Ditto.
11	Das, Ramsaran	...	Canning College, Lucknow.
12	Basu, Kalipada	...	Ditto.
13	Chakravarti, Byomkes	...	Presidency College.
14	Sen, Kalimohan	...	Ex-Student, Presidency College.
15	Lalchand	...	Lahore Government College.
16	Bandyopadhyay, Bisveswar	...	Dacca College.
17	Basu, Asvinikumar	...	Ditto.
	Mitra, Saratchandra	...	Presidency College.
	Bomanjee Cowasjee	...	St. Xavier's College.
20	Dammilal	...	Agra College.
21	Chaudhuri, Prasannanarayan	...	Free Church Institution.
	Sen, Adharlal	...	Presidency College.
23	Mukhopadhyay, Amarchandra	...	Hugli College.
24	Mitra, Purnachandra	...	Presidency College.
25	Ghose, Saradaprasad	...	Free Church Institution.
	,, Kalipada	...	Presidency College.
27	Bhattacharyya, Chandra Kumar	...	General Assembly's Institution.
	Majumdar, Kunjavihari	...	Free Church Institution.
29	Datta, Mahimimohan	...	Teacher.
	,, Ramlal	...	Presidency College.
	Syed, Khyrat Ahmed	...	Teacher.
32	Ghose, Priyanath	...	St. Xavier's College.
33	Bandyopadhyay, Mahendranath	...	Ditto.
34	De, Brajendralal	...	Canning College, Lucknow.
35	Izad Bakhsh	...	Hugli College.
	Gupta, Gopalchandra	...	Presidency College.
	Bandyopadhyay, Harinath	...	Ditto.
	Ray, Navadwipachandra	...	Free Church Institution.
39	Chattopadhyay, Gopalchandra	...	Presidency College.
40	Gangopadhyay, Satyacharan	...	Ditto.
	Baral, Nilmani	...	Ditto.
42	Mukhopadhyay, Asutosh	...	Hugli College.
	Chattopadhyay, Isvarchandra	...	Patna College.
44	Bhagwan Sahay	...	Ditto.

SECOND DIVISION.
In Alphabetical Order.

	Aikath, Saradakumar	...	Presidency College.
	Amjad Ali	...	Benares College.
	Ashraf Ali	...	Ditto.
	Bandyopadhyay, Kedarnath	...	Ditto.
	,, Mahadev	...	Ex-Student, Presidency College.
	,, Rajendralal	...	Presidency College.
	,, Rakhaldas	...	Free Church Institution.
	,, Taraprasanna	...	Hugli College.
	Basak, Rashvihari	...	Cathedral Mission College.
10	Bhaduri, Lalvihari	...	Presidency College.
	Bhattacharyya, Meghnath	...	Hugli College.
	,, Srischandra	...	Presidency College.
	Bhaumik, Dinavandhu	...	Free Church Institution.
	Chakravarti, Girischandra	...	Teacher.
	,, Jogendranath	...	General Assembly's Institution.
	Chattopadhyay, Abhaycharan	...	Canning College.
	,, Dvarkanath	...	Patna College.
	,, Sripati	...	Presidency College.
	Chaudhuri, Jadavchandra	...	Cathedral Mission College.
20	Das, Kamalanath	...	Dacca College.
	,, Prasannachandra	...	Teacher.
	,, Tarakchandra	...	Cathedral Mission College.
	,, Tarraprasanna	...	Teacher.
	Datta, Bijaykrishna	...	Presidency College.
	,, Kamalkrishna	...	Ditto.
	,, Mahimimohan	...	Hugli College.

	Dé, Advaityaprasad	...	Cathedral Mission College.
	Ghosh, Chandidas	...	Presidency College.
	„ Haranath	...	Ex-Student, General Assembly's Institution.
30	„ Nityananda	...	Presidency College.
	„ Ramgopal	...	Ditto.
	„ Saradaprasad	...	General Assembly's Institution.
	Gosvami, Kisarilal	...	Presidency College.
	Guruprasad	...	Muir Central College.
	Gyaprasad	...	Ditto.
	Jyotirvid, Gopaldatta	...	Bareilly College.
	Kunjaviharilál	...	Muir Central College.
	Maitra, Kasinath	...	Presidency College.
	Misra, Umasankar	...	Benares College.
40	Mitra, Rammohan	...	Presidency College.
	Mohanlál	...	Delhi College.
	Molakram	...	Ditto.
	Mukhopadhyay, Brajagopal	...	Presidency College.
	„ Gopalchandra	...	Benares College.
	„ Nilalohit	...	Cathedral Mission College.
	„ Purnachandra	...	Presidency College.
	Nág, Revatikanta	...	Ex-Student, Presidency College.
	„ Syamakanta	...	Presidency College.
	Nizamdeen Hasan	...	Muir Central College.
50	Pain, Isvarprasad	...	General Assembly's Institution.
	Pâl, Tulsicharan	...	Presidency College.
	Palit, Priyanath	...	Ditto.
	Patnaik, Chaturbhuj	...	Ex-Student, Presidency College.
	Pramanik, Rameśvar	...	Canning College.
	Prayagdas	...	Muir Central College.
	Raghunathprasad	...	Ditto.
	Ramlâl	...	Agra College.
	Ray, Girischandra	...	Ex-Student, Cathedral Mission College.
	„ Kuladakinkar	...	Presidency College.
60	„ Rangalál	...	General Assembly's Institution.
	„ Ugrakanta	...	Presidency College.
	„ Umacharan	...	Cathedral Mission College.
	Sankardyal	...	Agra College.
	Sanvardas	...	Muir Central College.
	Sayyid Faizuddin Hosain	...	Hugli College.
	Scott, G. W.	...	Patna College.
	Sen, Harinath	...	Teacher.
	„ Srinath	...	General Assembly's Institution.
	Sinha, Naudalál	...	Cathedral Mission College.
70	„ Pramathakrishna	...	Presidency College.
	Som, Saradaprasad	...	Hugli College.
	Tarafdar, Chandrakisor	...	Cathedral Mission College.
73	Taslimuddin Ahmed	...	Presidency College.

THIRD DIVISION.

In Alphabetical Order.

	Bandyopadhyay, Bindulal	...	St. Xavier's College.
	Basu, Ananta Kumár	...	Presidency College.
	Bhattacharyya, Bhavadev	...	Cathedral Mission College.
	„ Manikchandra	...	Free Church Institution.
	Bisvas, Dandadhari	...	General Assembly's Institution.
	Chakravarti, Bisveswar	...	Teacher.
	Chattopadhyay, Rajanikanta	...	General Assembly's Institution.
	Datta, Taraknath	...	Presidency College.
	Dev, Kalimohan	...	Presidency College.
10	Goonewardene, W. F.	...	Free Church Institution.
	Kotal, Umeschandra	...	Presidency College.
	Kshetriya, Lakshminarayan	...	General Assembly's Institution.
	Madangopal	...	Delhi College.
	Majumdar, Chandicharan	...	Benares College.
	Mitra, Krishnakumar	...	General Assembly's Institution.
	Mukhopadhyay, Chandrasekhar	...	Teacher.
	„ Tulsidás	...	Cathedral Mission College.
	„ Upendranath	...	General Assembly's Institution.
	Palit, Umeschandra	...	Ex-Student, General Assembly's Institution.
20	Pande, Ramavatar	...	Muir Central College.
	Ray, Kedarnath	...	Ex-Student, Cathedral Mission College.
	„ Mukundanath	...	Presidency College.
	„ Rajendranath	...	Canning College.
	„ Sitanath	...	Presidency College.
	Sen, Kedarnath	...	General Assembly's Institution.
	„ Matilál	...	Ex-Student, Presidency College.
27	Sheolál	...	Teacher.

The under-mentioned student has passed the First Examination in Arts in the Third Division:—

Mitra, Purna Chandra ... Patna College.

SENATE HOUSE,
The 27th January 1877.

A. W. CROFT,
Offg. Regr., Calcutta University.

The under-mentioned students have passed the B. L. Examination:—

FIRST DIVISION.

In order of Merit.

1	Das, Navinchandra	...	Presidency College.
2	Chakravarti, Harachandra	...	Dacca College.
3	Ray, Satischandra	...	Presidency College.
4	Datta, Purnachandra	...	Ditto.
5	Mukhopadhyay, Bipinvihari	...	Ditto.
	Das, Brajendramohan	...	Patna College.

SECOND DIVISION.

In order of Merit.

1	Guha, Revatimohan	...	Dacca College.
2	Das, Raghunath	...	Presidency College.
3	Maitra, Atalvihari	...	Kishnaghur College.
4	Mustaphi, Chandragoti	...	Presidency College.
5	Ray, Benimadhav	...	Ditto.
6	Mitra, Charuchandra	...	Ditto.
	Das, Gnanendranath	...	Ditto.
8	Mukhopadhyay, Jogendranath	...	Patna College.
	Ghosh, Jogendranath	...	Presidency College.
10	Ray, Prasannagopal	...	Ditto.
11	Som, Murarilal	...	Hugli College.
	Sinha, Nikunjavihari	...	Presidency College.
13	Datta, Amvikacharan	...	Ditto.
14	Pandit, Surajnarayan	...	Canning College, Lucknow.
15	Matilal, Surendranath	...	Presidency College.
16	Basu, Pramathanath	...	Ditto.
	Ray, Kedarnath	...	Dacca College.
	Bhattacharyya, Radhakisor	...	Presidency College.
19	Ray, Bijaykrishna	...	Ditto.
20	Bandyopadhyay, Tinkari	...	Ditto.
	Srirám	...	Canning College; Lucknow.
	Datta, Rajendranath	...	Presidency College.
23	Datta, Girischandra	...	Ditto.
	Mitra, Biháriláł	...	Ditto.
25	Sen, Kalikumar	...	Ditto.
26	Mukhopadhyay, Jogendranath	...	Ditto.
	Ray, Devendranath	...	Ditto.
28	Hajra, Aghorchandra	...	Ditto.
	Mukhopadhyay, Harendranath	...	Ditto.
	Sen, Umeschandra	...	Dacca College.
31	De, Amvikacharan	...	Muir College, Allahabad.
	Bhattacharyya, Beniprasad	...	Canning College, Lucknow.
33	Maitra, Bijaykrishna	...	Presidency College.
34	Sur, Harimohan	...	Ditto.
35	Mukhopadhyay, Kumadinikanta	...	Ditto.
	Bandyopadhyay, Nistaran	...	Ditto.
37	Sanyal, Krishnagopal	...	Muir College, Allahabad.
38	Chaudhuri, Purnachandra	...	Presidency College.
39	Bandyopadhyay, Mahendranath	...	Ditto.
40	Narayanprasad	...	Patna College.
41	Lahiri, Asutosh	...	Presidency College.
42	Govindacharan	...	Patna College.
43	Gangopadhyay, Rajanikanta	...	Presidency College.
44	Kanjilal, Kailas Chandra	...	Kishnaghur College.
	Ray, Navinchandra	...	Berhampore College.
46	Mukhopadhyay, Rajanikanta	...	Presidency College.
	Ray, Harinath	...	Ditto.
48	Mukhopadhyay, Amvikacharan	...	Ditto.
	Sivsaranlal	...	Patna College.
50	Sen, Radhanath	...	Presidency College.
51	Gangopadhyay, Kisarimohan	...	Ditto.
52	Chakravarti, Adityachandra	...	Dacca College.
53	Pandit, Jwalanath	...	Presidency College.
	Maitra, Syamacharan	...	Ditto.
	Singh, Saligram	...	Ditto.

The under-mentioned persons having fulfilled the conditions required under para. 1 of the Regulations for admission to the degree of Doctor in Law, are declared admissible to that degree:—

Mitra, Trailokyanath, M. A., B. L.
Bandyopadhyay, Gurudas, M. A., B. L.

SENATE HOUSE,
The 2nd February 1877.

A. W. CROFT,
Offg. Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
397	L 82—56192	100	Hajee Jockereah Hajee Ahamed.
398	L 52—71286	500	Mr. H. T. Prinsep, C.S.
399	A 91—83178	100	Moulvie Ahmed Ali.
400	L 83—30329	100	Babu Kedar Nath Shaw.
	L 81—36193	50	
401	L 81—16623	50	Mr. Harry Lee, C.S.
402	L 81—09106	50	Babu Aumrito Nath Jha.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
297	L 65—71736, „ —71739	20	Messrs. Ram Chunder Juber Mull.
	A 67—12981, A 65—28776	10	
	L 58—51148, L 42—47059	10	
	L 61—91875, L 71—70375	10	
	L 20—05639, „ —05640	5	
	L 20—36846, L 21—47030	5	
298	L 21—57669, „ —57668	5	Babu Nilmoney Roy.
300	L 90—01139, L 89—54069	20	The Chief Pay Master, E. I. Railway, Calcutta.
301	L 81—04379, „ —04380	50	Babu Raj Narayan Gupta.
302	L 25—22013, „ —22017	5	Babu Woomesh Chunder Chatterjee.
303	L 89—52276, „ —52279	20	Mr. G. Savage.
304	L 13—85673, „ —85672	20	Babu Obhoy Churn Sircar.
	L 39—17974, „ —17975	10	
	L 17—45942, „ —45943	5	
	L 20—54429, „ —54426	5	
305	L 21—18476, „ —18475	5	Babu Neem Chand Gupta.
306	A 94—18281, A 93—12681	20	Babu Pran Kristo Dhur.
307	L 23—07709, „ —07705	5	Mr. J. H. Martyr.
308	A 80—17609, „ —17608	10	Messrs. Hurro Nath Muttylall.
	L 10—08479, L 9—53300	5	
309	A 27—51141, „ —51142	20	Babu Sree Nath Banerjee.
453	L 60—16601	10	Babu Kedar Nath Mittra.
454	A 67—79239	10	Mahomed Burkatoolla.
455	L 40—49828	10	Major B. Money, B.S.C.
	L 15—82885	5	
456	L 81—05209	50	Captain W. G. Thomas.
457	L 44—46312	10	Babu Juggobundhoo Bose.
	L 95—41719	10	
	L 75—05929	10	
458	L 95—49876	10	Mr. W. Swift.
	L 23—65625	5	
459	L 82—40990 to „ —40993	100 each	Mr. T. Smith, C.S.
460	A 96—78956	10	Babu Khallaram Kur.
461	A 89—15390	20	Babu Ramrutton Shaw.
462	L 73—33833	10	Babu Trailokya Nath Mittra.
	L 72—29093	10	

CALCUTTA,—Paper Currency Office;
The 2nd February 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
1877.			Rs.	
W3	C 99—81058	...	20	Mr. G. R. Purvis, Elphinstone Circle, Bombay.
	„ —81059	...	20	
	„ —81060	...	20	
	„ —81061	...	20	
W4	M 24—92920	...	100	Hukum Chand, Esq., Extra Assistant Commissioner, Delhi.
W5	C 70—84921	...	500	Major T. Cadell, Political Agent, Alwar.

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
M3	M 3—43738	...	5	Asur Lalje, 13, Modikhana Back Road, Bombay.
	„ —43739	...	5	
H7	C 99—81147	...	20	William Nolan, M.D., Bombay Medical Department, Aden.
	„ —81171	...	20	
1876.				
H129	C 99—53385	...	20	Mr. Jehangir Edulje Davur, Bombay.
	„ —84321	...	20	
	M 4—59794	...	5	
1877.				
H9	M 22—28813	...	20	Ramcowhua Gobind Dhopesharkar, Revenue Commissioner's Office, S. D., Poona.
H8	M 27—70248	...	10	Vithu Jotiba, Oomarkadi.
	C 99—52852	...	20	

BOMBAY,—Paper Currency Dept.;
The 23rd January 1877.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
86	B 52—23243	10	Mr. G. Rodrigues, Madras.
87	B 49—57015	10	T. Narasing Row, Salem.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
228	B 40—34045	...	5	Janerchand Bhinaji Sait, Coimbatore.
	B 52—11156	...	10	
	B 42—23616	...	20	
	„ —39320	...	20	
229	B 40—26140	...	5	Mr. B. V. D'Rozario, Mangalore.
	„ —26141	...	5	
	„ —26142	...	5	
	„ —26143	...	5	
	„ —26144	...	5	
	„ —26145	...	5	
230	B 50—28914	...	100	Mr. C. S. M. Abru, Mangalore.
231	B 49—98118	...	10	C. Vadanta Chariar, Madras.
232	B 42—37373	...	20	Nimmah Cothendah Ramah, Seringapatam.
	„ —45114	...	20	
	„ —46272	...	20	
233	B 49—00823	...	10	Mr. T. Burke, Fyzabad.
44	B 42—21658 wrongly joined.		20	R. C. Walker, Esq., Madras.
	„ —21657			
	B 50—51747 ditto	...	100	
	„ —51748			
240	B 41—42439 ditto	...	10	T. Casavooloo Chetty, Madras.
	„ —42436			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 22nd January 1877.

F. de H. LARPENT,
Offg. Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.		Value.	Name of Claimant.
			Rs.	
4	L 19—88490	...	50	The Post Master General, Punjab, Lahore.

LAHORE,—Paper Currency Office;
The 27th January 1877.

T. W. BISS,
Depy. Acctt. Genl., in charge of Currency Offices.

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Apply to the Superintending Engineer, Mooltan District, Indus Valley State Railway, Mooltan.

MOOLTAN,
The 17th January 1877.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 2nd February 1877.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Almorah*, will be closed at the General Post Office on Wednesday, the 7th February 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Hydaspes*, will be closed at

the General Post Office on Wednesday, the 7th February 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 6th February 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 4th February 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Himataya*, will be closed at the General Post Office on Sunday, the 4th February 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, and United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 3rd February 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 9th February 1877, by which mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 8th February 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 2nd February 1877.

Adie, J. R.
Allen, W. H. & Co., Messrs.
Barker, M. A., Mrs.
Birke, Captain H. P.
Blank, F. O.
Briey, A.
Butcher, E.
Calder, John.
Child & Co., Messrs.
Croft, J.
Davies, H.
Davidson & Co., Messrs.
Davis, Mrs.
Doveton, H.
Farlow, Mrs. Jane.
Faulding & Co., Messrs.
Francis, W.
Francis, C.
Godfrey, T. P.
Granger, John H.
Green, Patrick J.
Gruzelier, Mr.
Hickson, J. A.
Higgins, Mrs. E.
Hodges, William.
Jackson, E. M.
Johnson, Gen.
Joseph, C.
Kay, Geo.
Leckie, Forbes & Co.
Levy, Paul.
Macrone, W. B.
MacIver, Mrs.
McConaig, Jas.
Manuel, R. A.
Marshall, Miss L.
Martin, Mrs. S.
Marthin, Henry.
Murphy, E. T.
Newman, Thos.
Paul, Mrs. P. J.
Paul, X. M.
Ross, F. A.
Ryde, Miss.
Samuells, H. E.
Scott, Mrs. W.
Sharkey, John.
Smith, Mrs. E. F.
Smith, James.
Stack, G. A.
Stewart, C. E.
Thompson, Mrs. G. F.
Walker, N. T.
Walls, G.
White, W. M.
Williams, F.
Williamson, A.
Wilsion, Messrs.
Winscom, Miss K.
Woods, Miss.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Andrew, Walter G. G.
Barry, J. M.
Barlow, H. E.
Berardi, Monsieur Gastow.
Borthwick, Mrs.
Buckley, C. W.
Campier, Jas. C. B.
Campbell, J. F.
Carrington and Wigley.
Cavanagh, Jas.
Charlston, John.
Christian, A.
Condey, Mr.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Dalitz, H. Oscar.
Daniel, D.
Darby, W. K.
DeSouza, J. P. C.
Douglas, Christie G.
E. F. W.
E. M.
Esse.
Ferguson, Duncan
Findlay, Alfred.
Frawley, M. A.
Friedwaht, Fany.
Galloway, John.
Gardner, William.
Glukman, Lione.
Graham, Mrs. C.
Griffith, Andrew.
Huguenot, M.
Johnson, Henry.
Jones, B. F.
Kelly, Edward.
Kelly, W. P.
Kramer, T. O.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Marshall, Capt. G.
Mazzaline, Mrs. J.
McWilliams, Miss.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
Munro, Major C. A.
Musgrove, Geo.
Nemo.
Nicholson, John S.
O'Brien, T. H.
Orban, Monsieur.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Richardson, Geo.
Roehn, Profs. E.
Rowe, Mrs.
Scolfi, A. L.
Scott, Walter.
Shutz, J.
Sinclair, A.
Travis, Miss Ida.
Valentine, Rev. C.
Watt, Capt. J. R.
Williams, C. A.
Williams, T.
Willins, W. E. S.
Wilkinson, Mrs. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Woods, R. L.
Young, A.
Zacharias, A. H.

Papers.

Bellany, J.
Berarai, Monsieur.
Cayton, Geo.
Galloway, John.
Holland, Capt.
Jacob, Edward.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Orban, Monsieur.
Richardson, Geo.
Rowe, Mrs.
Stewart, A.

Registered Letter.

O'Brien, C.

W. ALPIN,
Offg. Post Master of Calcutta.

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

PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 3rd February 1877.

Offices opened and closed during the month of January 1877.

Name of Station.	Where situated.	Date.	REMARKS.
*Akote ...	West Berars ...	1st ...	Re opened.
Beawur ...	Rajputana ...	31st ...	Closed.
Delhi Imperial Assemblage Camp.	Punjab ...	15th ...	Closed.
Koliabar ...	Assam ...	16th ...	Opened.
Nowgong ...	Assam ...	1st ...	Opened.
Ongole ...	Madras Presidency	9th ...	Opened.

* Season Office.

ALBERT CAPPEL,
Offg. Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 3rd February 1877.

No. 7.—Mr. P. Magrath, Sub-Engineer, 1st Grade, is transferred temporarily to the Madras Famine Works, under orders from the Government of India, with effect from the afternoon of the 30th January 1877, on which date he left Mhow for Cuddapah.

No. 8.—Twenty days' privilege leave granted to Mr. W. Mulville, Supervisor, 2nd Grade, in Notification No. 55, dated 16th December 1876, is cancelled.

No. 9.—Mr. C. E. Gael, Executive Engineer, 4th Grade (temporary 3rd Grade), is allowed eighteen months' furlough out of India, with the usual subsidiary leave, from the 1st March 1877, or from such other date as he may avail himself of it.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Camp Jowla, the 5th February 1877.

No. $\frac{393}{382}$ G.—The following Notifications are published in continuation of Foreign Department Notification No. 93G, dated 18th January 1877:—

(1) Lieutenant-Colonel T. E. Gordon, C.S.I., re-assumed charge of the office of Political Superintendent of the Hilly Tracts, and 1st Assistant Political Agent, Meywar, from Major C. G. Gunning on the forenoon of the 3rd November 1876.

(2) Major C. G. Gunning re-assumed charge of the office of 2nd Assistant Political Agent, Meywar, from Captain A. R. T. McRae on the forenoon of the 3rd November 1876.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 29th January 1877.

No. 7.—Major H. R. Thuillier, R. E., Officiating Deputy Superintendent, 1st Grade, is granted

two months' privilege leave from 17th instant, under Section 29 of the Civil Leave Code.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 22nd January 1877.

No. 133.—Mr. H. B. Knowlys, Assistant Commissioner, Hyderabad Assigned Districts, and Judge, Small Cause Court, Akola, is granted thirty days' subsidiary leave of absence on full* pay, from such date as he may avail himself of it.

* Under Section 28(*d*), Rule I, of the Civil Leave Code.

The 31st January 1877.

No. 136.—Mr. R. D. Hare, Officiating Assistant Commissioner, 3rd Class, Hyderabad Assigned Districts, has been granted privilege leave for one month, with effect from the 1st February 1877, or from such date as he may avail himself of it.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

The 2nd February 1877.

No. 22.—With reference to Residency Order, Notification No. 20, dated 13th January 1877, *for* "from the 18th to the 27th December last," *read* "from the 18th to the 27th November last."

By order,
C. B. EUAN SMITH, *Captain,*
1st Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 2nd February 1877.

No. 5.—Mr. J. F. Chew, Accountant, 4th Grade, is transferred from the Office of the Examiner of Accounts, Military Works, to that of the Executive Engineer, 2nd Peshawar Division, Military Works.

The 3rd February 1877.

No. 6.—Mr. M. J. Mulroney, Accountant, 3rd Grade, Office of Examiner of Accounts, Military Works, is granted sick leave from the 12th to 23rd January 1877, inclusive.

C. W. HUTCHINSON, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 30th January 1877.

No. 5.—With reference to this Office Notification No. 39, dated the 31st July 1876, Barrack Sergeant Southcombe reported his arrival at Pachmarhi on the 25th instant, to relieve Barrack Sergeant G. Blake, who having taken his discharge, is proceeding to Europe.

No. 6.—With reference to this Office Notification No. 3, dated the 3rd instant, T. Permul Naidoo, Accountant, attached to the Pachmarhi Division, returned from the one month's privilege leave in the morning of the 25th instant, having availed himself of the leave on the 27th December 1876. The unexpired portion of his two days' leave is hereby cancelled.

The 1st February 1877.

No. 7.—With reference to this Office Notification No. 64, dated the 16th November last, Sergeant G. Booley, Overseer, 1st Grade, joined the Fyzabad Division, Military Works, on the 25th ultimo.

No. 8.—With reference to this Office Notification No. 4 of 20th ultimo, Sergeant G. Booley, Overseer, attached to the 2nd Allahabad Division, returned from the one month's privilege leave on the 24th ultimo.

The unexpired portion of his leave is hereby cancelled.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 1st February 1877.

No. 3.—The following Barrack Masters temporarily transferred to the 3rd Circle, Military Works, in Inspector General's Notification No. 104, dated 5th October 1876, and posted to the Meerut Division, Military Works, for employment at the Imperial Assemblage at Delhi, were relieved of their duties on the forenoon of the 24th January 1877, and directed to proceed to join their own Divisions:—

Conductor B. Revell.
Deputy Assistant Commissary G. Blake.

No. 4.—The following Barrack Sergeants temporarily transferred to the 3rd Circle, Military Works, in Inspector General's Notification No. 106, dated 21st October 1876, and posted to the Meerut Division, Military Works, for employment at the Imperial Assemblage at Delhi, were relieved of their duties on the forenoon of the 24th January 1877, and directed to proceed to join their own Divisions:—

Sergeant T. Axe.
Sergeant W. Warren.
Sergeant C. Ingram.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

5th Circle.

Rawal Pindi, the 30th January 1877.

No. 6.—Mr. H. Conlan, Accountant, 3rd Grade, attached to the 1st Rawal Pindi Division, Military Works, is granted twenty days' privilege leave which he availed himself of on the morning of 24th December 1876.

The 3rd February 1877.

No. 7.—Roodur Pershad, Overseer, 1st Grade, attached to the Lahore Division, Military Works, is granted privilege leave for thirty-eight days,

from the 1st February 1877, or such date as this Upper Subordinate avails himself of it.

C. M. BROWNE, *Lieut.-Col., R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

7th Circle.

The 5th February 1877.

No. 170.—Sub-Conductor J. H. Quilter, Sub-Engineer, II Chakrata Division, availed himself of the twenty days' privilege leave granted to him in Notification No. 98 of 22nd January 1877, from the forenoon of the 29th idem.

J. BIRNEY, *Major, R.E.,*
Offg. Supdg. Engr., 7th Circle, Mily. Works.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

8th February 1877 ... Rs. 5,037-8-8.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA, *9th Feb. 1877.*

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 1st February 1877.

No. 17.—Mr. W. Nethersole, Superintending Engineer, 2nd Grade, Punjab Northern State Railway, returned to India on the 12th January 1877, from the sick leave granted in Director's Notifications Nos. 181 of the 25th October 1875, and 156 of the 9th October 1876.

No. 18.—Mr. G. E. Thomas, Executive Engineer, 4th Grade, Punjab Northern State Railway, is granted twelve months' furlough and thirty days' subsidiary leave, with effect from the 1st March 1877, or such subsequent date as he may avail himself of it.

The 2nd February 1877.

No. 19.—The services of Babu Prosono Coomar Ghose, Temporary Supervisor, 2nd Grade, Northern Bengal State Railway, being no longer required, have been dispensed with from the 26th December 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 6th February 1877.

No. 3.—Mr. G. B. Reynolds, Assistant Engineer, 2nd Grade, is transferred from Engineer-in-Chief's Office to the 1st Division, with effect from the 1st instant.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 3rd February 1877.

No. 23.—With reference to Director of State Railways' Notification No. 9 of 1877, posting Mr. R. W. Roberts, Assistant Engineer, 2nd Grade, to the Punjab Northern State Railway, this Officer reported his arrival at Lahore on the afternoon of 16th November 1876, and is posted to the Peshawar Survey Division, which Division he joined on the forenoon of the 29th November 1876.

No. 24.—Mr. J. D. M. Burton, Assistant Engineer, 2nd Grade, posted to this Railway by Director of State Railways' Notification No. 9 of 1877, reported his arrival at Lahore on the afternoon of the 16th November 1876, and is posted to the Jhelum Division of the Jhelum Section, which Division he joined on the forenoon of the 24th November 1876.

No. 25.—Mr. J. D. M. Burton, Assistant Engineer, 2nd Grade, is transferred from the Jhelum to the Ravi Division. He left the former on the forenoon of the 16th December 1876, and joined the latter on the 18th idem.

No. 26.—In Notification No. 3, dated 6th January 1877, notifying return to duty from privilege leave of Conductor C. Montgomery, Supervisor, for "on the afternoon of the 20th September 1876" read "on the afternoon of the 30th September 1876."

ALEX. GRANT,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 3rd February 1877.

No. 4.—Mr. W. Johnstone, Assistant Engineer, 1st Grade, Fatehabad Division, returned to duty on the afternoon of the 20th January 1877, from the privilege leave granted to him in Notification No. 80 of 6th December 1876.

No. 5.—Mr. B. V Soobrow, Overseer, 2nd Grade, Barnagar Division, is granted privilege leave for twenty-one days from 8th February 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 31st January 1877.

No. 4.—Mr. W. H. Cole, Assistant Engineer, 2nd Grade, posted to the Rajputana State Railway under Director's Notification No. 9, dated 18th instant, reported arrival at Agra on the forenoon of the 13th November 1876.

Mr. Cole joined the Ajmere Division, to which he has been posted, on the forenoon of 3rd December 1876.

No. 5.—Mr. H. J. Oddie, Assistant Engineer, 2nd Grade, transferred temporarily to this Railway under the Director of State Railways' Noti-

fication No. 10, dated 18th January 1877, reported his arrival at Agra on the forenoon of the 24th November 1876, and was posted to the Agra Division, which he joined on the forenoon of the 28th idem.

The 1st February 1877.

No. 6.—Mr. L. Harrington, Accountant, 4th Grade, transferred under this Office Notification No. 58, dated 15th November 1876, from the Sambhar Division to the Central Office of Accounts, joined the latter on the 17th January 1877.

FRED. FIREBRACE,
Offg. Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 29th January 1877.

No. 20.—With reference to Government of India Notification No. 459 of 6th November 1876, Mr. R. T. Mallett, Temporary Superintending Engineer, 3rd Grade, reported his arrival at Mooltan on the forenoon of 16th January and took over charge of the Upper Sind District on the afternoon of 23rd January 1877.

The 30th January 1877.

No. 22.—This Office Notification No. 93 of 23rd August 1876, granting two months' privilege leave to Mr. H. C. Graham, Executive Engineer, 2nd Grade, is cancelled.

The 1st February 1877.

No. 24.—Mr. J. M. Campion, Assistant Engineer, 1st Grade, is transferred from the Upper Sind to the Lower Sind District.

The 2nd February 1877.

No. 28.—The following transfers and postings have been made by Superintending Engineers:—

Mr. W. A. Lesmond, Assistant Engineer, 1st Grade (temporary rank), to the Bahawalpur Division.

Mr. E. F. Jacob, Assistant Engineer, 2nd Grade, to the Ghotki Division.

Mr. A. Bewley, Assistant Engineer, 2nd Grade, to the Larkana Division.

Mr. D. Morris, Assistant Engineer, 1st Grade, from the Kotri to the Sehwan Division.

Mr. M. C. Mackinnon, Assistant Engineer, 1st Grade, to the Kotri Division.

Mr. G. H. R. Deverell, Assistant Engineer, 2nd Grade, to the Sehwan Division.

M. RAYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 31st January 1877.

No. 14.—With reference to Government of India, Public Works Department, Notification No. 526 of 22nd December 1876, Baboo Woomesh Chunder Chatterjee, Accountant, 4th Grade, Northern Division, was relieved of his duties and reported his departure on the afternoon of the 17th January 1877, to join the Public Works Department, Oudh.

No. 15.—With reference to Director's Notification No. 9 of 18th January 1877, the undermentioned Assistant Engineers, 2nd Grade, of the Royal Indian Engineering College, joined the Northern Bengal State Railway, and are posted to the respective Divisions:—

Name.	Date of joining.	Division to which posted.
Mr. R. S. T. Routh.	Forenoon, 23rd December 1876.	Northern Division, Saidpur.
Mr. J. M. Montague, B.A.	Forenoon, 19th December 1876.	Southern Division, Atrai.

No. 16.—Mr. A. J. Bell, Executive Engineer, 3rd Grade, joined the Northern Bengal State Railway on the afternoon of the 24th January 1877.

J. G. LINDSAY, *Major, R. E.*,
Engineer-in-Chief.

Statement of the Affairs of the Bank of Bengal for the week ending 6th February 1877.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	16,71,164	2	5
Public Deposits at Head Office ... 43,32,501 10 7			
Public Deposits at Branches ... 1,03,54,909 11 5	1,46,87,411	6	0
Other Deposits at Head Office and Branches	2,34,78,161	2	2
Bank Post Bills, &c.	3,62,284	9	2
Sundries	6,06,108	1	8
TOTAL ...	6,08,05,129	5	5

ASSETS.	Rs.	A.	P.
Government Securities ...	1,05,98,400	13	9
Loans on Government Securities, &c., at Head Office and Branches ...	60,98,035	4	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches	42,18,337	10	6
Bills discounted and purchased at Head Office and Branches	1,44,51,919	2	7
Balances with other Banks ...	5,95,401	13	10
Bullion	10,082	0	9
Dead Stock	10,44,248	11	11
Stamps	11,308	12	5
Sundries	4,45,512	10	7
	3,74,73,247	0	8
Cash and Currency Notes at Head Office... 1,06,36,942 10 0			
Cash and Currency Notes at Branches ... 1,26,94,939 10 9	2,33,31,882	4	9
TOTAL ...	6,08,05,129	5	5

BANK OF BENGAL:
Calcutta, 8th February 1877.

J. GORDON.
Chief Accts. & Depy. Secretary.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned students have passed the B. A. Examination:—

FIRST DIVISION.

In Order of Merit.

1	Sarkar, Chandrasekhar	...	Presidency College.
2	Mukhopadhyay Haranchandra	...	Ditto.
3	Thomson, W. H.	...	Hugli College.
4	Mitra, Amvikacharan	...	Ditto.
5	Nagwant Sahay	...	Patna College.
6	Bandyopadhyay, Sasisekhar	...	Presidency College.
7	Bagchi, Brajagopal	...	Ditto.
8	Nag, Haradhan	...	Ditto.
	Basu, Jogendrachandra	...	Ditto.
10	Mukhopadhyay, Upendranath	...	Canning College, Lucknow.
11	Das, Ramsaran	...	Ditto.
12	Basu, Kalipada	...	Presidency College.
13	Chakravarti, Byomkes	...	Ex-Student, Presidency College.
14	Sen, Kalimohan	...	Lahore Government College.
15	Lalchand	...	Dacca College.
16	Bandyopadhyay, Bisveswar	...	Ditto.
17	Basu, Asvinikumar	...	Presidency College.
	Mitra, Saratchandra	...	St. Xavier's College.
	Bomanjee Cowasjee	...	Agra College.
20	Dammilal	...	Free Church Institution.
21	Chaudhuri, Prasannanarayan	...	Presidency College.
	Sen, Adharlal	...	Hugli College.
23	Mukhopadhyay, Amarchandra	...	Presidency College.
24	Mitra, Purnachandra	...	Free Church Institution.
25	Ghose, Saradaprasad	...	Presidency College.
	,, Kalipada	...	General Assembly's Institution.
27	Bhattacharyya, Chandra Kumar	...	Free Church Institution.
	Majumdar, Kunjavihari	...	Teacher.
29	Datta, Mahinimohan	...	Presidency College.
	,, Ramlal	...	Teacher.
	Syed, Khyrat Ahmed	...	St. Xavier's College.
32	Ghose, Priyanath	...	Ditto.
33	Bandyopadhyay, Mahendranath	...	Canning College, Lucknow.
34	De, Brajendralal	...	Hugli College.
35	Izad Bakhsh	...	Presidency College.
	Gupta, Gopalchandra	...	Ditto.
	Bandyopadhyay, Harinath	...	Free Church Institution.
	Ray, Navadwipachandra	...	Presidency College.
39	Chattopadhyay, Gopalchandra	...	Ditto.
40	Gangopadhyay, Satyacharan	...	Ditto.
	Baral, Nilmani	...	Hugli College.
42	Mukhopadhyay, Asutosh	...	Patna College.
	Chattopadhyay, Isvarchandra	...	Ditto.
44	Bhagwan Sahay	...	

SECOND DIVISION.

In Alphabetical Order.

	Aikath, Saradakumar	...	Presidency College.
	Amjad Ali	...	Benares College.
	Ashraf Ali	...	Ditto.
	Bandyopadhyay, Kedarnath	...	Ditto.
	,, Mahadev	...	Ex-Student, Presidency College.
	,, Rajendralal	...	Presidency College.
	,, Rakhaldas	...	Free Church Institution.
	,, Taraprasanna	...	Hugli College.
	Basak, Rashvihari	...	Cathedral Mission College.
10	Bhaduri, Lalvihari	...	Presidency College.
	Bhattacharyya, Meghnath	...	Hugli College.
	,, Srischandra	...	Presidency College.
	Bhaumik, Dinavandhu	...	Free Church Institution.
	Chakravarti, Girischandra	...	Teacher.
	,, Jogendranath	...	General Assembly's Institution.
	Chattopadhyay, Abhaycharan	...	Canning College.
	,, Dvarkanath	...	Patna College.
	,, Sripati	...	Presidency College.
	Chaudhuri, Jadavchandra	...	Cathedral Mission College.
20	Das, Kamalanath	...	Dacca College.
	,, Prasannachandra	...	Teacher.
	,, Tarakchandra	...	Cathedral Mission College.
	,, Tarraprasanna	...	Teacher.
	Datta, Bijaykrishna	...	Presidency College.
	,, Kamalkrishna	...	Ditto.
	,, Mahinimohan	...	Hugli College.
	Dé, Advaityaprasad	...	Cathedral Mission College.

	Ghosh, Chandidas	... Presidency College.
	„ Haranath	... Ex-Student, General Assembly's Institution.
30	„ Nityananda	... Presidency College.
	„ Ramgopal	... Ditto.
	„ Saradaprasad	... General Assembly's Institution.
	Gosvami, Kisarilal	... Presidency College.
	Guruprasad	... Muir Central College.
	Gyaprasad	... Ditto.
	Jyotirvid, Gopaldatta	... Bareilly College.
	Kunjaviharilál	... Muir Central College.
	Maitra, Kasinath	... Presidency College.
	Misra, Umasankar	... Benares College.
40	Mitra, Rammohan	... Presidency College.
	Mohanlál	... Delhi College.
	Molakram	... Ditto.
	Mukhopádhyay, Brajagopal	... Presidency College.
	„ Gopalchandra	... Benares College.
	„ Nilalohit	... Cathedral Mission College.
	„ Purnachandra	... Presidency College.
	Nág, Revatikanta	... Ex-Student, Presidency College.
	„ Syamakanta	... Presidency College.
	Nizamdeen Hasan	... Muir Central College.
50	Pain, Isvarprasad	... General Assembly's Institution.
	Pâl, Tulsicharan	... Presidency College.
	Palit, Priyanath	... Ditto.
	Patnaik, Chaturbhuj	... Ex-Student, Presidency College.
	Pramanik, Ramesvar	... Canning College.
	Prayagdas	... Muir Central College.
	Raghunathprasad	... Ditto.
	Ramlâl	... Agra College.
	Ray, Girischandra	... Ex-Student, Cathedral Mission College.
	„ Kuladakinkar	... Presidency College.
60	„ Rangalál	... General Assembly's Institution.
	„ Ugrakanta	... Presidency College.
	„ Umacharan	... Cathedral Mission College.
	Sankardyal	... Agra College.
	Sanvardas	... Muir Central College.
	Sarkar, Nandalál	... Cathedral Mission College.
	Sayyid Faizuddin Hosain	... Hugli College.
	Scott, G. W.	... Patna College.
	Sen, Harinath	... Teacher.
	„ Srinath	... General Assembly's Institution.
70	Sinha, Pramathakrishna	... Presidency College.
	Som, Saradaprasad	... Hugli College.
	Tarafdar, Chandrakisor	... Cathedral Mission College.
73	Taslimuddin Ahmed	... Presidency College.

THIRD DIVISION.

In Alphabetical Order.

	Bandyopadhyay, Bindulal	... St. Xavier's College.
	Basu, Ananta Kumár	... Presidency College.
	Bhattacharyya, Bhavadev	... Cathedral Mission College.
	„ Manikchandra	... Free Church Institution.
	Bisvas, Dandadhari	... General Assembly's Institution.
	Chakravarti, Bisveswar	... Teacher.
	Chattopadhyay, Rajanikanta	... General Assembly's Institution.
	Datta, Taraknath	... Presidency College.
	Dev, Kalimohan	... Presidency College.
10	Goonewardene, W. F.	... Free Church Institution.
	Kotal, Umeschandra	... Presidency College.
	Kshetriya, Lakshminarayan	... General Assembly's Institution.
	Madangopal	... Delhi College.
	Majumdar, Chandicharan	... Benares College.
	Mitra, Krishnakumar	... General Assembly's Institution.
	Mukhopadhyay, Chandrasekhar	... Teacher.
	„ Tulsidás	... Cathedral Mission College.
	„ Upendranath	... General Assembly's Institution.
	Palit, Umeschandra	... Ex-Student, General Assembly's Institution.
20	Pande, Ramavatar	... Muir Central College.
	Ray, Kedarnath	... Ex-Student, Cathedral Mission College
	„ Mukundanath	... Presidency College.
	„ Rajendranath	... Canning College.
	„ Sitanath	... Presidency College.
	Sen, Kedarnath	... General Assembly's Institution.
	„ Matilál	... Ex-Student, Presidency College.
27	Sheolál	... Teacher.

The under-mentioned student has passed the First Examination in Arts in the Third Division :—

Mitra, Purna Chandra ... Patna College.

SENATE HOUSE,
The 27th January 1877.

A. W. CROFT,
Offg. Regr., Calcutta University.

The under-mentioned students have passed the B. L. Examination :—

FIRST DIVISION.

In order of Merit.

1	Das, Navinchandra	... Presidency College.
2	Chakravarti, Harachandra	... Dacca College.
3	Ray, Satischandra	... Presidency College.
4	Datta, Purnachandra	... Ditto.
5	Mukhopadhyay, Bipinvihari	... Ditto.
	Das, Brajendramohan	... Patna College.

SECOND DIVISION.

In order of Merit.

1	Guha, Revatimohan	... Dacca College.
2	Das, Raghunath	... Presidency College.
3	Maitra, Atalvihari	... Kishnaghur College.
4	Mustaphi, Chandragoti	... Presidency College.
5	Ray, Benimadhav	... Ditto.
6	Mitra, Charuchandra	... Ditto.
	Das, Gnanendranath	... Ditto.
8	Mukhopadhyay, Jogendranath	... Patna College.
	Ghosh, Jogendranath	... Presidency College.
10	Ray, Prasannagopal	... Ditto.
11	Som, Murarilal	... Hugli College.
	Sinha, Nikunjavihari	... Presidency College.
13	Datta, Amvikacharan	... Ditto.
14	Pandit, Surajnarayan	... Canning College, Lucknow.
15	Matilal, Surendranath	... Presidency College.
16	Basu, Pramathanath	... Ditto.
	Ray, Kedarnath	... Dacca College.
	Bhattacharyya, Radhakisor	... Presidency College.
19	Ray, Bijaykrishna	... Ditto.
20	Bandyopadhyay, Tinkari	... Ditto.
	Srirám	... Canning College, Lucknow.
	Datta, Rajendranath	... Presidency College.
23	Datta, Girischandra	... Ditto.
	Mitra, Bihárilál	... Ditto.
25	Sen, Kalikumar	... Ditto.
26	Mukhopadhyay, Jogendranath	... Ditto.
	Ray, Devendranath	... Ditto.
28	Hajra, Aghorchandra	... Ditto.
	Mukhopadhyay, Harendranath	... Dacca College.
	Sen, Umeschandra	... Muir College, Allahabad.
31	De, Amvikacharan	... Canning College, Lucknow.
	Bhattacharyya, Beniprasad	... Presidency College.
33	Maitra, Bijaykrishna	... Ditto.
34	Sur, Harimohan	... Ditto.
35	Mukhopadhyay, Kumadinikanta	... Ditto.
	Bandyopadhyay, Nistaran	... Muir College, Allahabad.
37	Sanyal, Krishnagopal	... Presidency College.
38	Chaudhuri, Purnachandra	... Ditto.
39	Bandyopadhyay, Mahendranath	... Patna College.
40	Narayanprasad	... Presidency College.
41	Lahiri, Asutosh	... Patna College.
42	Govindacharan	... Presidency College.
43	Gangopadhyay, Rajanikanta	... Kishnaghur College.
44	Kanjilal, Kailas Chandra	... Berhampore College.
	Ray, Navinchandra	... Presidency College.
46	Mukhopadhyay, Rajanikanta	... Ditto.
	Ray, Harinath	... Ditto.
48	Mukhopadhyay, Amvikacharan	... Patna College.
	Sivsaranlal	... Presidency College.
50	Sen, Radhanath	... Ditto.
51	Gangopadhyay, Kisarimohan	... Dacca College.
52	Chakravarti, Adityachandra	... Presidency College.
53	Pandit, Jwalanath	... Ditto.
	Maitra, Syamacharan	... Ditto.
	Singh, Saligram	

The under-mentioned persons having fulfilled the conditions required under para. 1 of the Regulations for admission to the degree of Doctor in Law, are declared admissible to that degree :—

Mitra, Trailokyanath, M. A., B. L.
Bandyopadhyay, Gurudas, M. A., B. L.

SENATE HOUSE,
The 2nd February 1877.

A. W. CROFT,
Offg. Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
403	... L 57—43715	... 10	... Hakim Khan.
405	... L 83—50018	... 100	... Mr. A. Lane.
406	... L 83—14540	... 100	...
	„ —39430	... 100	... Talubdeen Khan.
	„ —39433	... 100	...
	„ —39434	... 100	...
407	... L 52—63541	... 500	... Babu Gopaul Chunder Bose.
408	... L 52—55358	... 500	... Mr. J. Muirhead.
409	... L 95—67114	... 10	... The Chief Paymaster, E. I. Railway, Calcutta.
410	... L 86—42132	... 10	... Sergeant J. Gray.
413	... L 85—17963	... 1,000	... Babu Dwarka Nath Dutt.
414	... L 87—16194	... 50	... Gunga Ram Chumria.
415	... L 83—29786	... 100	...
	„ —36738	... 100	... Mr. J. L. Napier Hay.

NOTES PARTIALLY LOST OR DESTROYED.

310	... L 88—37559 / L 86—71521	...	Rs. 10	... Mr. A. W. Paul.
311	... L 74—44406 / „ —44409	...	10	... Fool Chand Johoree.
312	... L 69—87543 / „ —87545	...	100	... Babu Mohes Chunder Sircar.
313	... L 5—46503 / „ —46505	...	10	... Poonum Chund.
463	A 98—53564	...	10	... Babu Woopendra Chundra Mookerjee.
464	... L 19—31812	...	50	...
	L 14—35727	...	20	... Ubhoyram Chooni Lall.
	L 33—84924	...	10	...
465	... L 73—67601	...	10	... The Post Master General, Punjab.
466	... L 79—22422	...	20	...
	L 59—60866	...	10	... Babu Chaitanya Prosad Borat.
467	... L 88—29699	...	10	... Babu Gopaul Chunder Chunder.
468	... L 25—17409	...	5	... Babu Gurudayal Singha.
469	... L 87—68008	...	10	...
	„ —68218	...	10	... Babu Hridoya Krishna Ghose.
470	... L 75—97708	...	10	... Babu Lalmohun Bhattacharjee.
471	... L 66—32262	...	50	...
	L 67—30220	...	50	... Mr. Edward Hoggan.
	L 77—22658	...	20	...
472	... L 61—76862	...	10	...
	L 86—82092	...	10	... The Chief Inspector of Post Offices, Oudh.
473	... L 65—66858	...	20	... Mr. E. R. Douglas.
474	... L 24—10237	...	5	... Mr. T. D'Cruze.
476	... A 41—69586	...	10	... Babu Krishna Mohun Maschuruck.
477	... L 78—14201	...	20	... Nauthoo Misser.

CALCUTTA,—Paper Currency Office; *The 9th February 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
64	... D 11—52540		... 10	...
	D 5—63893		... 20	... Khoob Chund, Agra.
65	... D 4—64947		... 50	...
	D 7—81559		... 100	... Mr. P. Morley, Umballa.

NOTES PARTIALLY LOST OR DESTROYED.

106	... D 11—12498		Rs. 10	... Mrs. Bake, Bombay.
107	... D 11—11466		... 10	... Bhola Nauth, Mooradabad.
108	... L 47—30130		... 20	... Mrs. L. Conner, Bareilly.
109	... A 18—12299		... 10	... Abdool Kareem, Umballa.
110	... D 10—68113		... 5	... The Post Master General, Punjab, Lahore.
111	... D 11—35407		... 10	... Baboo Essen Chunder Soor, Benares.
38	... D 6—84819 / „ —84820	wrongly joined.	10	... Shaikh Mowla Bux, Calcutta.
39	... D 5—88408 / „ —88409	ditto	... 20	... The Station Master, R. S. R., Delhie.
40	L 47—33542 / „ —33538	ditto	... 20	... Monohur Dass and Moorari Lall, Agra.
41	... D 5—79973 / „ —79976	ditto	... 20	... Narain Pershad, Agra.

ALLAHABAD.—Paper Currency Office; *The 1st February 1877.*

T. H. S. BIDDULPH,
Asstt. Accott. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
5	... E 3—89815	... 100	... Sergeant R. Mosley, Tajwala, *vid* Umballa.
6	... E 13—06660	... 100	...
	E 4—88816	... 50	... Azeezud Deen, Lahore.
	L 19—88820	... 50	...
7	... E 4—95786	... 50	... Messrs. Carew & Co., Shahjahanpore.

NOTES PARTIALLY LOST OR DESTROYED.

10	... E 12—27864		Rs. 20	... Mr. C. W. Burton, Jullundur.
20	... E 3—83305 / „ —83306	...	100	... Kotoo Mal, Shawl Merchant, Lahore.

LAHORE,—Paper Currency Office; *The 3rd February 1877.*

J. W. McNAIR,
Offg. Asst. Accott. Genl., in charge of Currency Office.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
88	... B 49—32360		... 10	...
	„ —87886		... 10	... Acting Post Master General, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

234	... B 40—20981		Rs. 5	... Mrs. M. A. Good, Bangalore.
235	... B 49—54231		... 10	... Vangupuram Ramachendra Charloo, Cuddapah.
45	... B 49—75479 / „ —75473	wrongly joined.	10	... T. Peddi Chetty, Madras.
46	... B 50—38523 / „ —38525	ditto	... 100	... Javalu Moonesawmy Chetty, Madras.
47	... B 42—37319 / „ —37318	ditto	... 20	... C. Armuga Chetty, Madras.

FORT ST. GEORGE, Accts. Genl.'s Office, Paper Currency Dept.; *The 29th January 1877.*

D. KISSUN SING,
Offg. Asstt. Accott. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1877.	No. of Notes.	Value. Rs.	Name of Claimant.
W6	... M 24—83574	... 100	... Gopalji Girdhar, Wadachi Gadi.
W7	... C 70—95801	... 500	... Muncherji Bezonji, Satarewala, Girgaum.

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
M4	... M 4—87525 / „ —87526	...	5	... Treacher & Co., Byculla.
M5	... M 17—94404 / „ —34779	...	10	... Bezonji Muncherji, National Bank.
H10	.. C 99—99694		... 20	... Jamsetji Naserwanji, Mail Agent, Poona.
H11	... M 23—24305		... 50	... Brown & Co., 42, Bentinck Street, Calcutta.
H12	... M 25—01148		... 100	... Major W. Strahan, R.E., Neemuch.
H13	... M 24—91234		... 100	... Sorabji Dadabhai, Mucadum, Bandora.
H14	... M 19—97493		... 10	... Jehangir Jamsetji Dhunjibhai, Bottlewala's House.
H15	... M 3—86005		... 5	... Sorabji Bomanji, Munshi, Messrs. Ardasir & Hormusji's Office.

BOMBAY,—Paper Currency Dept.; *The 30th January 1877.*

G. W. CLINE, LL.D.,
Assistant Commissioner.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for Rs.		Balance of Bullion		
		On the Currency Department.	On the General Treasury.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Jan. 29	...	15,059	...	9,77,673	36,74,800	67,03,912
„ 30	...	2,10,168	...	7,80,206	36,66,136	68,01,378
„ 31	...	...	...	7,80,206	46,75,251	56,75,909
Feb. 1	...	1,07,768	...	6,78,988	46,45,140	57,77,157
„ 2	...	2,13,054	10,45,572	4,80,238	46,21,423	58,77,118
„ 3	...	2,05,551	...	2,87,190	46,22,650	59,70,168

CALCUTTA MINT, *The 5th Feb. 1877.*

J. F. TENNANT,
Offg. Mint Master.

WANTED.

A Cashier for the Sutlej Bridge Division, Indus Valley State Railway. Salary Rs. 40 per mensem.

The applicant must be able to keep his accounts in English and furnish security of Rs. 4,000.

Apply to the Superintending Engineer, Mooltan District, Indus Valley State Railway, Mooltan.

MOOLTAN,
The 17th January 1877.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 9th February 1877.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Canara*, will be closed at the General Post Office on Wednesday, the 14th February 1877, at 7 P. M.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Kurrachee*, will be closed at the General Post Office on Sunday, the 11th February 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Mecca*, will be closed at the General Post Office on Sunday, the 11th February 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 12th February 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 13th February 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 16th February 1877, by which mails for Mauritius, St. Denis, and Réunion, can be forwarded.

2. Book-post and pattern packets must be posted on the 15th February 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 9th February 1877.

Adie, J. R.
Adley, Mrs.
Agnew, W. F.
Alexander, W. L.
Andrews, A. D.
Anstruther, Hamilton.
Barings and Co., Messrs.
Banning, John.
Barker, Mrs. M. A.
Birke, Captain H. P.
Briey, B.
Brooks, W. E.
Butcher, E.
Calder, John.
Carbutt, Edward H.
Child & Co., Messrs.
Cockburn, W.
Dalton, E.
Davidson, Mr.
Davies, H.
Davis, Mrs.
Dyson, Thos.
Doveton, H.
Farlow, Mrs. Jane
Fasting, J. F.
Faulding & Co., Messrs.
Foot, Major.
Fox, Neil.
Francis, W.
Francis, C.
Granger, John H.
Green, Patrick J.
Gruzelier, Mr.
Hales, John & Co., Messrs.
Hamilton, A.
Handyside, Col.
Heenan, Geo. Chas.
Hendrix, Rev. E. R.
Hickson, J. A.
Hodges, William.
Hog, S.
Jackson, E. M.
Joseph, C.
Kajer, J. E.
Kay, Geo.
King, Henry W.
Lackersteen and Co., Messrs.
Levy, Paul.
Logan, R.
MacIver, Mrs.
Manuel, R. A.
Marshall, Miss L.
Martin, Mrs. S.
McConaig, Jas.
Molloy, W. M.
Morrel, Miss E.
Morris, G. F.
Munro, Miss.
Murphy, E. T.
Newman, Thos.
Niven, A. P.
Paul, Mrs. P. J.
Paul, X. M.
Plant Brothers, & Co., Messrs.
Powell, E. H. C.
Reed, S.
Reuss, Mr.
Ross, F. A.
Russell, Arthur.
Ryde, Miss.
Samuells, H. E.
Schneider, Carl.
Scott, Mrs. W.
Sharkey, John.
Shean, Mrs. M.
Shepherd, T. R.
Shircore, Mrs. G. R.
Smith, Mrs. E. F.
Smith, James.
Stack, G. A.
Stewart, C. E.
Stone Maguns.
Straw, Fred. Thos.
Thompson, Mrs. G. F.
Vallentie, G. A.
Watkins, R. B.
White, W. M.
Williams, F.
Williamson, A.
Wilsion, Messrs.
Winscom, Miss.
Woods, Miss.
Wotherspoon, Geo.
Wyld, J.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, John.
Andrew, Walter G. G.
Austin, R. H.
Barry, J. M.
Barlow, H. E.
Bates, William.
Beale, William.
Biggs, Robert O. C.
Borthwick, Mrs.
Brownfield, M.
Buckley, C. W.
Campbell, J. F.
Corke, Chas.
Carrington & Wigley.
Cavanagh, Jas.
Charlston, John.
Christian, A.
Condey, Mr.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Crawfurd, Major.
Dalitz, H. Oscar
DeSouza, J. P. C.
Eaton, Mrs. P. W.
E. F. W.
E. M.
Esse.
Fleming, Chas.
Frawley, M. A.
Friedwaht, Fany.
Galloway, John.
George, James.
Glukman, Lione.
Good, J. W.
Graham, Mrs. C.
Griffith, Andrew.
Huguenot, M.
Johnson, Henry.
Jones, B. F.
Kelly, Edward.
Kelly, W. P.
Kramer, T. O.
Labants, P.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Mackey, Mrs. William.
Marshall, Capt. G.
Mazzaline, Mrs. J.
Moran, Frank Conygnham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
Munro, Major C. A.
Nicholson, John S.
O'Brien, T. H.
Pashley, G.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Richardson, Geo.
Roehn, Profs. E.
Rowe, Mrs.
Ryan, Mrs. J. G.
Scolfi, A. L.
Scott, Walter.
Shutz, J.
Sinclair, A.
Smith, J. W.
Thomson, Geo. Black.
Travis, Miss Ida.
Valentine, Lev. C.
Watt, Capt. J. R.
West, J.
Whitely, Geo.
Williams, C. A.
Williams, T.
Wilkinson, Mrs. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Woods, R. L.
Wright, Major H. C.
Young, A.
Zacharias, A. H.

Papers.

Bellany, J.
Cameron, K. R.
Cayton, Geo.
Galloway, John.
Holland, Capt.
Jacob, Edward.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Richardson, Geo.
Rowe, Mrs.
Stewart, A.

Registered Letter.

O'Brien, C.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and

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THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

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Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 17, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 18th November 1876.

Until further notice, the entire *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be forwarded to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 14th February 1877.

No. 36.—Mr. Arthur Hullah, an Assistant Superintendent of the 1st Grade, is allowed furlough for twenty months, under Section 12, and subsidiary leave for eighteen days under Section 24 of the Civil Leave Code, with effect from the forenoon of the 14th January 1877.

D. G. ROBINSON, *Col., R.E.,*
Director General of Telegraphs in India.

SURVEYOR GENERAL'S OFFICE.

NOTIFICATIONS.

Calcutta, the 13th February 1877.

Captain J. Waterhouse, Assistant Surveyor General, availed himself of the privilege leave granted in this Department Notification dated 22nd December 1876, on the forenoon of 5th January last, and resumed his duties with effect from the forenoon of the 9th instant.

The 15th February 1877.

LEAVE OF ABSENCE.—Mr. Henry Eardly Gastrell, Assistant Superintendent of Revenue Surveys, 2nd Grade, is allowed the usual subsidiary leave preparatory to furlough, under Section 24, Chapter VI, of the Civil Leave Code, with effect from the 8th January 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATION.—ESTABLISHMENT.

Indore, the 8th February 1877.

No. 10.—The following temporary promotions are made in the Engineer Establishment, with effect from the 25th January 1877, consequent on the departure of Mr. W. H. Bonnaud, Executive

Engineer, 4th Grade, on two years' furlough, with the subsidiary leave granted in Notification No. 2, dated 27th idem :—

TEMPORARY PROMOTIONS.

From Assistant Engineer, 1st Grade, to Executive Engineer, 4th Grade.

Mr. R. E. Nelson.

From Assistant Engineer, 2nd Grade, to Assistant Engineer, 1st Grade.

Mr. R. Ewing.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Camp Humeergurh, the 10th February 1877.

No. 297*S.*—Mr. R. G. Macdonald, and Mr. A. R. Becher, respectively, delivered over and received charge of the Office of the Examiner of Public Works Accounts, Rajputana, on the forenoon of the 27th January 1877.

By Order,

J. M. WILLIAMS, *Lt.-Col.,*
Offg. Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

15th February 1877 ... Rs. 10,679-8-8.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
16th Feb. 1877.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

5th Circle.

The 10th February 1877.

No. 8.—Sergeant D. McCarthy, Supervisor, 2nd Grade, is transferred from the 1st Rawal Pindi to the Lahore Division, Military Works.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

8th Circle.

The 10th February 1877.

No. 184.—Major D. Ward, R.E., made over charge of the 2nd Rawal Pindi Division, Military Works, to Lieutenant E. H. Cameron, R.E., on the 9th instant, before noon.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., 8th Circle, Military Works.

CONSULTING ENGINEER TO GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lahore, the 9th February 1877.

No. 199.—Baboo Greja Bhoshun Mookerjee, Accountant, 3rd Grade, transferred by Government of India Notification No. 527, dated 23rd December 1876, joined the Office of the Examiner, Guaranteed Railway Accounts, Lahore, and relieved Baboo Obhoy Churn Moytra, Accountant, 3rd Grade (temporary rank), on the forenoon of the 6th February 1877.

CHARLES POLLARD, *Colonel, R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

Calcutta, the 15th February 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 527 of 23rd December 1876, Mr. J. P. O. Sullivan, Accountant, 3rd Grade, was relieved of his duties in the Office of the Examiner of Guaranteed Railway Accounts, Calcutta, on the afternoon of the 12th instant.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 5th February 1877.

No. 20.—Mr. J. L. Gallot, Executive Engineer, 1st Grade, and Temporary Superintending Engineer, 3rd Grade, Indus Valley State Railway, has been allowed to commence in India, on the 24th December 1876, the furlough granted in Director's Notification No. 171 of the 3rd November 1876, without forfeiture of his subsidiary leave.

No. 21.—Mr. F. E. Robertson, Executive Engineer, 4th Grade, Indus Valley State Railway, is granted thirty days' subsidiary leave, and eighteen months' furlough, with effect from the 25th February 1877, or such subsequent date as he may avail himself of it.

No. 22.—CORRIGENDUM.—In Director's Notification No. 12 of January 1877—for "Labdha Rama *Sahni,*" read "Labdha Rama *Sahni.*"

No. 23.—Mr. W. Cousin, Supervisor, 1st Grade, Holkar and Neemuch State Railways, has been granted by Her Majesty's Secretary of State six months' leave on medical certificate in extension of the leave granted him in Government of India, Public Works Department, Notification No. 161 of the 4th April 1876.

No. 24.—Mr. F. R. Upcott, Executive Engineer, 4th Grade, Indus Valley State Railway, is granted twelve days' subsidiary leave and eighteen months' furlough, with effect from the 4th March 1877, or such subsequent date as he may avail himself of it.

No. 25.—Mr. A. J. Fox, Accountant, 3rd Grade, with temporary rank of 2nd Grade, attached

to the Office of the Director of State Railways, returned to duty on the forenoon of the 1st February 1877, from the privilege leave granted to him in Director's Notification No. 174 of the 7th November 1876.

No. 26.—Referring to Government of India, Public Works Department, Notification No. 527 of the 23rd December 1876, Baboo Greeja Bhoosun Mookerjee, Accountant, 3rd Grade, was relieved of his duties in the Office of the Director of State Railways on the forenoon of the 1st February 1877.

No. 27.—The services of the under-mentioned Temporary Upper Subordinates of the Tirhoot State Railway, being no longer required, have been dispensed with from the 15th and 16th January 1877, respectively :—

Mr. A. R. Marr, Temporary Sub Engineer, 3rd Grade.
Mr. A. Rich, Temporary Supervisor, 2nd Grade.

No. 28.—Mr. W. B. Carter, Executive Engineer, 2nd Grade, Northern Bengal State Railway, returned to India on the forenoon of the 9th December 1876, from the sick leave granted in Director's Notifications No. 117 of the 2nd July 1875, and No. 123 of the 27th July 1876, and is granted twenty-one days' subsidiary leave.

The 12th February 1877.

No. 29.—Mr. A. J. Bell, Executive Engineer, 3rd Grade, Indus Valley State Railway, is transferred to the Northern Bengal State Railway.

No. 30.—Lieutenant W. H. White, R.E., Assistant Engineer, 1st Grade, Tirhoot State Railway, passed the Departmental Standard Examination on the 31st January 1877.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 6th February 1877.

No. 29.—Lieutenant E. Balfe, Assistant Engineer, 2nd Grade, attached to Lower Sind District, is granted privilege leave for three months, with effect from such date as he may avail himself of it.

No. 30.—The following posting and transfer have been made by Superintending Engineer, Lower Sind District :—

Sergeant C. Wickens, Supervisor, 2nd Grade, to the Kotri Division.
Mr. R. Barrett, Overseer, 1st Grade, from the Sehwan to the Kotri Division.

M. RAYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Camp Mozufferpore, the 9th February 1877.

No. 1.—With reference to Government of India, Public Works Department, Notification No. 526, dated 22nd December 1876, Mr. G. R. Smith, Probationary Accountant, 3rd Grade, was relieved of his duties in connection with this Railway on the afternoon of 31st January 1877.

No. 2.—With reference to Government of India, Public Works Department, Notification No. 10, dated 11th January 1877, Mr. M. Kelly, Accountant, 4th Grade, reported his arrival at Durbhunga on the forenoon of 31st idem.

No. 3.—With the approval of Director of State Railways, it is notified that the following Telegraph Offices on the Tirhoot State Railway are opened for the receipt and despatch of public messages between the hours of 10 A.M. and 4 P.M., daily :—

Wini and Maniari.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 7th February 1877.

No. 7.—Baboo Mehtab Chunder Mullick, Assistant Engineer, availed himself, on the forenoon of the 4th January 1877, of one month's privilege leave granted to him in Notification No. 2 of 16th ultimo.

No. 8.—Mr. G. R. Smith, Probationary Accountant, 3rd Grade, transferred from the Tirhoot to the Rajputana State Railway, reported himself to the Examiner of Accounts on the forenoon of 5th February 1877.

The 10th February 1877.

No. 9.—Babu M. C. Mullick, Assistant Engineer, 2nd Grade, reported his return to duty on the forenoon of 4th current, from one month's privilege leave granted to him in Notification No. 2 of 16th January last.

FRED. FIREBRACE,
Offg. Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATION.

Lahore, the 10th February 1877.

No. 27.—Mr. T. McReddie, Supervisor, 1st Grade, Chenab Division, returned to duty from the privilege leave granted to him by Notification No. 166, dated 25th November 1876, on the forenoon of the 29th January 1877.

ALEX. GRANT,
Engineer-in-Chief.

NOTICE.

OUDH FOREST DEPARTMENT.

TIMBER AUCTION.

A clearance sale of Sal Scantlings will take place at the Government Timber Depôt, Byramghat, near Lucknow, on the Oudh and Rohilkhand Railway, at 10 A.M., on the 19th February 1877.

CONDITIONS OF SALE.—Ten per cent. deposit on day of purchase and balance before removal. For further particulars apply to

W. SIMPSON HILLIER,
Asstt. Conservator of Forests, Byramghat, Oudh.

MAPS OF THE SURVEY OF INDIA.

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Dacca Division	Double Royal	1 0	1 4
Scale 16 Miles = 1 Inch.			
Baluchistan or the territories of H. H. the Khan of Khelat, Prel. Edn. (without hills)	2 Sheets D. E.	2 0	2 8
DISTRICT MAPS.			
Scale 4 Miles = 1 Inch.			
Balasore	Atlas	1 0	1 4
Scale 1 Mile = 1 Inch.			
Mhairwara	4 Sheets of D. E.	3 0	4 0
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Scale 1 Mile = 1 Inch.			
Sonthal Pergunnahs, Sheet No. 6	Double Royal	1 8	1 12
Bahâwulpur State, Sheets Nos. 17 & 23	Double Elephant	1 8	1 12
Delhi, Sheet No. 7	Ditto	1 8	1 12
Deccan Topogl. Survey, Sheets Nos. 4, 4*a*, 6 & 11*a* (Nasik District)	Ditto	1 8	1 12

SURVEYOR GENERAL'S OFFICE, *Calcutta, 24th Jan. 1877.*

J. O. N. JAMES, *Assistant Surveyor General.*

Statement of the Affairs of the Bank of Bengal for the week ending 13th February 1877.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	16,71,164	2	5
Public Deposits at Head Office (Rs. 75,40,803 11 6)			
Public Deposits at Branches (Rs. 93,89,653 3 4)	1,69,30,456	14	10
Other Deposits at Head Office and Branches	2,24,37,863	5	10
Bank Post Bills, &c.	2,10,354	4	8
Sundries	6,54,197	3	2
TOTAL	6,19,04,035	14	11

ASSETS.	Rs.	A.	P.
Government Securities	1,04,53,055	3	9
Loans on Government Securities, &c., at Head Office and Branches	56,87,635	4	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches	41,70,683	13	11
Bills discounted and purchased at Head Office and Branches	1,48,48,944	8	9
Balances with other Banks	5,63,540	13	0
Bullion	10,082	0	9
Dead Stock	10,40,928	2	6
Stamps	11,121	15	5
Sundries	3,84,070	4	4
	3,71,70,062	2	9
Cash and Currency Notes at Head Office (Rs. 1,01,93,570 2 2)			
Cash and Currency Notes at Branches (Rs. 1,45,40,403 10 0)	2,47,33,973	12	2
TOTAL	6,19,04,035	14	11

By order of the Directors,

BANK OF BENGAL; *Calcutta, 15th February 1877.*

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
89	B 52—08435	10	M. Runga Row, Tindivanum.
91	B 49—16305	10	V. Sampatkumara Chariar, Virdachellura.

NOTES PARTIALLY LOST OR DESTROYED.

236	B 40—47802	5	Mrs. M. E. McCracken, Bangalore.
237	B 40—19718	5	T. Ramiah, Bangalore.
238	B 40—30396	5	Auloor Lutchmun Sastry, Bangalore.
239	B 43—57052	50	A. Vurdarajoo Moodliar, Hospett.

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 5th February 1877.*

D. KISSUN SING, *Offg. Asstt. Acctt. Genl., in charge of Paper Currency Dept.*

Calicut Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 6—85278	10	Cunniah Naidoo, of Wandewash.

NOTES PARTIALLY LOST OR DESTROYED.

J 4—71890	50	Ganthiga Veerichetty, of Collegal.
" —71891	50	Ganthiga Veerichetty, of Collegal.
J 4—68767	50	Captain D. Lissenburg, Madras.

CALICUT,—Paper Currency Office; *The 8th February 1877.*

P. A. COLE, *Depy. Collector, in charge of Paper Currency.*

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1877.			
M6	M 24—76626	100	Damather Canji, 4-5, Parsee Bazar Street.
	" —76629	100	Damather Canji, 4-5, Parsee Bazar Street.
M7	M 4—08862	5	Dorabji Byramji, Bank of Bombay.
	" —08860	5	Dorabji Byramji, Bank of Bombay.
	" —87512	5	Dorabji Byramji, Bank of Bombay.
	" —87513	5	Dorabji Byramji, Bank of Bombay.
M8	C 98—41235	10	James Bowack, 36, Tardeo Road.
	" —46447	10	James Bowack, 36, Tardeo Road.
H16	M 5—55009	50	The Right Reverend Doctor Tissot, Kamptee.
H17	M 3—13522	5	Sajan Carrem, 2nd Row, Chinch Bunder.
H18	C 93—53120	100	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 23—36166	50	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 5—83556	50	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 27—64011	10	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 20—13692	10	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 27—31069	10	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 19—91036	10	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
	M 17—23080	10	Hari Goculdas, 2, Shamji Essaji Street, Vadachi Gadi.
H19	C 99—56640	20	B. Phillips, 18 & 19, Civil Lines, Poona.
H20	M 4—51819	5	J. Parker, Grant Road Station, B. B. & C. I. Railway.
H21	M 21—35921	10	Oosman Allarukia, 47, Cumberwada Street.
H22	C 84—50847	20	C. M. C. DeMaronha, Diu.

BOMBAY,—Paper Currency Dept.; *The 6th February 1877.*

G. W. CLINE, LL.D., *Assistant Commissioner.*

Akola Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
K 3—15530	50	H. L. Oliphant, Esq., C.S., Ranchi, Chota Nagpur, Bengal.

AKOLA,—Paper Currency Dept.; *The 6th February 1877.*

C. W. A. DAVIES, *Assistant Commissioner.*

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
14 F 7—64547	10	Nathoo Narayan, Merchant, Regimental Bazar, Kamptee.

NAGPUR,—Paper Currency Office; *The 6th February 1877.*

H. KEENE, *Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
419	L 83—58385	100	Jeebaram Sing.
	„ —59404	100	
420	L 14—19413	20	Babu Manmathanath Roy.
	L 59—10348	10	
421	L 89—30139	20	The Chief Inspector of Post Offices, Assam.
	„ —30140	20	
	„ —57003	20	
	„ —57004	20	
	„ —57005	20	
	L 75—22475	10	
	L 21—97188	5	
	L 23—39274	5	
424	L 52—72521	500	Babu Kalidas Roy.
425	L 90—53809	20	Sherajul Hug.
426	L 79—90241	20	T. Ramdas Naidoo.
428	L 89—99425	20	The Executive Engineer, Northern Delta Survey Division, Barrackpore.

NOTES WHOLLY LOST OR DESTROYED.

		Rs.	
316	L 76—54335	10	Babu Joymoney Roy.
	„ —54331		
317	L 9—13453	5	The Secretary and Treasurer, Bank of Bengal, Calcutta.
	L 15—88146		
318	L 22—48841	5	Babu Gopal Chunder Sreemance.
	L 17—79805		
	L 15—88910	5	
	„ —88914		
319	A 41—79092	10	Babu Bhola Nath Chatterjee.
	A 48—27655		
	A 80—10068	10	
	A 77—48527		
320	L 10—43519	5	Bhumjee Govinjee.
	„ —43515		
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	„ —50904	20	
	„ —33007	20	
	L 79—52245	20	

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The 16th February 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
66	D 18—02081	100	The Assistant Inspector General, Govt. Ry. Police, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
112	D 11—33375	10	Moulvie Kadir Ali, Meerut.
	L 47—18440	20	
113	D 10—76105	5	E. R. Douglas, Esq., Depy. Director General of the Post Office of India, Calcutta.
	„ —76193	5	

ALLAHABAD.—Paper Currency Office;
The 8th February 1877.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
8	E 4—87133	50	Baboo Beharee Lall Sur, Gurgaon.
9	E 2—20004	500	The District Superintendent of Police, Lahore.
	L 67—13841	50	
10	E 4—99303	50	Hafiz Abdul Kadir, Lahore.
11	E 12—15162	20	Hurdit Singh, Jemadar, Nabha.
	„ —07775	20	
	„ —07017	20	
	„ —15071	20	
	„ —20739	20	
	„ —14062	20	
	„ —04258	20	
	„ —21704	20	
	„ —12164	20	
	„ —16951	20	
	„ —16392	20	
	„ —15402	20	
	E 5—74309	20	
	„ —64593	20	
	„ —47886	20	
	„ —80703	20	
	„ —93444	20	
	„ —86658	20	
	„ —89362	20	
	„ —82073	20	
	„ —87388	20	
12	E 1—14364	1,000	Lala Ramjus, Pensioner, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
1	E 10—18615	10	Muthra Pershad, Mukhtar, Allahabad.
	„ —18618		
2	E 10—45242	10	Baboo Narain Hurry, Bombay.
	„ —45243		
4	E 4—83939	50	Mr. F. C. Murray, Jullundhur.
	„ —86406		
6	E 12—18313	20	Bharee Lall and Benarsee Das, Benares.

LAHORE,—Paper Currency Office;
The 10th February 1877.

J. W. McNAIR,
Offg. Asstt. Accts. Genl., in charge of Currency Offices.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for Rs.		Balance of Bullion		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Feb. 5	...	...	2,21,909	78,922	55,67,161	51,11,675
„ 6	...	...	83,738	289	55,52,304	50,9 ,308
„ 7	...	...	308	...	55,44,407	49,90,597
„ 8	...	10,31,190	...	...	65,53,516	38,72,495
„ 9	2,58,827	...	...	2,58,827	65,48,150	37,72,495
„ 10	...	...	...	2,58,827	65,44,397	36,72,495

CALCUTTA MINT,
The 12th Feb. 1877.

J. F. TENNANT,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 16th February 1877.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Penguin* and *A. Apcar*, will be closed at the General Post Office on Saturday, the 17th February 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 17th February 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Sunday, the 18th February 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *India*, will be closed at the General Post Office on Sunday, the 18th February 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. and O. Steamer *Deccan*, will be closed at the General Post Office on Tuesday, the 20th February 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 20th February 1877, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 20th February 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Madura*, will be closed at the General Post Office on Wednesday, the 21st February 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 23rd February 1877.

2. Book-post and pattern packets must be posted on the 22nd February 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 16th February 1877.

Arthur, Geo.
Barings and & Co., Messrs.
Birke, Captain H. P.
Cockburn, W.
Corbutt, Edward H.
Davies, H.
Davis, Mrs.
Disanto, Mrs. E.
D'Souza, Mrs. L. G.
Farlow, Mrs. Jane.
Ferrari, Dr. D. A.
Forster, William.
Ghose, Messrs. R. G.
Gibson, Jas.
Granger, John H.
Green, Patrick J.
Grindly, A.
Hales, John & Co., Messrs.
Hamilton, A.
Hutcheson, J.
Hendrix, Rev. E. R.
Heelis, Edward.
Heenan, Geo. Chas.
Kajer, J. E.
Logan, R.
Manuel, R. A.
McRae, Mrs. M.
Moran, T. D.
Morrel, Miss E.
Moses, J.
Mowbray, Mrs. A.
Myers, Mrs.
Neville, Lady M. J.
O'Sullivan, W. J.
Paul, Mrs. R.
Plant Brothers & Co., Messrs.
Rennicks, Miss L.
Reuss, Mr.
Robotham, Mrs.
Russell, Arthur.
Ryde, Miss.
Samuells, H. E.
Scott, Mrs.
Sebastian, F.
Shean, Mrs. M.
Shepherd, T. R.
Shircore, Miss A.
Smith, James.
Smith, Mrs. E. F.
Stephenson, C. A.
Vallentie, G. A.
Venables, Jas.
Watkins, R. B.
White, W. M.
White and Co., Messrs.
Williams, F.
Winscom, Miss.
Woods, Miss.
Wotherspoon, Geo.
Wyld, J.

Letters marked "Care of Post Office, to be kept till called for."

Anderson, John.
Andrew, Walter G. G.
Bambridge, F. C.
Battye, Major H. D.
Barry, J. M.
Bates, William.
Beale, William.
Biggs, Robert O. C.
Borthwick, Mrs.
Brownfield, M.
Buckley, C. W.
Corke, Chas.
Carrington & Wigley.
Cavanagh, Jas.
Charlston, John.
Christian, A.
Condey, Mr.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Crawfurd, Major.
Dalitz, H. Oscar.
DeSouza, J. P. C.
Eaton, Mrs. P. W.
E. F. W.
E. M.
Esse.
Fleming, Chas.
Frawley, M. A.
Friedwaht, Fany.
Galloway, John.
Glukman, Lione.
Good, J. W.
Graham, Mrs. C.
Hopkinson, Percy.
Hoguenot, M.
Jones, B. F.
Kelly, Edward.
King, H. W.
Lewis, Chas.
Liddiard, Mr.
Lovering, Geo. L.
Mazzaline, Mrs. J.
Mitchell, Miss.
Moran, Frank Conyngham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
O'Brien, T. H.
Pashley, G.
Penny, P.
Pierce, Mrs. J. O.
Porter, A. L.
Power, W.
Ragg, W. L.
Reed, J.
Reed, J. V. C.
Richardson, Geo.
Rochu, Profs. E.
Rowe, Mrs.
Ryan, Mrs. J. G.
Scapira, D.
Scolfi, A. L.
Shutz, J.
Smith, J. W.
Stewart, R.
Swete, Capt.
Thomson, Geo. Black.
Travis, Miss Ida.
Valentine, Rev. C.
Wane, Innes B.
Watt, Capt. J. R.
West, J.
Whitely, Geo.
Williams, C. A.
Williams, T.
Wilkinson, Mrs. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Wright, Major H. C.
Zacharias, A. H.

Papers.

Bellany, J.
Cayton, Geo.
Galloway, John.
Holland, Capt.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Munro, Major C. A.
Richardson, Geo.
Rowe, Mrs.
Stewart, A.

Registered Letter.

O'Brien, C.

W. ALPIN,
Offg. Post Master of Calcutta.

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Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

South America Pilot, Part I ...	... Rs.	4 4 0
West India Pilot, Vol. I ...	... „	3 0 0
West India Pilot, Vol. II ...	... „	6 0 0

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—bound copies	... Rs.	45 0 0
„ unbound copies	... „	35 0 0

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 5 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 4 annas.*

Apply to MR. E. M. LEWIS, *Bengal Secretariat Press, 28, Choowringhee Road, Calcutta.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 24, 1877. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

BANK OF BENGAL.

Calcutta, the 19th February 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Tuesday, the 27th instant, on account of the Hindoo festival, Dole Jattrah, in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Camp Hindoli, the 13th February 1877.

No. $\frac{502}{367}$*G.*—Dr. L. D. Spencer, Agency Surgeon, held charge of the current duties of the Eastern States Agency from the 24th November 1876 to the 14th January 1877, inclusive, during the absence of the Political Agent on duty in connexion with the Imperial Assemblage at Delhi.

C. K. M. WALTER,
Offg. Agent, Govr. Genl., for Rajputana.

CHIEF COMMISSIONER OF AJMERE AND MHAIRWARRAH.

NOTIFICATION.

Camp Nowagaon, the 14th February 1877.

No. 101.—LEAVE.—Mr. L. S. Saunders, Commissioner of Ajmere, is granted twenty days' privilege leave from the 6th March 1877, or such subsequent date as he may avail himself of the same.

C. K. M. WALTER,
Offg. Chief Commr.

ECCLESIASTICAL.

The Lord Bishop of Calcutta purposes, God willing, to hold a general Ordination of Priests and Deacons, in St. Paul's Cathedral, Calcutta, on Sunday, the 25th March next.

Divine Service will commence at half past 10 o'clock A.M., and the Sermon will be preached by the Reverend Brook Deedes, M.A., Bishop's Chaplain.

Candidates for Holy Orders, who have not sent in their papers, are requested to send them immediately, addressed to the Reverend Brook Deedes, at the Bishop's Palace.

Candidates must attend at the Palace at 10 A.M. on Wednesday, the 21st day of March next.

The Bishop also purposes, God willing, to hold a Confirmation on Tuesday, the 20th day of March next, in St. Paul's Cathedral, Calcutta.

CHAS. SANDERSON,
Registrar and Secretary.

CALCUTTA,
The 21st February 1877.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 19th February 1877.

No. 8.—Mr. R. F. Warwick, Assistant Surveyor, 4th Grade, is granted one month's privilege leave, under Section 12, Supplement F, of the Civil Leave Code, with effect from the forenoon of this date.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

22nd February 1877 ... Rs. 44,513-4-8.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
23rd Feb. 1877.

NOTICE

Is hereby given that the Remittance Transfer Receipts on other Treasuries will from this date be issued in a series commencing from No. 70151, the last ended with No. 58800.

BHAG RAM, *E. A. C.*,
Treasury Officer, Ajmere.

AJMERE TREASURY,
The 15th February 1877.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 12th February 1877.

No. 143.—Mr. H. B. Knowlys, Assistant Commissioner, Hyderabad Assigned Districts, and Judge, Small Cause Court, Akola, has been granted two years' leave to England on medical certificate.

The 17th February 1877.

No. 146.—Bapojee Rungnath, Extra Assistant Commissioner, Hyderabad Assigned Districts, has been granted privilege leave for three months, with effect from such date as he may avail himself of it.

By Order,

G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 6th February 1877.

No. 7.—Lieutenant R. M. Hyslop, R.E., Temporary Executive Engineer, 4th Grade, is transferred from the 3rd to 2nd Circle, Military Works.

No. 8.—The unexpired portion (fourteen days) of the furlough granted to Mr. J. W. Wright, Executive Engineer, 2nd Grade, in Inspector General's Notification No. 49, dated 15th March 1876, is cancelled at his own request.

Mr. Wright, on return from furlough, is granted subsidiary leave from 15th to 26th November 1876, both days inclusive.

The 10th February 1877.

No. 9.—The unexpired portion of the leave granted to Mr. C. R. Balston, Accountant, 3rd Grade, in *Oudh Gazette* Notification No. 2251, dated 22nd August 1876, is cancelled.

Mr. Balston returned to duty on 13th December 1876.

The 13th February 1877.

No. 10.—Mr. J. A. Ellis, Accountant, 3rd Grade, is granted one year's furlough from 9th December 1876, or such subsequent date as he may be allowed to avail himself of it.

The 16th February 1877.

No. 11.—With reference to Government of India, Public Works Department, Notification No. 53, dated 8th February 1877, Major C. M. Browne, R.E., made over, and Major D. Ward, R.E., received, charge of the Office of Superintending Engineer, 5th Circle, Military Works, on 8th February 1877, afternoon.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

2nd Circle.

Lucknow, the 16th February 1877.

No. 9.—In continuation of this Office Notification No. 5, dated the 30th January 1877, Barrack Sergeant Southcombe relieved Barrack Sergeant G. Blake, on the morning of the 1st instant.

The 17th February 1877.

No. 10.—With reference to this Office Notification No. 61, dated the 4th November last, Barrack Sergeants W. Warren and C. Ingram, temporarily transferred to the 3rd Circle, Military Works, for duty at the late Imperial Assemblage at Delhi, returned to their duties on the 26th ultimo.

No. 11.—With reference to this Circle Notification No. 64, dated the 16th November 1876, Mr. E. Cooke, Supervisor, joined the Allahabad Special Division, Military Works, on the forenoon of the 10th February 1877.

No. 12.—Under instructions from the Inspector General, Military Works, Deputy Assistant Commissary Connell, Assistant Engineer, attached to the Fyzabad Division, Military Works, reported his departure on the 16th instant to join the Madras Famine Relief Works at Gooty.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 15th February 1877.

No. 5.—Pundit Dabee Pershad, Accountant, Bareilly Division, Military Works, availed himself of the three months' privilege leave granted him in Notification No. 56, dated 6th December 1876, on the afternoon of the 12th instant.

No. 6.—Barrack Sergeant A. H. Pope, Bareilly Division, Military Works, temporarily transferred to the Meerut Division, Military Works, in Notification No. 52, dated 23rd November 1876, for duty at the Imperial Assemblage at Delhi, rejoined his appointment on the 12th instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

CONSULTING ENGINEER TO GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 19th February 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 527 of 23rd December 1876, Baboo Obhoy Churn Moitro, Accountant, 3rd Grade (temporary rank), joined the Office of the Examiner of Railway Accounts to the Government of India for Guaranteed Railways at Calcutta, on the forenoon of 14th February 1877.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 13th February 1877.

No. 31.—The services of Baboo Gopal Narain Tagore, Temporary Overseer, 3rd Grade, Northern Bengal Railway, being no longer required, have been dispensed with from the afternoon of the 23rd December 1876.

The 15th February 1877.

No. 32.—Mr. E. N. Homan, Store-keeper, 1st Grade, Holkar and Neemuch Railways, is granted twelve months' furlough, with effect from the 1st April 1877, or such subsequent date as he may avail himself of the same, and the usual subsidiary leave.

No. 33.—Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, Punjab Northern Railway, is transferred to the Holkar and Neemuch State Railways.

The 16th February 1877.

No. 34.—Mr. P. T. Large, Assistant Engineer, 1st Grade, Punjab Northern Railway, is granted eighteen months' furlough, with effect from the 1st April 1877, and the usual subsidiary leave.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 14th February 1877.

No. 17.—Mr. J. M. Luff, Executive Engineer, Assam Railway Extension Survey Division, is granted privilege leave for one month and five days. He availed himself of the same from the afternoon of 12th February 1877.

No. 18.—Mr. J. Barron, Executive Engineer, 4th Grade, returned from the leave granted him in Notification No. 252 of 20th December 1876, on the afternoon of 7th February, and is posted to the Northern Division.

No. 19.—Mr. R. White, Accountant, 1st Grade, Central Office of Accounts, availed himself of the leave granted to him in Notification No. 251 of 14th January 1877, on the forenoon of the 9th idem. He returned to duty on the forenoon of 9th February 1877.

No. 20.—Captain W. H. St. B. Browne, late Assistant Engineer of this Railway, was granted, with the approval of the Government of India, three months' language leave from the 30th May 1875.

The 19th February 1877.

No. 21.—Munshee Omerally, temporary Overseer, 1st Grade, Northern Division, is granted one month's privilege leave. He availed himself of this leave from the forenoon of 2nd January and returned to duty on the forenoon of 31st idem.

No. 22.—Baboo Debendro Chunder Bose, Accountant, 4th Grade, Southern Division, reported his return from the sick leave granted to him in Notification No. 245 of 1876, on the forenoon of 25th January 1877.

No. 23.—Baboo Kedar Nath Banerjee, temporary Overseer, 2nd Grade, Southern Division, returned from the leave granted in Notification No. 247 of 1876 and joined his duties on the forenoon of 15th February 1877.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 17th February 1877.

No. 28.—Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, Soan Division, and temporarily attached to the Office of Engineer-in-Chief, is transferred to the Indus Division, with effect from the forenoon of the 15th February 1877.

No. 29.—With the approval of Director of State Railways, the Bakrala Division of this railway is amalgamated with the Jhelum Division, with effect from the forenoon of the 1st December 1876.

No. 30.—Mr. H. Luckstedt, Assistant Engineer, 2nd Grade, is transferred from the late Bakrala Division to the Jhelum Division, with effect from the forenoon of the 1st December 1876.

No. 31.—Conductor C. Montgomery, Supervisor, 1st Grade, is re-transferred to the Chenab Division, with effect from the forenoon of the 15th February 1877.

ALEX. GRANT,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Camp Mozufferpore, the 20th February 1877.

No. 4.—With reference to Government of India, Public Works Department, Notification No. 527 of 23rd December 1876, Mr. P. Sullivan, Accountant, 3rd Grade, joined the Office of Examiner of Accounts, Tirhoot State Railway, on the forenoon of the 14th February.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 16th February 1877.

No. 31.—Mr. J. Mackenzie, Supervisor, 1st Grade, reported his return from furlough on the forenoon of the 5th December 1876, and was posted to the Upper Sind District.

No. 32.—The following transfer and posting have been made by Superintending Engineers:—

Sergeant C. Wickens, Supervisor, 2nd Grade, from the Kotri to the Mehar Division.

Mr. P. Kearns, Supervisor, 2nd Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
67	D 5—83410		20	Banki Behari, Gonda.
	L 47—09550		20	
	„ —10608		20	
	„ —10657		20	
	„ —27662		20	
68	D 18—00321		100	Mr. S. Harner, Howrah.
69	L 47—28823		20	Kallian Singh, Banda.

NOTES PARTIALLY LOST OR DESTROYED.

114	D 10—27316		5	Syed Ameeruddeen Ahmed, Sasseram.
115	D 10—70062		5	Mr. W. Swift, Bhulpin.
116	D 11—48249		10	Fakir Mohomed, Badaon.
117	D 10—78329		5	Shaik Ali Mohamed, Dehra Gazi Khan.
118	L 47—30706		20	The Manager (Open Line), Khandwa.
	„ —30709		20	
42	D 10—60493	wrongly joined.	5	Sartho Ram, Bangalore.
	„ —60494			
43	D 11—13775	ditto	10	Buldeo Ram Jha, Benares.
	„ —18401			

ALLAHABAD,—Paper Currency Office;
The 15th February 1877.

H. J. BRERETON,
Asstt. Accett. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1877.	No. of Notes.	Value. Rs.	Name of Claimant.
W8	C 90—84907	1,000	The Indo-European Telegraph Office, Karachi.
	„ —80752	1,000	
W9	M 23—28678	50	Jadonath Gopal, Mhow.
W10	M 16—37919	10	T. A. LeMesurier, Hyderabad District, Sind.

NOTES PARTIALLY LOST OR DESTROYED.

1877.			
H23	C 97—66408	10	Rangarao Bhimaji, Deputy Collector, Ratnagiri.
H24	M 27—12383	10	Mohan Lal, Akola.
H25	M 21—40593	10	Luchmi Raj, Bank of Bengal, Nagpore.
H26	C 82—19582	10	Gunesh Khanddrao Kasture, Satara.
H27	M 27—42377	10	Mrs. Lawrie, Jabalpur Hotel.
H28	M 17—93507	10	Cecil Burton, Jallunder.
H29	M 27—15259	10	Balji Krishnanathji, Mr. Khanderao Maraji's Office.
M9	M 2—11356	5	Dewji Kesheoji, New Market, Bombay.
	M 3—25105	5	
M10	M 22—01073	20	D. J. S. Menezes, Bhosawal.
	C 99—37450	20	
M34	C 73—38591	10	Tiabally Abdulally, Abdul Rahman Street.
	„ —28797	10	

BOMBAY,—Paper Currency Dept.;
The 13th February 1877.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
6	E 10—42369	10	Messrs. C. Glass & Co., Umballa.
	„ —42370		
13	E 5—74915	20	Jagannath Johory, Allahabad.
18	E 10—24766	10	Captain G. Logan, Peshawar.
19	E 7—30145	5	Mr. C. Stans, Rawul Pindi.
21	E 10—47529	10	Narinjan, Lahore.

LAHORE,—Paper Currency Office;
The 17th February 1877.

J. W. McNAIR,
Offg. Asstt. Accett. Genl., in charge of Currency Office.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
92	B 52—24055		10	C. Parthasarady Iyengar, Pulni.

NOTES PARTIALLY LOST OR DESTROYED.

240	B 43—65767		50	Mr. W. Johnson, Mission House, Madras.
241	B 49—90158		10	B. Lovery, Esq., Madras.
242	B 36—67243		5	T. G. Suntherason Iyer, Madras.
	B 39—25137		5	
	B 40—54092		5	
243	B 50—48664		100	Kumandan Khader Saib, Bangalore.
	„ —52273		100	
	„ —57195		100	
48	B 49—79577	wrongly joined.	10	G. Wheatley, Esq., Mysore.
	„ —79579			

FORT ST. GEORGE,
Accts. Genl.'s Office, Paper Currency Dept.;
The 12th February 1877.

D. KISSUN SING,
Offg. Asstt. Accett. Genl., in charge of Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
430	L 82—51161		100	Mr. W. J. Davidson.
	L 69—83831		100	
	L 83—16697		100	
431	L 52—80709		500	Golab Chund Hurruck Chund.
	„ —75945		500	
432	L 81—02967		50	Babu Kaliprosad Chatterjee.
434	L 97—28509 to „ —28518		10 each	Shaik Amoo.
435	L 90—32650		20	Behari Lal Dicheet.
437	L 52—57117		500	Babu Baikant Nath Nuskur.
439	L 81—38072		50	Babu Chunder Coomar Lahery.
	„ —38070		50	
	„ —53556		50	
	„ —55808		50	
	„ —55807		50	
	„ —37912		50	
	„ —54129		50	
	„ —44590		50	
440	L 83—26680		100	Buldeo Das.
443	L 81—56796		50	Babu Ram Chand Mukerjee.
444	L 81—58386		50	Babu Mohes Chunder Bose.

NOTES PARTIALLY LOST OR DESTROYED.

321	L 48—83941		20	Mr. Thomas Durup de Dombal.
	„ —83942			
322	L 45—43126		20	Babu Doorga Das Ganguli.
	„ —43125			
323	L 77—01192		20	Lalla Soorj Bullee.
	„ —01191			
324	L 63—86950		20	Babu Oshidhary Bose.
	„ —86948			
	L 80—77060		20	
	„ —77058			
325	L 24—88725		5	Shaik Tinkoo.
	„ —88726			
326	L 41—59739		10	Babu Pittumber Banerjee.
	„ —59738			
	L 40—52309		10	
	„ —52302			
	L 17—18641		5	
	„ —18544			
	L 16—94401		5	
	L 15—33956			
327	L 22—04826		5	Babu Radhica Churn Mittra.
	„ —04828			
	L 22—86848		5	
	„ —86849			
290	A 96—83523		10	Choteldas Womed Mull.
	„ —83525			
492	L 32—71159		10	Babu Bishaya Nath Mahiree.
493	L 40—79045		10	Babu Gobind Chundra Mittra.
	L 25—51434		5	Oomrao Singh.
494	L 26—05317		5	
495	L 82—33122		100	Jodooram Shewtohalram.
	L 66—23322 to „ —23329		50 each	
496	L 65—68705		20	Babu Kedar Nath Dutt.
	L 76—12652		10	
497	L 89—60207		20	Babu Deno Nath Banerjee.
	L 88—45904		10	
498	A 83—70095		50	Goolraj Juggernath.
499	A 66—66159		10	Babu Hari Charan Ganguli.
500	L 89—50131		20	Mr. J. Meares.
	L 88—00022		10	
501	L 25—18189		5	Babu Roy Churn Mukerjee.
502	L 80—06963		20	Abdul Mauyun.
503	L 53—25070		1,000	Mr. Alfred Tripe.

CALCUTTA,—Paper Currency Office;
The 23rd February 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Students have passed the Examination for Honors in Arts:—

ENGLISH.

FIRST DIVISION.

In Order of Merit.

Majumdar, Nilkanta ... Presidency College.
Basu, Devendranath ... Ditto.

SECOND DIVISION.

In Order of Merit.

Datta, Dvijadás ... Presidency College.
Isvardás ... Lahore College.
Ghosh, Saratchandra ... Presidency College.
Chattopadhyay, Prasannakumar ... Teacher.

THIRD DIVISION.

Sen, Trigunacharan ... Presidency College.

ARABIC.

SECOND DIVISION.

Amjad Ali ... Benares College.

THIRD DIVISION.

Ashraf Ali ... Benares College.

PERSIAN.

THIRD DIVISION.

Raja Husein ... Muir College, Allahabad.

SANSKRIT.

FIRST DIVISION.

Bhattacharyya, Haraprasad ... Sanskrit College.

SECOND DIVISION.

Bapurao, Dada ... Muir College, Allahabad.

MATHEMATICS.

FIRST DIVISION.

Gupta, Bipinvihari ... Presidency College.

SECOND DIVISION.

In Order of Merit.

Basu, Durgadas ... Presidency College.
Dás, Surendranath ... Ditto.

THIRD DIVISION.

In Order of Merit.

Basu, Annadaprasad ... Presidency College.
Misra, Ramsankar ... Benares College.

PHILOSOPHY.

THIRD DIVISION.

Gupta, Girindrakumar ... Free Church Institution.

PHYSICAL SCIENCE.

SECOND DIVISION.

In Order of Merit.

Bagchi, Upendranath ... Presidency College.
Mukhopadhyay, Hirálál ... Hooghly College.
Ray, Haricharan ... Canning College.

THIRD DIVISION.

Basu, Narendranath ... Hooghly College.

The under-mentioned Students have passed the Examination for the Degree of M. A.:—

In Alphabetical Order.

Bandyopadhyay, Chandmohan ... Dacca College.
Básudevlal ... Canning College.
Basu, Kunjavihari ... General Assembly's Institution.
Bhattacharyya, Makundachandra ... Sanskrit College.
De, Asutosh ... Presidency College.
Ghosh, Ramanath ... Sanskrit College.
Gomez, D. ... Bishop's College.
Mukhopadhyay, Srischandra ... Presidency College.
Ray, Ganganarayan ... General Assembly's Institution.

SENATE HOUSE,
The 22nd February 1877.

A. W. CROFT,
Offg. Registrar.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under Reduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th February 1877.

PARTICULARS.	4 PER CENT. LOANS				4½ PER CENT. LOANS			5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1835-36.	of 1839-33.	of 1828-29.	of 1824-25.	3½ PER CENT. LOAN OF 1853-54.	6 PER CENT. LOAN OF 1866-67.	6½ PER CENT. LOAN OF 1868-69.	10 years. Repayable, June 1877.	15 years. Repayable, June 1882.	
Balance of 31st January 1877	31,46,900	14,54,506	2,346	33,173	55,600	82,800	4,15,06,300	28,71,000	27,73,000	12,75,49,125
Add—										
Amount enfaced at Madras between 1st and 15th February 1877	1,000	...	...	...	...	...	99,700	...	...	1,30,200
Amount enfaced at Bombay between 1st and 15th February 1877	...	...	...	...	...	...	2,66,000	...	...	4,31,500
Amount enfaced at Calcutta between 1st and 15th February 1877	...	...	...	...	...	...	2,65,000	...	5,40,000	17,07,500
	31,47,900	14,54,506	2,346	33,173	55,600	82,800	4,21,37,000	28,71,000	33,13,000	13,01,18,125
Deduct—										
Amount written off in the London Registers	...	...	...	...	...	...	72,400	75,000	...	6,82,200
Balance on 15th February 1877	31,43,600	14,54,506	2,346	33,173	55,600	82,800	4,20,64,600	27,96,000	33,13,000	12,94,35,925

NOTE.—From 9th June 1867 to 15th Dec. 1876, enfaced from India, 2,372 lakhs; re-transferred from London, 2,433 lakhs.

„ 16th Dec. 1876 to 31st „	2	„	„	9	„
„ 1st Jan. 1877 to 15th Jan. 1877	14	„	„	6	„
„ 16th „ „ to 31st „ „	13	„	„	8	„
„ 1st Feb. „ to 15th Feb. „	22	„	„	6	„
	2,423 lakhs.			2,402 lakhs.	
				2,423	
				39 lakhs.	

Balance against London ... 39 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 16th February 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 20th February 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up ...		...	2,00,00,000	0	0
Reserve Fund ...		...	16,71,139	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	73,04,564	4 1	1,53,93,931	5	6
Public Deposits at Branches ...	80,89,367	1 5			
Other Deposits at Head Office and Branches ...	...	...	2,09,90,389	3	0
Bank Post Bills, &c.		...	2,25,919	4	8
Sundries ...	...	...	6,71,119	6	2
TOTAL ...			5,89,52,498	5	9

ASSETS.			Rs.	A.	P.
Government Securities ...			1,03,65,904	8	8
Loans on Government Securities, &c., at Head Office and Branches ...			54,00,935	4	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches			39,92,691	0	10
Bills discounted and purchased at Head Office and Branches			1,64,75,704	3	7
Balances with other Banks ...			1,62,848	1	2
Bullion			4,00,285	14	5
Dead Stock			10,40,764	9	10
Stamps			11,210	6	11
Sundries			3,81,629	11	7
			3,82,31,973	13	4
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	80,20,841	5 10	2,07,20,524	8	5
Cash and Currency Notes at Branches ...	1,26,99,683	2 7			
TOTAL ...			5,89,52,498	5	9

By order of the Directors,

BANK OF BENGAL: *Calcutta, 22nd February 1877.*

J. GORDON, *Chief Accnt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR Rs.		BALANCE OF BULLION		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Feb. 12	...	...	...	2,58,827	65,36,920	35,72,495
,, 13	...	...	...	2,58,827	65,13,218	34,72,495
,, 14	...	10,83,944	...	2,58,827	64,88,060	33,72,495
,, 15	...	...	...	2,58,827	64,55,440	32,72,495
,, 16	...	...	2,18,353	53,702	64,23,231	33,77,619
,, 17	...	...	50,697	958	64,01,139	34,36,363

CALCUTTA MINT, *The 19th Feb. 1877.*

J. F. TENNANT, *Offg. Mint Master.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 17th February 1877.

The Post Master General of Hong-Kong having raised objections to the delivery of unpaid letters coming from India, and requested the enforcement of compulsory pre-payment in India, intimation is hereby given that on and after the 1st March all letters, &c., for Hong-Kong and places in China or Japan served through Hong-Kong, *must be fully pre-paid*, when sent by British Packets (fortnightly from Bombay) or by Indian Packets (twice a month from Calcutta) commonly known as the opium steamers of Messrs. Jardine, Matheson & Co. of Hong-Kong, and Messrs. Apear & Co. of Calcutta, or by private vessel. The places referred to are as follows:—

Hong-Kong.

Places in China served through Hong-Kong, including the following:—

Shanghai.	Macao.
Amoy.	Swatow.
Canton.	Hankow.
Foochow.	Ningpo.

Places in Japan, including the following:—

Yokohama.	Hiogo.
Nagasaki.	

The rates of pre-payment are as follows:—

Letters	4 annas per ½ oz.
Each packet of newspapers, printed papers, legal and commercial documents and patterns ...	2 annas per 4 ozs.

A. M. MONTEATH, *Director Genl. of the Post Office of India.*

The 19th February 1877.

No. 6961.—Mr. C. A. Stuart, Post Master, Bombay, is granted privilege leave for three months, under Section 21, Supplement F., of the Civil Leave Code, with effect from 10th November 1876.

E. R. DOUGLAS, *Offg. Dy. Dir. Genl. of the Post Office of India.*

The 23rd February 1877.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Kurrachee*, will be closed at the General Post Office on Sunday, the 25th February 1877, at 7 P. M.

Mails for Rangoon, Moulmein, Straits, Port Blair and Camorta, for transmission per Steamer *Baghdad*, will be closed at the General Post Office on Sunday, the 25th February 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Ethiopia*, will be closed at the General Post Office on Wednesday, the 28th February 1877, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 28th February 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 2nd March 1877.

2. Book-post and pattern packets must be posted on the 1st March 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 23rd February 1877.

Abdon, M. J.
Anderson, Mrs. M.
Antonio, J. A.
Aviet, Mrs. E.
Baildon, S.
Balmer, G.
Barber, Miss A.
Barings and Co., Messrs.
Birke, Captain H. P.
Davidson, Misses.
Davies, H.
Davis, Mrs.
Disanto, Mrs. E.
Dudrenee, E. C.
Dunsford & Lawton, Messrs.
Elliott, Mrs. S.
Erdman, P.
Ferrari, Dr. D. A.
Flood, Sam.
Fuzzle, Mrs.
Granger, John H.
Gray, Dr. H. C.
Green, Patrick J.
Haden, Miss Sarah.
Hales, John & Co., Messrs.
Hays, Geo.
Hendrix, Rev. E. R.
Heenan, Geo. Chas.
Hill, Mr.
Holland, Mrs. M.
Johnson, Major-General Edwin.
Kellner, C. G.
Lee, T.
Malloy, M. A.
McDonald, Mrs. John.
McRae, Mrs. M.
Moore, James.
Moran, T. D.
Mowbray, Mrs. A.
Myers, Mrs.
O'Sullivan, W. J.
Peebles, J. C.
Pogson, R.
Raven, C. W.
Roberts, M. J.
Robinson, Miss A.
Robotham, Surgeon-Major.
Sainter, J. D., Dr.
Samuells, H. E.
Shircore, Miss A.
Smith, James.
Smith, Mrs. E. F.
Tisbury, Mrs. S. M.
Venables, Jas.
Wane, Innes B.
Watkins, R. B.
White, W. M.
Williams, F.
Winscom, Miss.
Woods, Miss.
Wotherspoon, Geo.
Sir W. T.

Letters marked "Care of Post Office, to be kept till called for."

Andrew, Walter G. G.
Baggallay, Henry Chas.
Bambridge, F. C.
Battye, Major H. D.
Barry, J. M.
Beale, William.
Biggs, Robert O. C.
Brownfield, M.
Buckley, C. W.
Caddy, D. G.
Campbell, Mrs. W.
Carrington & Wigley.
Cavanagh, Jas.
Christian, A.
Condey, Mr.
Corke, Chas.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Crawfurd, Major.
Dalitz, H. Oscar.
Eaton, Mrs. P. W.
E. F. W.
E. M.
Frawley, M. A.
Glukman, Lione.
Good, J. W.
Graham, Mrs. C.
Henty, T. H.
Hopkinson, Percy.
Huguenot, M.
Jones, B. F.
Kelly, Edward.
King, H. W.
Lewis, Chas.
Liddiard, Mr.
L. L. D.
Lovering, Geo. L.
MacIntyre, A.
Mazzaline, Mrs. J.
Mitchell, Miss.
Moran, Frank Conyngham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
O'Brien, T. H.
Pearson, Mrs. J. E.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Richardson, Geo.
Roberts, W.
Ryan, Mrs. J. G.
Schapira, D.
Scolfi, A. L.
Shutz, J.
Smith, J. W.
Stewart, R.
Swete, Captain.
Thomson, Geo. Black.
Watt, Capt. J. R.
West, J.
Williams, C. A.
Williams, T.
Williams, W. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Zacharias, A. H.

Papers.

Artell, H. F.
Battye, Major H. D.
Bellany, J.
Caddy, D.
Cayton, Geo.
Galloway, John.
Holland, Captain.
Jones, B. F.
Kelly, W. P.
Liddiard, Mr.
Richardson, Geo.
Ryder, A.
Stewart A.
Williams, C. A.

Registered Letter.

Corbitt, Mrs. B.
Ferrari, Dr. A.
Robinson, Miss Louisa.
O'Brien, C.
Pote, P. G.

W. ALPIN, *Offg. Post Master of Calcutta.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 3, 1877. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 18th November 1876.

Until further notice, the entire *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be forwarded to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,

Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 1st March 1877.

No. 60.—Sergeant R. McGowan, R.E., Inspector, has been granted by the Director, Persian Telegraph, privilege leave for one month, under Section 12 of Supplement F of the Civil Leave Code, with effect from 29th September 1876.

No. 61.—ERRATUM.—In Indo-European Telegraph Department Notification, No. 59, dated 18th January 1877, notifying that Mr. F. T. B. Daniell, Superintendent, Persian Telegraphs, returned to duty on the 5th November 1876—for "5th," read "6th."

W. PALMER,

Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Camp Kota, the 17th February 1877.

No. $\frac{568}{417}$*G.*—Lieutenant-Colonel J. C. Berkeley, Political Agent in Haraoti and Tonk, is granted subsidiary leave from the 7th to the 18th November 1876 (inclusive), on return from furlough.

C. K. M. WALTER,

Offg. Agent, Govr. Genl., for Rajputana.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATION.

Camp Nusseerabad, the 24th February 1877.

No. 411*S.*—The Officiating Agent Governor General and Chief Commissioner is pleased to grant to Mr. A. G. Crommelin, Superintending Engineer and Secretary, Public Works Department, Rajputana, fourteen days' privilege leave, in extension of the two months' privilege leave

already granted to him in Notification No. 35S., dated 8th January 1877.

By Order,

J. M. WILLIAMS, *Lt.-Col.*,
Offg. Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

ECCLESIASTICAL.

The Lord Bishop of Calcutta purposes, God willing, to hold a general Ordination of Priests and Deacons, in St. Paul's Cathedral, Calcutta, on Sunday, the 25th March next.

Divine Service will commence at half past 10 o'clock A.M., and the Sermon will be preached by the Reverend Brook Deedes, M.A., Bishop's Chaplain.

Candidates for Holy Orders, who have not sent in their papers, are requested to send them immediately, addressed to the Reverend Brook Deedes, at the Bishop's Palace.

Candidates must attend at the Palace at 10 A.M. on Wednesday, the 21st day of March next.

The Bishop also purposes, God willing, to hold a Confirmation on Tuesday, the 20th day of March next, in St. Paul's Cathedral, Calcutta.

CHAS. SANDERSON,
Registrar and Secretary.

CALCUTTA,
The 21st February 1877.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 23rd February 1877.

No. 149.—Honorary Surgeon J. S. Howard, M.D., Civil Surgeon, Oomraotee, has been granted privilege leave for three months, with effect from such date as he may avail himself of it.

Assistant Apothecary J. Reid, doing duty under the Civil Surgeon, Akola, will assume medical charge of Oomraotee during Doctor Howard's absence on leave.

No. 150.—Lieutenant-Colonel J. Allardyce, Judicial Commissioner, Hyderabad Assigned Districts, has been granted subsidiary leave for twenty-four days, with effect from the 8th March 1877, preparatory to retirement from the service.

By Order,

G. H. TREVOR, *Captain*,
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

1st Circle.

Calcutta, the 28th February 1877.

No. 590.—Privilege leave for twenty-five days is granted to 2nd Grade Supervisor Mr. W. Delahay, attached to the Darjeeling Division, Military Works, from the date of his availing himself of the same.

W. R. TUCKER, *Lieut.-Col.*,
Supdg. Engr., 1st Circle, Military Works.

2nd Circle.

Lucknow, the 23rd February 1877.

No. 13.—With reference to Inspector General's Notification No. 7 of the 6th instant, Major G. E. Sanford, R.E., Executive Engineer, made over, and Lieutenant R. Maxwell Hyslop, R.E., Temporary Executive Engineer, received, charge of the Lucknow Division, Military Works, on the afternoon of the 17th instant, the services of the former Officer having been placed at the disposal of His Excellency the Commander-in-Chief for special duty.

No. 14.—Under instructions from the Inspector General, Military Works, Sergeant C. Kerr, Overseer, 1st Grade, attached to the Lucknow Division, Military Works, reported his departure on the 14th instant, to join the Madras Famine Relief Works at Gooty.

The 26th February 1877.

No. 15.—With reference to this Office Notification No. 10 of 17th instant, Barrack Sergeant W. Warren, attached to Fyzabad Division, Military Works, is transferred to Saugor Division, to relieve Barrack Master Edmondson, about to proceed to Europe on medical certificate.

Sergeant Warren took over the Barrack duties at Saugor on the forenoon of the 14th instant as Officiating Barrack Master.

The 27th February 1877.

No. 16.—In continuation of this Office Notification No. 9 of the 16th instant, Barrack Sergeant G. Blake left Pachmarhi on the 14th current for Bombay, with a view to his embarking for England on troop-ship to leave on the 27th idem.

J. J. HUME, *Colonel*,
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 24th February 1877.

No. 7.—Mr. H. W. Stokoe, Supervisor, 2nd Grade, Agra Division, Military Works, transferred to Gooty for employment on the Madras Famine Relief Works, was relieved of his duties at Agra on the afternoon of the 12th instant.

No. 8.—The unexpired portion of the leave, *viz.*, from the 6th to the 15th February 1877, both days inclusive, granted to Mr. H. W. Stokoe, Supervisor, 2nd Grade, Agra Division, Military Works, in Notification No. 48, dated 30th October 1876, is hereby cancelled.

The 26th February 1877.

No. 9.—Under Chapter VII, Section 30, of the Civil Leave Code of 1876, privilege leave for sixty days is granted to Colonel J. J. Dansey, Barrack Master, Bareilly Division, Military Works, from the 22nd March 1877, or from such date as he may wish to avail himself of the same.

No. 10.—Lieutenant R. M. Hyslop, R.E., Executive Engineer, Bareilly Division, Military Works, transferred to the charge of the Lucknow Division, Military Works, was relieved of his duties on the afternoon of the 10th instant.

No. 11.—Mr. O. Hœrnle, Assistant Engineer, Meerut Division, Military Works, is transferred to the Bareilly Division, Military Works, which he joined on the afternoon of the 17th instant.

No. 12.—Mr. W. R. McKoy, Overseer, 1st Grade, Bareilly Division, Military Works, transferred to Gooty for employment on the Madras Famine Relief Works, was relieved of his duties on the forenoon of the 17th instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

7th Circle.

The 23rd February 1877.

No. 303.—Lieutenant F. T. N. Spratt, R.E., Assistant Engineer, II Chakrata Division, returned to duty on the forenoon of the 20th instant, from the forty-two days' privilege leave granted to him in Notification No. 2535 of 6th December last.

No. 305.—Lieutenant M. Martin, R.E., Assistant Engineer, II Chakrata Division, availed himself of the three months' special leave granted to him in Inspector General's Notification No. 1, dated 8th January 1877, from the forenoon of the 18th instant.

The 24th February 1877.

No. 321.—Sub-Conductor J. H. Quilter, Sub-Engineer, II Chukrata Division, returned to duty on the afternoon of the 17th instant, from the twenty days' privilege leave granted to him in Notification No. 98 of 22nd January 1877.

Æ. PERKINS, *Lieut.-Col., R. E.*,
Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

The 25th February 1877.

No. 261.—Gunner Moore, Overseer, 1st Grade, is transferred from the 2nd Rawul Pindi to the Mooltan Division, Military Works.

Sergeant Hanley, Overseer, 1st Grade, is transferred from the Mooltan to the 2nd Rawul Pindi Division, Military Works.

DAVID LIMOND, *Lieut.-Col., R.E.*,
Supdg. Engr., 8th Circle, Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 20th February 1877.

No. 35.—Mr. B. W. Blood, Executive Engineer, 4th Grade, Rajputana State Railway, is granted eight months' furlough to England, with effect from the 25th March 1877, or such date as he may avail himself of the same, and the usual subsidiary leave.

The 27th February 1877.

No. 36.—With reference to Public Works Department Notification No. 78, dated 23rd February 1877, Major R. C. B. Pemberton, R.E., is attached to the Office of the Director of State Railways till further orders.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.*,
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 20th February 1877.

No. 33.—With reference to Director of State Railways' Notification No. 101, dated 12th June 1876, Apprentice Engineers Labdha Rama Sahni and Dharm Singh Soin joined this line on the forenoon of the 16th October 1875.

No. 35.—The following postings have been made by Superintending Engineers:—

Sub-Conductor M. Johnstone, Sub-Engineer, 2nd Grade, to Office of Superintending Engineer, Mooltan District.

Mr. J. M. Campion, Assistant Engineer, 1st Grade, to the Mehur Division.

Mr. C. H. C. Bickerton, Assistant Engineer, 2nd Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 23rd February 1877.

No. 4.—With reference to Notification No. 2 of 29th ultimo, Mr. W. Tatlock, Sub-Engineer, 2nd Grade, reported his return to duty, from privilege leave, on the morning of the 20th instant.

JOSEPH BONUS, *Lieut.-Col., R.E.*,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 20th February 1877.

No. 10.—Messrs. E. J. Moore, Executive Engineer, 4th Grade, and T. R. Wynne, Assistant Engineer, 2nd Grade, transferred to Dhoond and Munmar Railway, under Public Works Department Notification No. 60, dated 14th February 1877, left Agra on the forenoon of 18th instant.

FRED. FIREBRACE,
Offg. Manager.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 24th February 1877.

No. 6.—Mr. A. C. Cregeen, Executive Engineer, 1st Grade, Ghat Division, assumed charge of the Nerbudda Division, in addition to his own duties, on the forenoon of 20th February 1877,

from Mr. A. Izat, Temporary Executive Engineer, 1st Grade, transferred to the proposed Dhoond and Munmar Railway, by Government of India, Public Works Department, Notification No. 60, dated 14th February 1877.

No. 7.—Pundit Gopalchunder, Probationary Accountant, 4th Grade, Quarry Division, Neemuch State Railway, was granted privilege leave for twenty-one days from 26th January to 15th February 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 25th February 1877.

No. 32.—The services of Mr. W. Holloway, Supervisor, 2nd Grade, Jhelum Division, were dispensed with on the 30th November 1876.

No. 33.—With reference to Government of India, Public Works Department, Notification No. 520, dated 15th December 1876, Mr. D. C. Gordon made over, and Mr. R. G. Macdonald, received, charge of the Office of Examiner of Accounts, Punjab Northern State Railway, on the afternoon of the 16th February 1877.

ALEX. GRANT,
Engineer-in-Chief.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

1st March 1877 ... Rs. 3,51,317-4-8.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
2nd March 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS.		BALANCE OF BULLION		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Feb. 19	...	...	...	958	74,33,607	23,05,877
„ 20	1,61,141	...	...	1,62,099	74,10,619	22,05,897
„ 21	...	...	...	1,62,099	73,80,612	21,05,897
„ 22	...	10,92,466	...	1,62,175	73,61,735	20,05,897
„ 23	...	...	...	1,62,175	73,37,887	19,05,897
„ 24	...	...	...	1,62,175	73,37,496	18,05,897

CALCUTTA MINT,
The 26th Feb. 1877.

J. F. TENNANT.
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
70	... L 47—12788	20	... The Post Master General, North-Western Provinces, Alla
71	... D 18—01510	100	... Mr. R. G. Macdonald, Lahore.
	„ —01511	100	...
	„ —01602	100	...
	„ —01603	100	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
119	... D 10—65765	5	... Akber Shah Khan, Basti.
	D 11—38740	10	...
	D 5—83323	20	...
120	... D 5—37472	20	... Sham Lal Prayagwal, Allahabad.
121	... D 7—88157	100	... Reverend R. C. Bishop, of Agra.
	„ —88158	100	...
122	... D 10—43383	...	... Nanuck Chund, Goordaspore.

ALLAHABAD,—Paper Currency Office;
The 22nd February 1877.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
B 34—60035 „ —60061	wrongly joined.	10	... A. Annyappa Chetty, Gomastah of Joysunkur Thavay, No. 445, Madras.
J 6—93451 „ —93452	ditto	10	... Anthony Fernandez, Merchant, Calicut.
J 7—58738		5	... W. Johnson, Esq., Madras.
J 5—70359		20	... Post Master General, North-Western Provinces, for Mrs. Lourie, of Jubbulpore.

CALICUT.—Paper Currency Office;
The 21st February 1877.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
447	... L 81—30711	50	... Babu Siddessur Chatterjee.
448	... L 81—36932	50	... Babu Doorga Das Mukerjee.
449	L 44—85528	10	... Mr. Francis O. Runburn.
	„ —85529	10	...
450	... L 83—31771	100	... Mr. John Espino.
	„ —60922	100	...
	L 90—93988	20	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
328	... L 20—84609 „ —84612	5	... Babu Hara Chund Dey.
329	... L 45—15060 „ —15041	20	... Hajee Golam Hossein.
330	... L 89—36345 „ —36346	20	... Mr. M. O. Roche.
331	... L 89—30730 „ —67322	20	... Mr. Joseph Heath.
332	... L 46—80240 L 37—86043	20	... Messrs. Essack Mahomed and Sons.
334	... L 88—19373 „ —19374	10	... Mr. H. A. Olive.
335	... A 92—09587 „ —38892	50	... Mr. G. C. Caleb.
336	L 22—28704 „ —28707	5	... Babu Bholanath Mookerjee.
504	... L 65—72478	20	... Kanaiye Barber.
505	... L 15—43808	5	... Babu Woopendranath Chatterjee.
506	... L 78—21149	20	... Mr. Fd. O. Partridge.
507	... L 87—72096	10	... Babu Bholanath Ganguly.
	„ —72097	10	...
508	... L 90—19329	20	... Babu Satcory Banerjee.
509	... L 82—98552	100	... Babu Jibun Krishna Raha.
510	... L 51—91635 to „ —91640	100 each	... Babu Niloodhun Dhun.
	L 69—86424	100	...
	„ —91521	100	...
511	... L 77—48344	20	... The Agent, Oriental Bank Corporation, Calcutta.
	L 76—54007	10	...
	„ —54008	10	...
512	... L 86—97039	10	... Babu Modhoo Sooden Das.
	L 75—58047	10	...
513	... L 58—54852	10	... Babu Sham Sunder Paulit.
	L 96—86119	10	...

CALCUTTA,—Paper Currency Dept.;
The 2nd March 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
13	... E 7—30242	5	... H. Whymper, Esq., Managing Brewer, Rawul Pindi.
	E 12—09452	20	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
3	... E 10—38813 „ —38814	10	... Karum Khan, Jemadar, 2nd Punjab Infantry, Dera Ismail Khan.
11	... E 10—54773	10	... S. Smith, Esq., Assistant District Superintendent of Police Peshawar.
	„ —54894	10	...

LAHORE,—Paper Currency Office;
The 23rd February 1877.

J. W. McNAIR,
Offg. Asstt. Acctt. Genl., in charge of Currency Office.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
93	... B 50—42745		100	... S. Strinivasa Iyengar, Cochin.
94	... B 40—40744		5	... Private H. G. Prior, 43rd Regiment, Bellary.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
244	... B 43—33969		50	... Konjati Venkata Sivaya Setty, Nellore.
245	... B 50—14171		100	... Moollangy Kristnasawmy Setty, Nellore.
246	... B 52—07357		10	... Mr. J. French, Bellary.
247	... B 42—73916		20	... Mrs. Lewis, Madras.
49	... B 50—56065 „ —56066	wrongly joined.	100	... Messrs. Framji & Co., Madras.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 19th February 1877.

D. KISSUN SING,
Offg. Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1877.			
W11	... M23—37965	50	C. Lander, Royal Alfred Sailor's Home, Bombay.
W12	... M 6—11009	5	Private F. Rafferty, 83rd Regiment, Kurrachi.
W13	... M20—52130	10	Surgeon J. Gerson, Da Cunha, Bombay.
	M23—21543	50	
W14	... M21—43912	100	Ebraim Saith & Co., near Jackeria's Musjid, Bombay.
	„ —83251	100	
	M25—00638	100	
	„ —00637	100	
W15	... M21—67355	10	Wimbaeck Ramchundra Kulkarni Shastri, English School, Tanna

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
1877.			
H30	... M 3—79790	5	M. Raja Row, Chief Constable, Hoongeond.
H31	... M24—58113	100	Ludha Ebraim & Co., East Street, Poona.
	„ —96217	100	
M11	... C 95—44509	10	Thakurdas Balkison Bhulleshwar, Bombay.
	„ —44510	10	
M12	... C 82—06683	10	Kheraj Lalji, 43, Wadachi Gadi, Bombay.
	„ —06684	10	
M13	... M 4—61419	5	Jehangir Poonjiaji Dulab, Machlipeth, Surat.
	„ —81223	5	

BOMBAY,—Paper Currency Dept.; *The 20th February 1877.*

G. W. CLINE, LL.D.,
Assistant Commissioner.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
16	... F 7—71595	10	Cowasjee Bappoojee Jusawala, of Messrs. M. Nowrojee & Co., General Merchant, Mandla.
	„ —71596		
29	... F 7—73923	10	Narain Rao, son of Govind Rao, Misl Khwan, Deputy Commissioner's Office, Nursinghpúr.

NAGPUR,—Paper Currency Office; *The February 1877.*

H. KEENE,
Asstt. to Accts. Genl., C. P., in charge of Paper Currency.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 10—25363	100	Mr. Eduljee Fakirjee, Clerk of the Court of Small Causes, Kurrachee.

KURRACHEE.—Paper Currency Dept.; *The 16th February 1877.*

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Statement of the Affairs of the Bank of Bengal for the week ending 26th February 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up	...	...	2,00,00,000	0	0
Reserve Fund ...	...	...	16,71,119	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	48,99,151	4 3			
Public Deposits at Branches ...	92,57,820	14 3	1,41,56,972	2	6
Other Deposits at Head Office and Branches ...	...	...	2,13,74,316	13	0
Bank Post Bills, &c.	...	...	3,32,154	13	1
Sundries ...	...	...	6,92,571	8	8
TOTAL		...	5,82,27,134	7	8

ASSETS.			Rs.	A.	P.
Government Securities	...	...	1,00,79,114	12	8
Loans on Government Securities, &c., at Head Office and Branches	...	...	54,91,057	13	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...	...	...	44,58,895	3	4
Bills discounted and purchased at Head Office and Branches ...	...	...	1,65,77,075	10	4
Balances with other Banks	...	...	3,18,622	3	1
Bullion ...	...	...	3,91,602	4	5
Dead Stock	...	...	10,42,300	1	3
Stamps ...	...	...	11,285	4	11
Sundries ...	...	...	3,69,245	13	9
			3,87,39,199	3	1
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	73,88,830	2 11	1,94,87,935	4	7
Cash and Currency Notes at Branches ...	1,20,99,105	1 8			
TOTAL		...	5,82,27,134	7	8

By order of the Directors,

R. HARDIE,
Secy. & Treasurer.

BANK OF BENGAL; *Calcutta, 1st March 1877.*

J. GORDON,
Chief Accts. & Depy. Secretary.

COMPTROLLER GENERAL'S OFFICE.

No. 1631.—*Account of the Revenue and Expenditure of the Government of India for the seventh month of the year 1876-77, as compared with the corresponding period of 1875-76.*

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April to Oct. 1875.	April to Oct. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	8,939,695	8,658,750	...	280,945
II.—Tributes ...	700,000	382,264	372,231	...	10,033
III.—Forest ...	609,000	256,623	239,818	...	16,810
IV.—Excise on Spirits and Drugs ...	2,525,000	1,424,083	1,452,159	28,373	... 27
V.—Assessed Taxes ...	...	263	239	...	194,664
VI.—Customs ...	2,620,000	1,461,140	1,236,476	...	
VII.—Salt ...	6,300,000	3,302,305	3,456,612	154,307	...
VIII.—Opium ...	8,200,000	4,766,135	5,227,071	460,936	...
IX.—Stamps ...	2,837,000	1,057,971	1,075,517	17,546	...
X.—Mint ...	124,000	71,965	152,236	80,271	...
XI.—Post Office ...	778,000	438,510	457,740	19,230	...
XII.—Telegraph* ...	281,500	114,479	109,856	...	4,623
XIII.—Law and Justice ...	316,000	186,375	196,826	10,451	...
XIV.—Marine ...	198,000	90,388	95,586	5,198	...
XV.—Interest ...	488,000	294,514	303,764	9,250	...
XVI.—Pensions ...	501,400	168,188	97,915	...	70,274
XVII.—Gain by Exchange ...	347,000	158,937	214,275	55,318	...
XVIII.—Miscellaneous ...	238,400	71,150	114,332	43,182	...
TOTAL ...	48,438,300	23,785,404	24,051,703	266,290	...
Army ...	840,800	514,986	426,415	...	88,571
Public Works, Ordinary ...	65,000	26,056	27,954	1,898	...
Canals ...	527,000	278,849	257,143	...	21,706
State Railways' Traffic earnings ...	415,000	135,394	192,003	56,609	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	3,660,020	4,295,694	635,674	...
TOTAL ...	58,174,100	28,400,709	29,250,912	850,203	...
England, including Army and Public Works ...	193,900	170,929	120,437	...	50,492
GRAND TOTAL ...	58,368,000	28,571,638	29,371,349	799,711	...

EXPENDITURE.	Estimates, 1876-77.	April to Oct. 1875.	April to Oct. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	1,551,932	1,663,972	52,040	...
2.—Interest on Service Funds ...	330,000	199,746	204,661	4,915	...
3.—Refunds and Drawbacks ...	300,000	175,300	157,371	...	17,929
4.—Land Revenue ...	2,467,800	1,371,198	1,352,272	...	18,926
5.—Forest ...	414,500	195,274	222,061	26,787	...
6.—Excise on Spirits ...	87,000	48,040	53,485	5,445	...
8.—Customs	189,000	106,862	111,369	4,507	...
9.—Salt	525,600	312,450	293,007	...	19,443
10.—Opium	2,199,000	1,893,764	2,479,312	585,548	...
11.—Stamps	71,700	41,669	42,052	383	...
12.—Mint	79,000	46,186	50,250	4,064	...
13.—Post Office	760,400	451,214	439,594	...	11,620
14.—Telegraph*	381,300	175,635	184,676	9,041	...
15.—Administrations	1,251,500	711,528	750,781	39,253	...
16.—Minor Departments	249,400	130,935	119,143	...	11,852
17.—Law and Justice	2,364,200	1,313,402	1,368,596	55,194	...
18.—Marine	403,400	213,423	201,859	...	11,569
19.—Ecclesiastical	161,100	99,061	89,241	...	820
20.—Medical	184,000	105,673	102,399	...	3,279
21.—Political	293,400	181,117	176,125	...	8,202
22.—Allowances	1,675,200	706,014	681,739	...	24,275
23.—Civil Furlough, &c.	...	...	335	335	...
24.—Superannuation, &c.	586,000	383,556	328,533	...	55,023
25.—Loss by Exchange	2,332,000	850,200	1,345,289	495,089	...
26.—Miscellaneous	45,000	21,285	42,031	20,746	...
27.—Allotments	5,050,400	2,965,204	2,953,531	...	11,673
TOTAL ...	25,576,300	14,248,038	15,353,684	1,105,646	...
Army Charges	11,820,700	6,600,205	6,533,408	...	66,797
Public Works, Ordinary	2,441,500	1,282,950	1,338,381	55,422	...
Ditto, Extraordinary, including Railways ...	3,015,000	1,669,848	1,538,155	...	131,693
Land and Supervision	93,000	39,420	20,422	...	18,998
Interest in India	30,000	17,833	22,727	4,894	...
State Railways	292,000	113,129	174,366	60,937	...
Working Expenses of the Guaranteed Railways, including Surplus Profits	4,418,000	1,741,763	1,623,313	...	118,450
TOTAL ...	47,687,400	25,713,495	26,604,456	890,961	...
England, including Army, Public Works, Ordinary and Extraordinary, &c.	14,295,600	7,417,612	7,825,081	407,469	...
GRAND TOTAL ...	61,983,000	33,131,107	34,429,537	1,298,430	...

* Telegraph accounts received up to September 1876.

E. W. KELLNER,
Offg. Deputy Comptroller General.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 1st March 1877.*

E. F. HARRISON,
Comptroller General.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Students have passed the Examination for Honors in Arts:—

ENGLISH.

FIRST DIVISION.

In Order of Merit.

Majumdar, Nilkanta ... Presidency College.
Basu, Devendranath ... Ditto.

SECOND DIVISION.

In Order of Merit.

Datta, Dvijadás ... Presidency College.
Isvardás ... Lahore College.
Ghosh, Saratchandra ... Presidency College.
Chattopadhyay, Prasannakumar ... Teacher.

THIRD DIVISION.

Sen, Trigunacharan ... Presidency College.

ARABIC.

SECOND DIVISION.

Amjad Ali ... Benares College.

THIRD DIVISION.

Ashraf Ali ... Benares College.

PERSIAN.

THIRD DIVISION.

Raza Husein ... Muir College, Allahabad.

SANSKRIT.

FIRST DIVISION.

Bhattacharyya, Haraprasad ... Sanskrit College.

SECOND DIVISION.

Bapurao, Dada ... Muir College, Allahabad.

MATHEMATICS.

FIRST DIVISION.

Gupta, Bipinvihari ... Presidency College.

SECOND DIVISION.

In Order of Merit.

Basu, Durgadas ... Presidency College.
Dás, Surendranath ... Ditto.

THIRD DIVISION.

In Order of Merit.

Basu, Annadaprasad ... Presidency College.
Misra, Ramasankar ... Benares College.

PHILOSOPHY.

THIRD DIVISION.

Gupta, Girindrakumar ... Free Church Institution.

PHYSICAL SCIENCE.

SECOND DIVISION.

In Order of Merit.

Bagchi, Upendranath ... Presidency College.
Mukhopadhyay, Hiralal ... Hooghly College.
Ray, Haricharan ... Canning College.

THIRD DIVISION.

Basu, Narendranath ... Hooghly College.

The under-mentioned Students have passed the Examination for the Degree of M. A.:—

In Alphabetical Order.

Bandyopadhyay, Chandmohan ... Dacca College.
Básudevlal ... Canning College.
Basu, Kunjavihari ... General Assembly's Institution.
Bhattacharyya, Makundachandra ... Sanskrit College.
De, Asutosh ... Presidency College.
Ghosh, Ramanath ... Sanskrit College.
Gomez, D. ... Bishop's College.
Mukhopadhyay, Srischandra ... Presidency College.
Ray, Ganganarayan ... General Assembly's Institution.

SENATE HOUSE,
The 22nd February 1877.

A. W. CROFT,
Offg. Registrar.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 1st March 1877.

Owing to the state of the tides the P. & O. Steamers will leave Calcutta on the 4th and 18th, instead of the 8th and 22nd March 1877, but they will be required to remain at Madras until the contract dates for leaving that Port, *viz.*, 13th and 27th March 1877. Mails for Galle will close at the General Post Office at 7 P. M. on Wednesdays, the 7th and 21st March 1877, and be forwarded by Railway to Madras, so as to catch the P. & O. Steamers there.

The 2nd March 1877.

Mails for Ceylon, Straits, Hong-Kong, and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 3rd March 1877, at 7 P. M.

Mail for Madras only, for transmission per P. & O. Steamer *Australia*, will be closed at the General Post Office on Saturday, the 3rd March 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Busheer*, will be closed at the General Post Office on Sunday, the 4th March 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 4th March 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 6th March 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Africa*, will be closed at the General Post Office on Wednesday, the 7th March 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 9th March 1877, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 8th March 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 2nd March 1877.

Abdon, M. J.
Attfield, J. S.
Baildon, S.
Balmer, G.
Barings and Co., Messrs.
Birke, Captain H. P.
Borah, Surgeon S.
Campbell, Mrs.
Carroll, Dr.
Creswell, Doyne and Co., Messrs.
Daunt, E.
Davidson, Misses.
Davies, H.
Davis, Mrs.
D'Costa, V.
DeSouza, S.
Douglas, J.
Dudrenee, E. C.
Dunsford & Lawton, Messrs.
Elliott, Mrs. S.
Erdman, P.
Ferguson, J. M.
Ferrari, Dr. D. A.
Fox, M.
Funlong, Mrs. Mary.
Fuzzle, Mrs.
Gallatby, G.
Gasper, M. P.
Graham, T. H.
Granger, John H.
Green, Patrick J.
Gregson and Co., Messrs.
Haden, Miss Sarah.
Hales, John & Co., Messrs.
Harrison, H. D.
Hays, Geo.
Hayter, W. J.
Hendrix, Rev. E. R.
Heenan, Geo. Chas.
Holloway and Co., Messrs.
Jacob, W.
Jackson, L. H. C.
Johnson, Major-General Sir Edwin.
Johnson, Mrs. T. R.
Inglis, W.
Kearney, G. H.
Mackenzie, G. R.
Maffin, G. J. H.
Matthews, Mrs.
McDonald, Mrs. John.
McMadden, Miss.
Metcalfe, M.
Moore, James.
Nicholl, W.
Otto, Geo.
Peebles, J. C.
Pogson, R.
Pulson, Capt.
Raven, C. W.
Reaks, Mrs. M.
Rees, Mrs. E.
Roberts, W. J.
Robinson, Miss A.
Sainter, Dr. J. D.
Samuells, H. E.
Short, B. H.
Smith, James.
Smith, Mrs. E. F.
Smyth, C. G.
Stoddard, H.
Tisbury, Mrs. S. M.
Tweedie, Miss E.
Venables, Jas.
Wane, Innes B.
Watson & Hayton, Messrs.
Watson, Joseph.
Watson, Mrs. L. E.
White, W. M.
William, G.
Williams, B. A.
Williams, F.
Winscom, Miss.
Woods, Miss.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kep till called for."

Andrew, Walter G. G.
Arthur, Geo.
Bambridge, F. C.
Battye, Major H. D.
Beale, William.
Biggs, Robert O. C.
Bonney, F.
Brownfield, M.
Buckley, C. W.
Caddy, D. G.
Campbell, Mrs. William.
Carrington & Wigley.
Cavanagh, Jas.
Christian, A.
Condey, Mr.
Corke, Chas.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Crawfurd, Major.
Curlender, Solomon.
Dalitz, H. Oscar.
Eaton, Mrs. P. W.
E. F. W.
E. M.
Frawley, M. A.
Glukman, Lione.
Good, J. W.
Graham, Mrs. C.
Gray, Mrs.
Huguenot, M.
Jones, B. F.
Jones, Edward John.
Kelly, Edward.
King, H. W.
Lovering, Geo. L.
Leadbeater, W. E.
Lyons, Geo.
MacIntyre, A.
Mazzaline, Mrs. J.
McWilliams, Miss.
Meyer, H. G.
Meers, William.
Mitchell, Miss.
Moran, Frank Conyngham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
O'Brien, T. H.
Parker, C. A.
Patterson, C. J. V.
Pearson, Mrs. J. E.
Pemberton, G.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Richardson, Geo.
Ricketts, G. R.
Roberts, Chas.
Roberts, W.
Ryan, Mrs. J. G.
Schapira, D.
Scolfi, A. L.
Shutz, J.
Smith, J. W.
Stewart, R.
Swete, Captain.
Tannhill, Mr.
Thomson, Geo. Black.
Watson, J. B.
Watt, Capt. J. R.
Williams, C. A.
Williams, T.
Williams, W. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Zacharias, A. H.

Papers.

Artell, H. F.
Battye, Major H. D.
Bellany, J.
Caddy, D.
Cayton, Geo.
Holland, Capt.
Jones, B. F.
Kelly, W. P.
Richardson, Geo.
Ryder, A.
Stewart, A.
Williams, C. A.

Registered Letters.

Corbitt, Mrs. B.
Ferrari, Dr. A.
O'Brien, C.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 10, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

HIGH COURT—Original Side.

NOTIFICATIONS.

Calcutta, the 28th February 1877.

The Hon'ble the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed William E. Richardson, of 21, Bennetts Hill, Birmingham, England, for the purpose of taking, under the law in force in British India, the acknowledgments of married women of deeds to be executed by them in respect of property in India.

The Hon'ble the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed Theodore Bell, Esquire, a member of the Firm of Messieurs Miller, Smith and Bell, Solicitors of 3, Salters Hall Court, Cannon Street, London, for the purpose of taking, under the law in force in British India the acknowledgments of married women of deeds to be executed by them in respect of property in India.

R. BELCHAMBERS,
Registrar.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned:—

Grace M. Wyatt, of Goalundo, in the Zillah of Furreedpore, wife of the late Harry George Wyatt, died at Goalundo on the 16th November 1876.

Elizabeth C. Haward, of the Town of Calcutta, a spinster, died at Calcutta on the 3rd January 1877.

Francis Bonaventure Bouchez, Telegraph Master of the Government Telegraph Office at Burhee, died at Burhee, on Grand Trunk Road, on the 13th January 1877.

James Daniel Highby, sometimes called James Highby, Junior, of Colchester, in the County of Essex in England, died in England on the 23rd April 1876.

George Francis Blowers, a Captain in the Bombay Staff Corps, died at Nowgong, Bundelkhund, on the 31st May 1876.

Edward Courtenay Vaughan, Captain the Honorable, of the 4th Battalion, Rifle Brigade, died at Umballa on the 3rd October 1876.

Andrew Hugh George John Hervey, a Sub-Lieutenant in the 1st Battalion, 8th Regiment of Foot, died at Peshawur on the 25th October 1876.

Samuel Edward Sharphan Rose, a Master Mariner in the Inland Service, died at Calcutta on the 9th December 1876.

Edward Arthur Sherd, a Chemist and Druggist, carrying on business at Jubbulpore in the Central Provinces of India, died at Calcutta on the 13th June 1876.

Anna Maria Green, of No. 10, South Road Entally, a widow, died in Entally on the 11th August 1876.

Alexander Gordon, of No. 3, Mission Row, Calcutta, carrying on business as a Merchant, Broker and Agent, died at Calcutta on the 1st December 1876.

George David Boyd, of No. 15, Chandney Choke 1st Lane, Calcutta, died at Calcutta on the 29th February 1876.

L. P. D. BROUGHTON,
Administrator Genl.

HIGH COURT, CALCUTTA, *The 24th Feb. 1877.*

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 8th March 1877.

No. 62.—Mr. D. M. Daniel, 1st Assistant to Traffic Manager and Accountant, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for one month under Section 12 of Supplement F of the Civil Leave Code, with effect from 22nd February 1877.

W. PALMER,
Examiner of Telegraph Accounts.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 27th February 1877.

No. 12.—With reference to Government of India, Public Works Department, Notification No. 27, dated 29th January 1877, Captain H. W. Pierson, R.E., Executive Engineer, 2nd Grade, is posted to the 1st Circle, Military Works.

No. 13.—Mr. G. A. Laval, Accountant, 2nd Grade, is transferred from the Office of Examiner of Accounts, Military Works, to that of the Executive Engineer, 1st Peshawar Division, Military Works.

Mr. J. A. Freitas, Accountant, 3rd Grade, is transferred from the Office of Executive Engineer, 1st Peshawar Division, to that of the Examiner of Accounts, Military Works.

No. 14.—Lieutenant F. B. G. D'Aguilar, R.E., Assistant Engineer, is transferred from the 8th to the 2nd Circle, Military Works.

The 28th February 1877.

No. 15.—Conductor A. Forsyth, Supervisor, 2nd Grade (temporary 1st Grade), is transferred from the 1st to the 5th Circle, Military Works.

The 2nd March 1877.

No. 16.—Lieutenant R. F. Moore, R. E., Assistant Engineer, Temporary 1st Grade, is granted three months' leave to study the native languages, from 15th April 1877, or such subsequent date as he may be enabled to avail himself of the leave.

Three months' privilege leave is also granted to Lieutenant Moore, in extension of the leave granted above.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Rawul Pindi, the 1st March 1877.

No. 1.—Lieutenant-Colonel Æ. Perkins, R.E., on return from furlough, resumed charge of the 7th Circle, Military Works, from Major J. Birney, R.E., on the 12th February before noon.

ALEX. TAYLOR, *Major Genl.,*
Chief Engineer, Military Works.

1st Circle.

Calcutta, the 7th March 1877.

No. 672.—Captain W. H. Pierson, R.E., Executive Engineer, 2nd Grade, took charge of the Barrackpore Division, Military Works, from Colonel F. J. Davies on the afternoon of 30th November 1876.

W. R. TUCKER, *Lieut.-Col., R.E.,*
Supdg. Engr., 1st Circle, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 27th February 1877.

No. 37.—CORRIGENDUM.—In Director's Notification No. 16, dated 29th January 1877, for "Mr. H. B. Ginger, temporary Sub-Engineer, 2nd Grade," read "Mr. H. B. Ginger, temporary Sub-Engineer, 3rd Grade."

No. 38.—Mr. R. Reynolds, Executive Engineer, 2nd Grade, Northern Bengal State Railway, is granted furlough for one year eleven months and one day, with effect from the 3rd April 1877, and the usual subsidiary leave.

No. 39.—Mr. A. Barns, Temporary Inspector of Maintenance, 3rd Grade, open line, Holkar and Neemuch State Railways, has been permitted to resign his appointment in the Public Works Department, with effect from the 30th November 1876.

No. 40.—With reference to Government of India, Public Works Department, Notification No. 39, dated 3rd February 1877, Lieutenant J. S. Nicholson, R.E., Executive Engineer, 4th Grade, was temporarily attached to the Director's Office from the 1st to the 21st February 1877, both days inclusive.

No. 41.—With reference to Government of India, Military Department, Notification No. 1272 of the 21st December 1876, Lieutenant J. S. Nicholson, R.E., Executive Engineer, 4th Grade, availed himself of the subsidiary leave therein granted on the forenoon of the 22nd February 1877.

No. 42.—Mr. H. L. Monk, Executive Engineer, 4th Grade, Indus Valley State Railway, is granted furlough for two years, from the 15th March 1877, or such subsequent date as he may avail himself of the same, and the usual subsidiary leave.

No. 43.—Mr. R. T. Mallet, Temporary Superintending Engineer, 3rd Grade, Indus Valley State Railway, returned on the 3rd January 1877 from the leave granted him by Director in Notification No. 53 of the 20th March 1876, and is granted the necessary subsidiary leave.

The 3rd March 1877.

No. 44.—Consignments of "Traps, rat and mouse" will in future be carried at 2nd class rates, and of "sandal-wood, bark chips and sawdust," at 1st class rates, over Indian State Railways.

The additions should be made alphabetically in the Indian State Railway General Classification of Goods.

The 5th March 1877.

No. 45.—Mr. H. Vacher, Executive Engineer, 4th Grade, Rajpootana Railway, returned on the forenoon of the 6th December 1876 from the leave granted him in Director's Notification No. 32 of the 21st February 1876, and is transferred to the Northern Bengal Railway, with effect from the 12th January 1877, the date he rejoined the Establishment under Director.

No. 46.—Mr. J. W. Henry, Executive Engigineer, 2nd Grade, Indus Valley State Railway, is granted furlough for two years, with effect from the 1st April 1877, or such date as he may avail himself of the same, and the usual subsidiary leave.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PRELIMINARY ADVERTISEMENT.

WESTERN RAJPUTANA STATE RAILWAY.

NOTICE TO CONTRACTORS.

Tenders for the construction of a Railway between Ajmere and Ahmedabad, about 300 miles in length, will probably be invited in the course of the year 1877. The object of this advertisement is to give Contractors timely notice so that they may go over the ground, make enquiries, collect information, &c., during the present season; but the Government of India does not bind itself to call for tenders. Information regarding the alignment, works, &c., can be obtained on application to the Engineer-in-Chief, Ajmere.

E. C. S. WILLIAMS, *Lieut.-Col., R. E.,*
Director of State Railways.

6th March 1877.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 26th February 1877.

No. 24.—Mr. E. J. Lemaistre, Overseer, 1st Grade, returned from the one year's furlough granted to him in Notification No. 171 of 1876, on the forenoon of 6th November 1876, on which date he joined the Western Rajputana State Railway.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 5th March 1877.

No. 5.—With reference to Government of India, Public Works Department Notification No. 63 of the 16th February 1877, Mr. J. Jackson, Temporary Sub-Engineer, 3rd Grade, was relieved of his duties on this line on the forenoon of the 14th idem.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 3rd March 1877.

No. 8.—Mr. C. Thompson, Store-Keeper, 2nd Grade, returned to duty on the forenoon of the 1st March 1877, from the privilege leave for three months granted to him in Notification No. 71 of 1st November 1876.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 26th February 1877.

No. 36.—Mr. W. Scott, Executive Engineer, 2nd Grade, is transferred from the Office of the Superintending Engineer, Upper Sinde District, to the Khanpur Division.

No. 37.—The transfer of Mr. J. Ramsay, Executive Engineer, 3rd Grade, to the Western Extension Survey District, made in this office Notification No. 150 of the 8th December 1876, is cancelled.

No. 38.—Mr. W. G. Allen, Assistant Engineer, 2nd Grade, is transferred from the Mooltan to the Upper Sinde District.

The 2nd March 1877.

No. 40.—The following transfer and posting of Store-keepers have been made:—

Mr. J. W. Corfield, Store-keeper, 2nd Grade, from the Humdee Depôt to Mooltan.

Mr. F. S. Homfray, Store-keeper, 2nd Grade, to the Humdee Depôt.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 3rd March 1877.

No. 34.—Mr. S. Williams, Accountant, 4th Grade, is transferred from the Jhelum Division to the Office of Examiner of Accounts. He left the former Division on the forenoon of the 19th February 1877, and joined the latter Office on the forenoon of the 21st idem.

No. 35.—Mr. D. P. DeMello, Accountant, 4th Grade, on probation, is transferred from the Office of Examiner of Accounts to the Jhelum Division. He left the former Office on the afternoon of the 16th February 1877, and joined the latter Division on the forenoon of the 19th idem.

No. 36.—Mr. G. W. Rofle, Supervisor, 1st Grade, is transferred from the Chenab to the Ravi Division, with effect from the forenoon of the 5th December 1876. Notification No. 181, dated 16th December 1876, is hereby cancelled.

No. 37.—Mr. H. C. Mann, Sub-Engineer, 1st Grade, Ravi Division, is allowed twelve days' privilege leave with effect from the forenoon of the 1st February 1877.

No. 38.—With reference to Notification No. 28, dated 17th February 1877, Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, joined the

Indus Division on the forenoon of the 24th February 1877.

No. 39.—Referring to Notification No. 18, dated 13th January 1877, Mr. S. Wilson, 1st Class Apothecary, joined the Ravi Division on the afternoon of the 22nd December 1876.

ALEX. GRANT,
Engineer-in-Chief.

NOTIFICATION.

The post of Chief Accountant in the Office of the Commissioner of Currency, Bombay, is vacant. Salary Rs. 180 rising to Rs. 240. Candidates for this appointment are requested to apply personally or by letter to the undersigned up to the 31st March 1877.

The qualifications required are, *1st*, a thorough knowledge of English both in speaking and writing, *2nd*, of accounts, *3rd*, testimonials to moral character and general ability.

None need apply who are below 25 years or above 45 years of age.

C. E. CHAPMAN,
Commissioner of Currency, Bombay.

BOMBAY,
26th February 1877.

NOTICE.

Wanted a Nazir for the District Judge's Court at Sylhet, salary Rs. 100 rising to Rs. 200, by annual increment. Security to be furnished in cash or land to the amount of Rs. 5,000. He must be well acquainted with the Civil Court's procedure, and must possess a competent knowledge of the English and Bengali languages. Applications will be received up to the 25th of March 1877.

SYLHET,
The 26th February 1877.

H. MUSPRATT,
District Judge.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS.		BALANCE OF BULLION		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Feb. 26	...	...	79	1,50,671	73,00,210	17,05,973
,, 27	...	...	...	1,50,671	73,00,210	17,05,973
,, 28	...	...	1,44,675	156	72,70,950	17,56,489
Mar. 1	...	...	...	156	72,32,816	16,56,489
,, 2	...	...	163	...	72,15,072	16,56,645
,, 3	3,07,778	...	...	3,07,778	71,20,584	16,56,645

CALCUTTA MINT,
The 5th March 1877.

J. F. TENNANT,
Offg. Mint Master.

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 95.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 28th February 1877.*

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.				IRRIGATION.				STATE RAILWAYS (CAPITAL).			
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Simla Imperial Circle.	Dec. 1876	Feb. 3, 1877	1	Rajputana ...	Dec. 1876	Feb. 8, 1877	1	Wurdah Valley ...	Jan. 1877	Feb. 21, 1877
2	Assam ...	Ditto ...	Do. 10 ,,	2	Bengal ...	Ditto ...	Do. 26 ,,	2	Nagpur and Chatisgurh.	Dec. 1876	Jan. 29, 1877
3	Central Provinces	Ditto ...	Do. 12 ,,	3	Mysore ...	Ditto ...	Do. 27 ,,	3	Rangoon and Sittang.	Ditto ...	Feb. 2, 1877
4	Rajputana ...	Ditto ...	Do. 19 ,,	4	North-Western Provinces.	Ditto ...	Do. 28 ,,	4	Tirhoot Survey ...	Ditto ...	Do. 3 ,,
5	Oudh ...	Ditto ...	Do. 21 ,,	5	British Burmah ...	Nov. 1876	Jan. 26, 1877	5	Calcutta & South-Eastern.	Ditto ...	Do. 16 ,,
6	North-Western Provinces. Punjab ... Hyderabad ... Coorg ... Central India ... Port Blair ... Indo-European Telegraph.	Ditto ...	Do. 26 ,,	6	Bombay ... Punjab ...	Ditto ...	Do. 30 ,,		Nulhati ...		
				8	Madras ...	Ditto ...	Feb. 5, 1877	7	Rajputana ... Sindia ... Tirhoot ... Western Rajputana.	Ditto ...	Do. 19 ,,
13	Mysore ...	Ditto ...	Do. 27 ,,						Northern Bengal		
14	Berars (Assigned Districts.)	Ditto ...	Do. 28 ,,		GUARANTEED RAILWAYS.			11	Assam Extension Seebsagur Coal Line.	Ditto ...	Do. 22 ,,
15	Bombay ...	Nov. 1876	Jan. 30, 1877	1	Central Provinces	Dec 1876	Feb. 21, 1877				
16	Bengal ...	Ditto ...	Do. 31 ,,	2	Oudh ...	Ditto ...	Do. 26 ,,	14	Rangoon and Irrawaddy Valley.	Ditto ...	Do. 23 ,,
17	British Burmah ...	Ditto ...	Feb. 2, 1877	3	Bombay ...	Nov. 1876	Jan. 29, 1877		Holkar ...		
18	Indian Telegraph...	Ditto ...	Do. 3 ,,	4	Punjab ...	Ditto ...	Do. 30 ,,	15	Indus Valley ... Neemuch ...	Ditto ...	Do. 26 ,,
19	Madras ... Grand Trunk Road	Ditto ...	Do. 5 ,,	5	Bengal ...	Ditto ...	Feb. 2, 1877		Punjab Northern		
21	Military Works ...	Ditto ...	Do. 19 ,,	6	Madras ...	Ditto ...	Do. 5 ,,	18	Nizam's ...	Ditto ...	Do. 27 ,,
									Hubli and Karwar		
								20	Dhond and Munmar.	Nov. 1876	Jan. 29, 1877
								22	Store-keeper, Calcutta.	Ditto ...	Feb. 12, 1877
									STATE RAILWAYS (REVENUE).		
								1	Oomraotee ... Khamgaum ...	Dec. 1876	Feb. 5, 1877
								3	Calcutta and South-Eastern. Nulhatee ...	Ditto ...	Do. 16 ,,
								5	Tirhoot ...	Ditto ...	Do. 19 ,,
								6	Punjab Northern Nizam's ...	Ditto ...	Do. 27 ,,
								8	Wurdah Valley ...	Nov. 1876	Dec. 15, 1876
								9	Rajputana ...	Ditto ...	Jan. 24, 1877
								10	Holkar ... Neemuch ...	Ditto ...	Do. 29 ,,

Dated 2nd March 1877.

G. J. MELLISS, *Lieut.-Colonel,*
Offg. Accountant General, P. W. Dept.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 28th February 1877.

PARTICULARS.	4 PER CENT. LOANS				3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS					5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1824-25.	of 1829-30.	of 1835-36.	of 1842-43.		44 PER CENT. LOANS			5 PER CENT. LOAN OF 1866-67.	6½ PER CENT. LOAN OF 1868-60.	10 years.	15 years.	
						of 1870.	of 1871.	of 1872.			Repayable, June 1877.	Repayable, June 1882.	
Balance of 15th February 1877	33,173	2,346	14,54,506	1,56,68,400	55,600	39,73,700	2,57,000	2,96,76,000	82,800	4,20,64,600	27,86,000	33,13,000	12,94,35,925
Add—													
Stock transferred to London	...	...	...	1,500	...	...	...	...	...	...	...	...	1,500
Amount enfaced at Madras between 16th and 28th February 1877	...	...	...	...	...	13,900	44,000	72,100	...	2,000	...	...	1,32,000
Amount enfaced at Bombay between 16th and 28th February 1877	...	...	1,000	...	...	...	...	20,000	...	1,000	...	...	6,000
Amount enfaced at Calcutta between 16th and 28th February 1877	...	...	15,000	88,700	...	1,000	...	...	...	2,700	...	1,000	2,98,200
				1,57,08,600		39,88,600	3,01,000	2,97,68,100	82,800	4,20,70,300	27,86,000	33,14,000	12,98,74,625
Deduct—													
Amount written off in the London Registers	...	...	...	3,55,100	...	...	...	61,000	...	...	1,73,000	...	6,72,600
Balance on 28th February 1877	33,173	2,346	14,54,506	1,53,53,500	55,600	39,88,600	3,01,000	2,97,07,100	82,800	4,20,70,300	26,23,000	33,14,000	12,92,02,025

NOTE.—From 9th June 1867 to 31st Dec. 1876, enfaced from India, 2,374 lacs; re-transferred from London, 2,442 lacs.

,,	1st Jan. 1877 to 15th Jan. 1877	,,	,,	6 ,,
,,	16th ,, ,, 31st ,,	,,	,,	14 ,,
,,	16th ,, ,, 28th ,,	,,	,,	13 ,,
,,	1st Feb. ,, ,, 15th Feb.	,,	,,	8 ,,
,,	16th ,, ,, 28th ,,	,,	,,	22 ,,
		,,	,,	6 ,,
		,,	,,	4 ,,
				2,427 lacs.

	2,468 lacs.
	2,427 ,,
Balance against London ...	41 lacs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 5th March 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 6th March 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up			2,00,00,000	0	0
Reserve Fund			16,71,119	2	5
	Rs.	A. P.			
Public Deposits at Head Office	59,44,604	2 1			
Public Deposits at Branches	1,19,23,107	14 9	1,78,67,712	0	10
Other Deposits at Head Office and Branches			1,99,47,649	7	6
Bank Post Bills, &c.			2,77,270	14	7
Sundries			7,05,536	13	8
TOTAL			6,04,69,288	7	0

ASSETS.			Rs.	A.	P.
Government Securities			99,93,187	7	0
Loans on Government Securities, &c., at Head Office and Branches			58,05,063	13	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches			43,98,316	12	6
Bills discounted and purchased at Head Office and Branches			1,77,76,637	11	5
Balances with other Banks			57,509	11	5
Bullion			9,27,359	2	10
Dead Stock			10,41,529	1	0
Stamps			11,249	2	11
Sundries			3,06,545	7	10
			4,03,17,398	6	3
	Rs.	A. P.			
Cash and Currency Notes at Head Office	81,73,199	3 6			
Cash and Currency Notes at Branches	1,19,78,690	13 3	2,01,51,890	0	9
TOTAL			6,04,69,288	7	0

By order of the Directors,

BANK OF BENGAL;
Calcutta, 8th March 1877.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
72	D 4—64839		50	Agents, Hattighore Tea Estate, Calcutta.
	„ —68276		50	

NOTES PARTIALLY LOST OR DESTROYED.

123	D 10—53345		5	The Post Master General, Bombay.
124	D 7—78930		100	Balmokand Chotaylall, Allahabad.
125	D 4—47844		50	Kally Coomar Dutt, Maldah.
44	L 49—85206	wrongly joined.	50	Rustomji Bhicojee, Bombay.
	„ —85216			
45	D 11—53524	ditto	10	Shamlall, Saharunpur.
	„ —53525			

ALLAHABAD,—Paper Currency Office;
The 1st March 1877.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
5	E 6—77052	10	Messrs. Hamilton & Co., Calcutta.
	G 7—64725		
15	E 10—40229	10	Bukhtawar Sing, Hazara.
	E 7—43818	5	
16	E 12—37314	20	E. Smith, Esq., Jullundur.
27	E 3—89754	100	Cuddoo, Jeweller, Cashmere.
	„ —91770	100	

LAHORE,—Paper Currency Office;
The 3rd March 1877.

J. W. McNAIR,
Offg. Asstt. to Acctt. Genl., in charge of Currency Office.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
26	F 10—57094	100	Hastings Read, Esq., Deputy Commissioner, Raipúr.
	F 13—23570	5	

NAGPUR,—Paper Currency Office;
The — March 1877.

H. KEENE,
Asstt. to Depy. Acctt. Genl., C. P., in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
452	L 78—61941	20	Mr. Walter Newton.
453	L 66—33132	50	Babu Woodoy Chand Addy.
454	L 83—33646	100	Babu Sarnomoi Ganguly.
456	L 24—88719	5	Shaik Hadha Bux.
458	L 82—77022	100	Hozaree Lall.

NOTES PARTIALLY LOST OR DESTROYED.

337	L 24—90022	5	The Chief Pay Master, East Indian Railway, Calcutta.
	„ —90023		
338	L 83—30273	100	Dooly Chund.
	„ —30272		
339	L 46—75745	20	Babu Sham Chand Paul.
	„ —75746		
340	L 65—43225	20	Messrs. Raj Narain Ghose and Raj Narain Bose.
	„ —43226		
342	L 22—41744	5	Babu Chunder Sekur Bose.
	„ —41757		
343	L 44—53553	10	Babu Woodoy Chunder Mullick.
	„ —53554		
	L 64—66214	20	
	„ —66216		
344	L 13—18819	20	Tara Chand Ghonessam Das.
	„ —18816		
	L 37—45911	20	
	„ —45910		
	L 3—07175	10	
	„ —07176		
	L 60—28756	10	
	„ —28759		
	L 20—30569	5	
	„ —30582		
	L 20—37120	5	
	„ —37117		
	L 21—25929	5	
	„ —25926		
514	L 74—42835	10	Babu Lakhmi Kanta Ghosh.
515	L 26—57356	5	Babu Sreeram Chunder Sircar.
516	L 82—81727	100	Pernalal Soorjo Mull.
517	L 26—26380	5	Babu Gain Sunker Sen.
518	L 10—98947	5	Babu Rakhal Chunder Ghosh.
519	L 26—15388	5	Mrs. M. Higgins.
520	L 46—60104	20	Babu Mohendro Nath Sen.
	L 64—18695	20	
	L 48—42646	20	
	L 41—66758	10	
521	L 22—06413	5	Babu Kaliprosad Mookerjee.
522	L 25—14102	5	Babu Doorga Churn Seal.
347	L 78—45909	20	Messrs. Bathgate & Co.
	„ —45907		

CALCUTTA,—Paper Currency Dept.;
The 9th March 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
95	B 50—45235	100	T. N. Ganapatt Pillay, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

248	B 43—55574	50	Ananda Row, of Owk.
249	B 43—69299	50	Kinhal Raghavendra Charry, Triputty.
250	B 39—40452	5	P. Moonoosawmy Moodeliar, Madras.
251	B 39—67957	5	Sidanniengar, Madura.
252	B 42—21865	20	Messrs. McDowell & Co., Madras.
253	B 49—90356	10	L. A. Sami Aiyer, Dindigul.
254	B 50—50437	100	H. Groves, Esq., Koppa.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 26th February 1877.

D. KISSUN SING,
Asstt. to Acctt. Genl., in charge of Paper Currency Dept.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

8th March 1877 ... Rs. 1,62,085-12-8.

E. F. HARRISON,
Treasurer to the Govt. of India.

CALCUTTA,
9th March 1877.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 8th March 1877.

No. 7501.—Leave granted by the Director General of the Post Office of India in the Postal Circle of Madras:—

Mr. M. Percy, Post Master, Madras, is granted privilege leave for five weeks under Sections 29 and 30 of the Civil Leave Code, 3rd edition, with effect from 27th January 1877.

E. R. DOUGLAS,
Offg. Dy. Dir. Genl. of the Post Office of India.

The 9th March 1877.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway for transmission per Steamer *Commilla*, will be closed at the General Post Office on Sunday, the 11th March 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Himalaya*, will be closed at the General Post Office on Sunday, the 11th March 1877, at 7 P. M.

The Overland Mail is expected to arrive in Calcutta by morning train on Monday, the 12th March.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, iwll be closed at the General Post Office on Monday, the 12th March 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 13th March 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Ava*, will be closed at the General Post Office on Wednesday, the 14th March 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 16th March 1877, by which mails for Mauritius, St. Denis, Reunion and Zanzibar can be forwarded.

2. Book-post and pattern packets must be posted on the 15th March 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 9th March 1877.

Adams, Mrs. J. H.	Jellicoe, J.
Allan, W. H.	Knight, F. W.
Attfield, J. S.	Lackerstein, A. L.
Austin, R. A.	Lafarque, Mr.
Baildon, S.	Lawrie, J. R. H.
Balhally, Mrs.	Mackenzie, G. R.
Barings and Co., Messrs.	McDarmott, W.
Bateman, W. E.	McKeon, A. B.
Birke, Captain H. P.	McNeil, Miss C.
Borah, Surgeon S.	Martin, Mrs.
Cannon, C. E.	Matthews, Mrs.
Carroll, Dr.	Metcalfe, M.
Cantwell and Co., Messrs.	Newman, J. B.
Creman, I. I.	Nichol Henry, Sergt.
Daunt, E.	O'Sullivan, W. J.
Davies, H.	Otto, Geo.
Davis, Mrs.	Paton, G.
D'Costa, V.	Paulson, P. L.
D'Santo, Mrs. B.	Perkins, Lieut.-Col. A. E.
Douglas, J.	Pulson, Capt.
Doyle, P. J.	Ray, Mr.
Dundas, Mrs.	Reaks, Mrs. M.
Falmon, B.	Rees, Mrs. E.
Ferrari, Dr. D. A.	Ruchwaldie, H.
Finney, J.	Samuells, H. E.
Fox, M.	Scott, James.
Fox, William.	Sherriff, R.
Funlong, Mrs. Mary.	Short, B. H.
Gasper, M. P.	Simpson, Mrs.
Gonsalves, E.	Smith, Mrs. E. F.
Granger, John H.	Smyth, C. G.
Gray, Mr.	Stoddard, H.
Greenbury, Miss.	Thilstone, Mrs.
Gurd, Sergt. T.	Thomas, E. C. G.
Harrison, H. D.	Wane, Innes B.
Harriss, J. S.	Watson & Hayton, Messrs.
Hayter, W. J.	Watson, Mrs. L. E.
Hendrix, Rev. E. R.	White, W. M.
Heenan, Geo. Chas.	William, G.
Holloway and Co., Messrs.	Williams, B. A.
Hornaday, W. T.	Williams, A.
Howe, E. C.	Wilson, Thos.
Inglis, W.	Winscom, Miss.
Irwin, Mr.	Woods, Miss.
Jackson, L. H. C.	Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Andrew, Walter G. G.	Corke, Chas.
Arthur, Geo.	Cranbourn, Mrs.
Battye, Major H. D.	Cranmer, Mrs. G. A.
Beale, William.	Crawfurd, Major.
Biggs, Robert O. C.	Curlender, Solomon.
Bouney, F.	Dalitz, H. Oscar.
Brownfield, M.	Eaton, Mrs. P. W.
Brownlow, A.	E. F. W.
Buckley, C. W.	E. M.
Caddy, D. G.	Frawley, M. A.
Campbell, Mrs. William.	Glukman, Lione.
Carrington & Wigley.	Good, J. W.
Cavanagh, Jas.	Graham, Mrs. C.
Christian, A.	Huguenot, M.

Jones, B. F.	Richardson, Geo.
Jones, Edward John.	Roberts, Chas.
Kelly, Edward.	Roberts, W.
King, H. W.	Ryan, Mrs. J. G.
Leadbeater, W. E.	Schapira, D.
MacIntyre, A.	Scolfi, A. L.
Mazzaline, Mrs. J.	Shutz, J.
McWilliams, Miss.	Smith, J. W.
Meyer, H. G.	Stewart, R.
Meers, William.	Stone, B. J.
Mitchell, Miss.	Storey, Wm.
Moran, Frank Conyngham.	Strahan, Major.
Morgan, Mrs. Milton.	Thomson. Geo. Black.
Moseley, Capt. W. H.	Townsend, E. B.
O'Brien, T. H.	Watson, J. B.
Peel, E. W. H.	Watt, Capt. J. R.
Pemberton, G.	Williams, C. A.
Penny, P.	Williams, W. J.
Pierce, Mrs. J. O.	Wilson, G. A.
Power, W.	Wilson, G.
Ragg, W. L.	Wilson, J. S.
Reed, J.	Zacharias, A. H.

Papers.

Artell, H. F.	Jones, B. F.
Battye, Major H. D.	Richardson, Geo.
Bellany, J.	Ryder, A.
Caddy, D.	Stewart, A.
Cayton, Geo.	Williams, C. A.
Holland, Capt.	

Registered Letters.

A. B. C.	Martin, W.
Corbitt, Mrs. B.	O'Brien, C.
Costley, Capt. H.	Waddel, H. E.
Ferrari, Dr. A.	

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

New edition—Just published.

P. W. D. Classified List, corrected up to 1st October 1876. *Price Rs. 2; packing and postage, 4 annas.*

Army List.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, War Services of Officers, and the Military Regulations, corrected up to 1st January 1877. *Price, Rs. 4; packing and postage, 8 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal, prescribed by the Lieutenant-Governor of Bengal on the 20th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director General of Statistics to the Government of India:

Vol. I. 24-Pergunnahs and Sundarbans.
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 17, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 18th November 1876.

Until further notice, the entire *Gazette of India* will be published in Calcutta, and Notifications and other matter intended for publication in the Gazette, should be forwarded to the Publisher at No. 8, Hastings Street.

NOTIFICATION.

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E. J. DEAN,

Publisher, Gazette of India.

BANK OF BENGAL.

Calcutta, the 16th March 1877.

Mr. Robert Hardie, Secretary and Treasurer, having been granted leave to Europe, the Directors have made the following changes in the Bank's Establishment, with effect from the 20th instant *viz.*:—

Mr. W. D. Cruickshank, Deputy Secretary and Treasurer, to officiate as Secretary and Treasurer.

Mr. J. Gordon, Chief Accountant and Deputy Secretary, to officiate as Deputy Secretary and Treasurer.

Mr. W. Westland, Superintendent, Depositors Department, to officiate as Chief Accountant and Deputy Secretary.

By order of the Directors,

R. HARDIE,

Secretary & Treasurer.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

15th March 1877 ... Rs. 2,187-8-11.

W. WATERFIELD,

Treasurer to the Govt. of India.

CALCUTTA, *16th March 1877.*

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 15th March 1877.

No. 10.—LEAVE OF ABSENCE.—Mr. Percival Edwin Heberlet, Probationary Assistant Surveyor, 4th Grade, for three months, from the 11th February 1877, under Section 12, Supplement F of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R. A.,*

Superintendent of Revenue Surveys.

COMPTROLLER GENERAL'S OFFICE.

No. 1713.—*Account of the Revenue and Expenditure of the Government of India for the eighth month of the year 1876-77, as compared with the corresponding period of 1875-76.*

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April to Nov. 1875.	April to Nov. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	10,280,523	9,854,273	...	426,250
II.—Tributes ...	700,000	441,434	420,079	...	21,355
III.—Forest ...	600,000	289,666	282,621	...	7,045
IV.—Excise on Spirits and Drugs ...	2,525,000	1,622,209	1,643,481	21,272	...
V.—Assessed Taxes ...	...	286	266	...	20
VI.—Customs ...	2,620,000	1,667,060	1,451,171	...	215,889
VII.—Salt ...	6,300,000	3,997,745	4,124,318	126,573	...
VIII.—Opium ...	8,300,000	5,464,402	6,053,235	588,833	...
IX.—Stamps ...	2,837,000	1,891,027	1,915,212	24,185	...
X.—Mint ...	124,000	63,757	151,515	87,758	...
XI.—Post Office ...	778,000	514,945	530,988	16,043	...
XII.—Telegraph* ...	281,500	126,030	153,939	27,909	...
XIII.—Law and Justice ...	316,000	214,591	225,205	10,614	...
XIV.—Marine ...	198,000	115,616	111,637	...	3,979
XV.—Interest ...	488,000	360,283	352,279	...	7,996
XVI.—Pensions ...	604,400	130,903	121,442	...	9,461
XVII.—Gain by Exchange	347,000	199,160	273,369	74,209	...
XVIII.—Miscellaneous ...	238,400	158,039	121,545	...	36,494
TOTAL ...	48,438,300	27,537,676	27,802,575	264,899	...
Army ...	840,800	584,380	507,205	...	77,175
Public Works, Ordinary ...	65,000	31,925	35,152	3,227	...
Canals ...	527,000	267,054	274,563	...	12,491
State Railways ...	415,000	166,898	224,919	58,021	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	4,374,043	5,233,833	859,790	...
TOTAL ...	58,174,100	32,961,976	34,078,247	1,096,271	...
England, including Army and Public Works ...	193,900	192,121	153,282	...	38,839
GRAND TOTAL ...	58,368,000	33,174,097	34,231,529	1,057,432	...

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 16th March 1877.*

W. WATERFIELD, *Offg. Comptroller General.*

EXPENDITURE.	Estimates, 1876-77.	April to Nov. 1875.	April to Nov. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	1,800,133	1,837,566	37,433	...
2.—Interest on Service Funds ...	390,000	272,214	290,394	18,180	...
3.—Refunds and Drawbacks ...	300,000	209,323	183,036	...	26,287
4.—Land Revenue ...	2,467,800	1,550,140	1,529,542	...	20,598
5.—Forest ...	414,500	224,430	254,299	29,869	...
6.—Excise on Spirits and Drugs ...	87,000	56,270	61,363	5,093	...
7.—Customs ...	189,000	120,116	126,442	6,326	...
8.—Salt ...	525,600	349,364	331,367	...	17,997
9.—Opium ...	2,199,000	1,913,600	2,494,153	580,553	...
10.—Stamps ...	71,700	47,417	47,755	338	...
11.—Mint ...	79,000	54,397	57,319	2,922	...
12.—Post Office ...	760,400	524,421	611,244	13,177	...
13.—Telegraph* ...	381,300	202,180	215,302	13,122	...
14.—Administration ...	1,251,500	807,772	857,940	50,168	...
15.—Minor Departments ...	249,400	154,631	136,106	...	18,525
16.—Law and Justice ...	2,364,200	1,518,180	1,581,767	63,587	...
17.—Marine ...	403,400	255,166	231,409	...	23,757
18.—Ecclesiastical ...	161,100	103,311	101,594	...	1,717
19.—Medical ...	184,000	120,479	119,281	...	1,198
20.—Political ...	293,400	210,035	217,803	7,768	...
21.—Allowances ...	1,875,200	796,922	760,224	...	36,698
22.—Civil Furlough ...	...	476,972	407,669	...	69,303
23.—Superannuation ...	586,000	1,012,396	1,654,476	642,080	...
24.—Loss by Exchange ...	2,332,000	27,325	49,474	22,149	...
25.—Miscellaneous ...	45,000	3,393,013	3,377,762	...	15,251
26.—Allotments for Provincial Services ...	5,059,400				
TOTAL ...	25,576,300	16,200,207	17,435,696	1,235,489	...
Army ...	11,820,700	7,522,076	7,513,466	...	8,610
Public Works, Ordinary ...	2,441,500	1,477,580	1,480,085	2,505	...
Ditto, Extraordinary, including Railways ...	3,015,900	1,819,343	1,676,015	...	143,328
Land and Supervision ...	93,000	57,494	25,396	...	32,098
Interest in India ...	30,000	17,833	22,774	4,941	...
State Railways ...	292,000	128,557	200,996	72,439	...
Working Expenses of the Guaranteed Railways, including Surplus Profits ...	4,418,000	1,977,876	1,833,922	...	143,954
TOTAL ...	47,687,400	29,200,966	30,188,350	987,384	...
England, including Army, Public Works, Ordinary and Extraordinary, &c. ...	14,295,600	8,046,250	8,441,250	395,000	...
GRAND TOTAL ...	61,983,000	37,247,216	38,629,600	1,382,384	...

* Telegraph accounts received up to October 1876.

E. W. KELLNER; *Deputy Comptroller General.*

Offg. Deputy Comptroller General.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 9th March 1877.

No. 252.—Surgeon-Major T. Beaumont, Residency Surgeon, Indore, is granted privilege leave for three months, with effect from the afternoon of the 3rd March 1877.

The 12th March 1877.

No. 270.—Major P. W. Bannerman, Political Agent, 1st Class, Baghelcund Agency, is granted privilege leave of absence for 3 months with effect from the 1st April next, or such subsequent date as he may avail himself thereof.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

ESTABLISHMENT.

Indore, the 12th March 1877.

No. 10.—Mr. C. E. Gael, Temporary Executive Engineer, 3rd Grade, availed himself on the forenoon of the 6th instant of subsidiary leave, preparatory to proceeding on 18 months' furlough, granted in Notification No. 9, dated 3rd February 1877, having made over charge of the Neemuch Division to Mr. R. E. Nelson on the afternoon of the 5th idem.

No. 11.—Mr. R. E. Nelson, Temporary Executive Engineer, 4th Grade, left Mhow Division on the forenoon of the 26th February 1877, arrived at Neemuch on the forenoon of the 1st March 1877, and received charge of the Neemuch Division from Mr. C. E. Gael on the afternoon of the 5th idem.

No. 12.—Mr. G. A. Anderson, Assistant Engineer, 2nd Grade, has been granted three months' leave to study the native languages from such date as he can be spared.

No. 13.—Baboo Govind Chunder Ghosal, Accountant, 4th Grade, attached to Bundelcund Road Division, has been granted 45 days' privilege leave from such date as he may avail himself of it.

No. 14.—Baboo Susty Churn Mitter, Accountant, 3rd Grade, transferred to Central India in G. O. No. 14, dated 17th January 1877, joined the Examiner's Office on the afternoon of the 21st February 1877.

No. 15.—Mr. W. H. Bonnaud, Executive Engineer, 4th Grade, embarked for England on two years' furlough granted in Notification No. 50, dated 16th December 1876, in steamship *Mikado* which sailed on the 20th February 1877.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.

Port Blair, the 6th March 1877.

Mr. W. Mackay returned from the sick leave granted to him in Public Works Department Notification No. 30, dated 21st January 1876, and resumed charge of his duties as Executive Engineer, Port Blair and Nicobars, from Lieutenant F. R. deWolski, R.E., on the forenoon of the 1st instant.

Mr. Geo. Peck assumed charge of the Office of Harbour Master and Ex-Officio Post Master, Port Blair and Nicobars, on the afternoon of the 27th ultimo.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 10th March 1877.

No. 157.—Mr. Bymanjee Jamasjee, Assistant Commissioner, Hyderabad Assigned Districts, has been granted privilege leave for fifty-two days, with effect from the 1st April 1877, or from such date as he may avail himself of it.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 5th March 1877.

No. 17.—Major Æ. Perkins, R.E., on return from furlough, received over charge of the Office of Superintending Engineer, 7th Circle, Military Works, on 12th February 1877, forenoon, from Major J. Birney, R.E.

No. 18.—Mr. W. H. King, Temporary Executive Engineer, 4th Grade, is granted furlough for seven months, from 10th April 1877, or such subsequent date as he may be able to avail himself of the leave with usual subsidiary leave.

The 9th March 1877.

No. 19.—Mr. A. Morton, Assistant Engineer, 2nd Grade, attached to the Lahore Division, 5th Circle, Military Works, is granted three months' leave to study the Native languages, from such date as he may avail himself of the same, and three months' privilege leave in continuation thereof.

No. 20.—Barrack Sergeant J. Wells, on return from furlough, joined the 2nd. Circle, Military Works, on 17th February 1877.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 12th March 1877.

No. 718.—PROMOTION.—2nd Grade Sub-Overseer Munsub Allee, attached to the Dinapore Division, Military Works, is promoted to 1st Grade, with effect from 1st instant.

W. R. TUCKER, *Lieut.-Col., R.E.,*
Supdg. Engr., 1st Circle, Mily. Works.

2nd Circle.

Lucknow, the 8th March 1877.

No. 17.—Babu Brindabun Paul, Overseer, attached to the Lucknow Division, Military Works, has been transferred to the I Allahabad Division, Military Works, which he joined on the 7th instant.

The 10th March 1877.

No. 18.—With reference to this Office Notification No. 15, dated the 26th ultimo, Barrack Sergeant Warren took over the barrack duties at Saugor from Barrack Master Edmondson, on the forenoon of the 3rd instant, and not the 14th ultimo.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 8th March 1877.

No. 13.—Three months' leave to study the Native languages is granted to Mr. R. J. Bailey, Assistant Engineer, Agra Division, Military Works, with effect from the 15th April 1877.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

4th Circle.

The 9th March 1877.

No. 5.—Lalla Raja Lall, Overseer, 1st Grade, attached to the Ferozepore Division, Military Works, is temporarily transferred to the Umballa Division, Military Works, which he joined on the forenoon of the 4th current.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

Rawul Pindi, the 7th March 1877.

No. 9.—Privilege leave granted to Mr. A. J. P. Jones, Assistant Engineer, 2nd Grade, in this Office Notification No. 4 of 22nd January 1877, is extended to forty-nine days. He rejoined from this leave on the forenoon of 15th February 1877.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

CONSULTING ENGINEER TO GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 14th March 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 100, dated the 5th instant, Mr. J. W. A. McNair, Assistant Examiner, Public Works Accounts, joined the Office of the Examiner of Railway Accounts to the Government of India at Calcutta on the forenoon of the 12th March 1877.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 6th March 1877.

No. 47.—The services of Mr. W. Holloway, Temporary Supervisor, 2nd Grade, Punjab Northern State Railway, being no longer required, were dispensed with on the 30th November 1876.

No. 48.—Mr. W. H. Parker, Temporary Superintending Engineer, 3rd Grade, Indus Valley State Railway, is granted six months' furlough, with effect from the 1st May 1877, or such date as he may avail himself of the same, and the usual subsidiary leave.

The 10th March 1877.

No. 49.—Mr. F. R. Upcott, Executive Engineer, 4th Grade, Indus Valley State Railway, is granted eighteen days' subsidiary leave in extension of the twelve days granted in Director's Notification No. 24 of the 5th February 1877.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATION.

The 8th March 1877.

No. 42.—Mr. J. Mackenzie, Supervisor, 1st Grade, is granted subsidiary leave from the 5th to 29th December 1876.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 10th March 1877.

No. 40.—Mr. T. McReddie, Supervisor, 1st Grade, is transferred from the Chenab to the Ravi Division, which Division he joined on the afternoon of the 2nd February 1877.

No. 41.—Referring to Notification No. 31, dated 17th February 1877, Conductor C. Montgomery, Supervisor, 1st Grade, joined the Chenab Division on the forenoon of 21st February 1877.

No. 42.—Gunner J. Brown, Supervisor, 1st Grade, Ravi Division, was relieved of his duties on this Railway on the afternoon of the 20th February 1877.

No. 43.—Mr. W. Becker, Supervisor, 1st Grade, Ravi Division, returned to duty from the two months' privilege leave granted to him by Notification No. 13, dated 13th January 1877, on the forenoon of 1st March 1877.

No. 44.—With reference to Director of State Railways' Notification No. 17, dated 1st February 1877, Mr. W. Nethersole, Superintending Engineer, 2nd Grade, reported his arrival at Lahore on the afternoon of the 18th January 1877.

ALEX. GRANT,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 12th March 1877.

No. 6.—Baboo Doorga Dass Dutt, Overseer, 2nd Grade, attached to the Somastipore Division, Tirhoot State Railway, is granted one month's privilege leave from such date as he may avail himself of the same.

No. 7.—Privilege leave for three months is granted to Mr. Edward Byrne, Executive Engineer, 2nd Grade, Kosee Extension Surveys, Tirhoot State Railway, from 1st April 1877, or such date as he may avail himself of it.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 8th March 1877.

No. 25.—Mr. R. J. Ives, Sub-Engineer, 1st Grade, Northern Division, is granted fifteen days' privilege leave.

He availed himself of this leave on the forenoon of the 21st February 1877.

No. 26.—Mr. W. L. Buyers, Executive Engineer, 3rd Grade, Assam Railway Extension Survey Division, was relieved of his charge on the forenoon of the 28th February 1877, for transfer to the Carwar Railway Survey, Bombay, on which date he reported his departure from this Railway.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 10th March 1877.

No. 9.—With reference to Notification No. 4, dated 3rd February 1877, Mr. W. Johnstone, Assistant Engineer, 1st Grade, Fatehabad Division, is granted an extension of three days' privilege leave from 18th to 20th January 1877.

No. 10.—Mr. B. V. Soobrow, Overseer, 2nd Grade, Barnagar Division, returned to duty on 28th February 1877, from the twenty-one days' privilege leave granted to him in Notification No. 5 of 3rd February 1877, and which he availed himself of on 9th February 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATIONS.

Khandwa, the 12th March 1877.

No. 6.—Mr. G. J. S. Madge, Accountant, 4th Grade, attached to the Workshops, Holkar and Neemuch State Railways (open line), is granted one month's privilege leave from the 1st March 1877, or such subsequent date as he may avail himself of it. Mr. Madge availed himself of the leave from the 12th instant.

No. 7.—Mr. Eugene Marval, Accountant, 2nd Grade (temporary), attached to the Office of Examiner of Accounts, Holkar and Neemuch State Railways, is transferred to Khandwa to take charge of the Workshop Accounts, during the absence of Mr. G. J. S. Madge, Accountant, 4th Grade, on leave, or till further orders.

Mr. Marval reported his arrival at Khandwa on the forenoon of the 5th March 1877.

F. N. GUTERSLOH,
Offg. Manager (Open Line), Holkar and Neemuch State Railways.

Report of a Deserter from the 7th Battery, 13th Brigade, Royal Artillery, dated at Fort William, this 9th day of March 1877.

Number, Rank, and Name,—3029, Gunner John Gilmore.	Parish and County in which born,—Manchester, in the County of Lancaster.
Age,—28 years and 8 months.	Marks.—Scar on top of nose and J. G. tattooed on left forearm.
Size,—5 feet 8 inches.	Trade,—Slater.
Color of—Complexion, fresh; hair, brown; eyes, blue.	Coat or Jacket,—Dark mixture (cut-away).
Date of Desertion,—8th March 1877.	Waistcoat,—Dark mixture.
Place of Desertion,—Fort William.	Breeches or Trowsers,—Light tweed.
Date of Enlistment,—24th July 1867.	REMARKS,—Jute shirt (M.P.), worsted socks (M.P.), escaped from Military Prison with upwards of Rs. 500 in notes, short hair, clean shaved, no moustache.
At what Place enlisted,—Liverpool.	

J. R. GLASGOW, *Capt.,*
for *Brigade Major.*

Report of a Deserter from the G-4th Royal Regiment of Artillery, dated at Nusseerabad, this 11th day of March 1877.

Name,—Charles Melville.	Date of Enlistment,—10th November 1870.
Age,—24 years and 4 months.	Place of Enlistment,—Liverpool.
Size,—5 feet 7½ inches.	Parish where born,—Bristol.
Color of—Complexion, fresh; hair, light brown; eyes, grey.	County,—Gloucester.
Peculiar marks by which his identity may be ascertained,—anchor across right forearm.	Former Trade or Occupation,—Laborer.
Date of Desertion,—11th March 1877.	Dress at the time of Desertion,—Believed to be wearing a drab tweed suit, a pith sun hat.
From whence deserted,—Nusseerabad.	REMARKS,—Believed to have escaped between midnight and 6 A. M. this day.

J. A. TILLARD, *Major,*
Comdg. G-4th Royal Artillery.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RS.		BALANCE OF BULLION		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Mar. 5	2,44,794	...	...	5,52,752	70,01,483	16,56,645
" 6	7,00,000	...	...	12,52,752	69,01,408	16,56,645
" 7	7,500	...	...	12,60,252	68,97,423	16,56,645
" 8	...	...	...	12,60,252	68,08,681	16,56,645
" 9	...	...	...	6,02,695	67,17,874	16,56,645
" 10	...	...	2,13,197	6,02,519	71,86,724	12,90,771

CALCUTTA MINT, *The 12th March 1877.*

J. F. TENNANT,
Offg. Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 13th March 1877.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	16,71,119	2	5
Public Deposits at Head Office ... Rs. 70,53,075 13 7			
Public Deposits at Branches ... 1,01,46,884 1 1	1,71,99,959	14	8
Other Deposits at Head Office and Branches	1,98,86,454	3	4
Bank Post Bills, &c.	3,01,711	11	11
Sundries	7,52,490	14	0
TOTAL ...	5,98,11,735	14	4

ASSETS.	Rs.	A.	P.
Government Securities ...	98,56,114	13	3
Loans on Government Securities, &c., at Head Office and Branches ...	50,58,861	5	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches	43,84,749	8	3
Bills discounted and purchased at Head Office and Branches	1,76,47,529	3	10
Balances with other Banks ...	81,981	5	10
Bullion	8,49,154	3	4
Dead Stock	10,39,064	3	6
Stamps	10,890	7	11
Sundries	2,64,524	13	1
	3,91,92,870	0	4
Cash and Currency Notes at Head Office... Rs. 94,44,028 3 9			
Cash and Currency Notes at Branches ... 1,11,74,837 10 3	2,06,18,865	14	0
TOTAL ...	5,98,11,735	14	4

By order of the Directors,

BANK OF BENGAL; *Calcutta, 15th March 1877.*

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
73	D 10—89055	5	The Post Master General, Madras.
74	D 10—72973	5	Abdoolla, Agra.
75	D 11—54314	10	The Post Master General, N. W. Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

122	D 10—43383	5	Nanuck Chund, Gordaspur.
46	D 5—90758 wrongly joined. „ —90759	20	The Manager, Himalaya Bank, Limited, Mussoorie.

ALLAHABAD,—Paper Currency Office; *The 8th March 1877.*

T. H. S. BIDDULPH, *Asstt. Acctt. Genl., in charge of Paper Currency Office.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
96	B 43—54735	50	Officer Commanding Body Guard, Madras.
97	B 52—09091	10	Mr. C. Copcutt, Negapatam.
	„ —18413	10	
	„ —23805	10	
98	B 39—25253	5	Mr. J. Hendricks, South Arcot.
	B 40—00181	5	
99	B 49—52768	10	Ebrahim Sait and Co., Bellary.
	B 43—70898	50	
	B 50—40609	100	

NOTES PARTIALLY LOST OR DESTROYED.

255	B 52—06715	10	Krishna Iyer, Pulney.
256	B 49—28665	10	Lakshmi Naraniengar, Bangalore.
257	B 52—26317	10	Mrs. Hooper, Bangalore.
	B 42—68839	20	
258	B 52—24144	10	Mr. T. R. Scott, Cuddapah.
	B 43—78492	50	
259	B 40—25422	5	Colonel F. C. Georges, 30th Regiment, M. N. I., French Rocks.
	„ —25734	5	

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 5th March 1877.*

D. KISSUN SING, *Asstt. to Acctt. Genl., in charge of Paper Currency Dept.*

Calcutta Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
459	L 96—66425	10	Babu Gris Chunder Roy.

NOTES PARTIALLY LOST OR DESTROYED.

348	L 26—08602 „ —08609	5	Hafez Khan.
350	L 87—72096 „ —72097	10	Babu Bholanath Ganguly.
351	L 73—94741 „ —94742	10	The Chief Pay Master, East India Railway, Calcutta.
352	L 26—21403 „ —21402	5	Mr. G. M. Young.
523	L 52—49973	500	Babu Mohanundo Roy.
	„ —07703	500	
	„ —42599	500	
	A 89—91251	500	
	L 82—69261	100	
524	L 67—55542	50	Doma Bhuggut.
	L 81—27807	50	
	„ —34119	50	
	L 64—67609	20	
	L 79—45661	20	
	L 89—49611	20	
	A 97—87055	10	
	L 76—89033	10	
	L 88—19882	10	
	„ —87036	10	
525	L 88—26437	10	Babu Aubinash Chunder Sen.
	„ —26436	10	
526	L 96—34996	10	Syed Akbar Hossein.
527	A 81—14698	20	Mr. Elijah Upendra Chundra Biswas.
	L 79—07275	20	
	L 43—34191	10	
528	L 89—48619	20	Mahomed Fareed Khan.
529	L 69—85873	100	Sadaree Beparee.
	L 82—75844	100	
	„ —85473	100	
	L 19—64247	50	
	L 81—18230	50	
	L 80—32863	20	
	„ —73935	20	
	„ —32865	20	
	L 89—09216	20	
	L 80—37931	20	
530	L 49—18577	50	Babu Shitanath Paul.
	L 67—42645	50	
531	L 73—52737	10	Babu Canti Chunder Banerjee.
532	L 51—95536	100	Abdool Wahab.
533	L 95—40643	10	Abdoolla Khan.
534	L 48—89774	20	Gunesh Panday.
535	L 86—69433	10	Babu Prosanna Coomar Chakrabarty.
536	L 96—04520	10	Babu Surbessur Mitter.
	L 26—65080	5	
537	L 59—22707	10	Mr. G. T. Sabaa.
538	L 67—60524	50	Babu Bamon Das Mookerjee.

CALCUTTA,—Paper Currency Dept.; *The 16th March 1877.*

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
9	D 10—35188	5	Raheem Bux and Mohummad Hosain, Merchants, Lahore.
	E 7—87101		
26	E 10—57222	10	Seikh Meerun Bux, Commissioner's Office, Lahore.
	E 12—27563	20	
	„ —35635	20	

LAHORE,—Paper Currency Office; *The 10th March 1877.*

I. C. BOSE, *Asstt. to Acctt. Genl., in charge of Currency Office.*

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
33	F 8—48524	20	B. Phillips, Esq., 18 & 20 Civil lines, Poona.

NAGPUR,—Paper Currency Office; *The — March 1877.*

H. KEENE, *Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.*

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877.		Rs.	
W16	C 93—97265	100	Syd Khurshade Ali, Allahabad.
17	M 23—32115	50	Bhikaji Pandurang, Khandesh.
18	M 23—49817	50	J. Ritchie, Windsor Castle Hotel, Bombay.
	„ —49818	50	
	„ —49819	50	
	„ —49820	50	
19	M 24—65002	100	A. S. DeNaronha, Coorla.
20	M 24—16536	100	Jamsetji Nowroji, Cooper, Messrs. Hearn and Cleveland's Office.

NOTES PARTIALLY LOST OR DESTROYED.

1877.		Rs.	
H33	C 93—98227	100	J. A. Guerin, Athni, Belgaum.
34	M 24—30774	100	Husen Goolab, 7, Khandh Street, Nagpadh, Bombay.
	„ —87478	100	
	M 25—06999	100	
35	M 20—56079	10	A. D'Lima, Kamptí.
	M 21—04584	10	
36	M 23—22235	50	Hormusji Jamsetji, Deolalee, Bhugar.
H37	M 20—90754	10	Revd. C. C. Telles, Catholic Priest, Kaladgi.
	„ —04961	10	
38	M 18—38048	10	Sydney Smith, Assistant Superintendent of Police, Peshawar.
M14	C 98—36097	10	Captain C. D. Baillie, Poona.
	„ —36098		
15	M 4—22174	5	G. Robottom, G. I. P. Railway, Boree Bunder.
	M 6—00032		
16	C 98—81114	20	Sheo Shunker Mancoba, Elphinstone Circle, Bombay.
	„ —81115		
H181	C 90—61349	1,000	Maneckje Cooverje Mehta, Bombay.
	M 24—55733	100	

BOMBAY,—Paper Currency Dept.; *The 6th March 1877.*

G. W. CLINE, LL.D., *Assistant Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 16th March 1877.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Japan* and *Argyll*, will be closed at the General Post Office on Saturday, the 17th March 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 17th March 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *India*, will be closed at the General Post Office on Sunday, the 18th March 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 18th March 1877, at 7 P. M.

Mail for Madras only, for transmission per P. & O. Steamer *Poonah*, will be closed at the General Post Office on Monday, the 19th March 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 20th March 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Rajpootana*, will be closed at the General Post Office on Wednesday, the 21st March 1877, at 7 P. M.

Owing to the state of the tides the P. & O. Steamer will leave Calcutta on the 20th instead of the 22nd March 1877, but she will be required to remain at Madras until the contract date for leaving that Port, *viz.*, 27th March 1877. Mail for Galle will close at the General Post Office at 7 P. M. on Wednesday, the 21st March 1877, and be forwarded by Railway to Madras, so as to catch the P. & O. Steamer there.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Thursday, the 22nd March 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 23rd March 1877.

2. Book-post and pattern packets must be posted on the 22nd March 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 16th March 1877.

Adams, Mrs. J. H.
Agabeg, Thadeus.
Alexander, A.
Allan, W. H.
Allen, E. A.
Anderson, T.
Anderson, Jas.
Antram, Mrs. B.
Austin, R. A.
Aviet, C.
Baildon, S.
Balhally, Mrs.
Barings and Co., Messrs.
Birke, Captain H. P.
Borah, Surgeon S.
Burgess, Hugh.
Byrnes, Mrs. I.
Davies, H.
Davis, Mrs.
Denning, J. B.
D'Santo, Mrs. B.
Dundas, Mrs.
Dowden, Major T. F.
Egerton, Mrs.
Falmon, B.
Ferrari, Dr. D. A.
Fox, William.
Grant, Jas.
Granger, John H.
Gray, Mr.
Greenbury, Miss.
Grueber, Mr.
Grundy, Mrs. L.
Hall, Henry.
Harriss, J. S.
Haworth, H.
Heins, Mrs. S. E.
Heley, W.
Hendrix, Rev. E. R.
Heenan, Geo. Chas.
Howe, E. C.
Hughesdon, C.
Hurley, P.
Jackson, Mrs. H. W.
Jellicoe, J.
Johnson, Major-General Sir Edwin.
Kaech, A.
Kelley, P.
Knight, I. W.
Lafarque, Mr.
Lawrie, J. R. H.
Lawrence, Mrs. A. M.
MacDougal, W. C.
Mackenzie, G. R.
Massillia, Mrs. R.
McDarmott, W.
McKeon, A. B.
McNeil, Miss C.
Newman, J. B.
Nichol, Sergt. Henry.
North, W. N.
O'Sullivan, W. J.
Oppinheim, S.
Ortaire, A.
Paulson, P. L.
Percy, Hugh L. H.
Phillips, A.
Pulson, Capt.
Raymond, A.
Ray, Mr.
Reid, Louis D.
Roberts, Mrs. E.
Rogers, C. J.
Ruchwaldie, H.
Russell, Mrs.
Seigen, A.
Scott, James.
Simpson, Mrs.
Smith, Mrs. E. F.
Steven, Miss M.
Thilstone, Mrs.
Tayler, Miss M.
Thomas, E. C. G.
Vane, V. E.
Vellairs, J. W. and Co.
Wane, Innes B.
Watson, J. E.
Wilson, Thos.
Williamson, J. T.
Wilson, H. J.
Williams, A.
Williams, John.
Wilkins, Mrs.
Winscom, Miss.
Woods, Miss.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Andrew, Walter G. G.
Arthur, Geo.
Battye, Major H. D.
Beale, William.
Beagby, Mrs.
Diggs, Robert O. C.
Bonney, F.
Brownfield, M.
Bromehead, Revd.
Buckley, C. W.
Caddy, D. G.
Campbell, Mrs. William.
Carrington & Wigley.
Cavanagh, Jas.
Christian, A.
Corke, Chas.
Cranbourn, Mrs.
Cranmer, Mrs. G. A.
Crawfurd, Major.
Dalitz, H. Oscar.
Donegan, N.
Eaton, Mrs. P. W.
E. F. W.
E. M.
Forbes, Mrs. L. R.
Frawley, M. A.
Glukman, Lione.
Good, J. W.
Graham, Mrs. C.
Gray, William.
Huguenot, M.
Jenkinson, Mrs.
Jones, B. F.
Kelly, Edward.
King, H. W.
MacIntyre, A.
Mazzaline, Mrs. J.
McWilliams, Miss.
Meyer, H. G.
Mitchell, Miss,
Moran, Frank Conyngham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
O'Brien, T. H.
Peel, E. W. H.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Ragg, W. L.
Reed, J.
Richardson, Geo.
Roberts, Chas,
Ryan, Mrs. J. G.
Schapira, D.
Scolfi, A. L.
Simonds, R. H.
Smith, J.W.
Stone, B. J.
Thomson, Geo. Black.
Watson, J. B.
Watt, Capt. J. R.
Williams, C. A.
Williams, W. J.
Wilson, G. A.
Wilson, G.
Wilson, J. S.
Zacharias, A. H

Papers.

Artell, H. F.
Battye, Major H. D,
Bellany, J.
Caddy, D.
Cayton, Geo.
Holland, Capt.
Jones, B. F.
Richardson, Geo.
Ryder, A.
Stewart, A.
Williams, C. A.

Registered Letters.

A. B. C.
Costley, Capt. H.
Ferrari, Dr. A.
Francis, Marples.
Martin, W.
O'Brien, C.
Watts, W. (Engineer.)

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

List of Books for sale at the Library of the Asiatic Society of Bengal,

No. 57, PARK STREET, CALCUTTA,

AND OBTAINABLE FROM THE SOCIETY'S LONDON AGENTS, MESSRS. TRÜBNER & CO., 57 AND 59, LUDGATE HILL, LONDON, E. C.

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PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 20th March 1877.

No. 37.—Mr. J. M. Lane, an Officiating Superintendent of the 2nd Grade, is allowed furlough for two years, under Section 12, and subsidiary leave for ten days, under Section 24 (*a*) of the Civil Leave Code, with effect from the forenoon of the 2nd March 1877.

No. 38.—Mr. T. McKelvey, an Assistant Superintendent of the 1st Grade, is allowed subsidiary leave for eighteen days, under Section 24 (*b*) of the Civil Leave Code, with effect from the forenoon of the 11th February 1877, to enable him to rejoin appointment on return from furlough.

D. G. ROBINSON, *Col., R.E.,*
Director General of Telegraphs in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd March 1877.

No. 63.—Mr. H. Andrews, Cable Clerk, 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on private affairs for six months, under Section 5, and subsidiary leave not exceeding fifteen days, under Section 10 of Supplement F of the Civil Leave Code, with effect from 1st March 1877, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 21st March 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Good Friday, the 30th, and Saturday, the 31st instant, in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 20th March 1877.

No. 1742.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 8½*d.* per rupee. Schedule 15 of the Tariff Table is therefore in force until further notice.

W. WATERFIELD,
Offg. Comptroller General.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 20th March 1877.

No. 11.—Mr. C. D. Potter, Assistant Surveyor, 1st Grade, is granted privilege leave for three months under Section 12, Supplement F of the Civil Leave Code, with effect from the date on which his services can be spared.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 16th March 1877.

No. 11.—LEAVE OF ABSENCE.—Mr. William Sinclair, Surveyor, 3rd Grade, for one year, in India, under Section 7, Supplement F of the Civil Leave Code, after the close of the present field season.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, P. W. D. RAJPUTANA.

Camp Burr, the 15th March 1877.

No. 660S.—Mr. A. G. Crommelin, Superintending Engineer and Secretary, Public Works Department, Rajputana, having availed himself, from the 26th December 1876, of the two months and fourteen days' privilege leave of absence granted to him as per Notifications Nos. 35S, and 411S, dated 8th January and 24th February 1877, and having resumed charge of his office from Lieutenant-Colonel J. M. Williams on the forenoon of the 8th March 1877, the unexpired portion of his leave is hereby cancelled.

Lieutenant-Colonel J. M. Williams, Superintendent of Works, Ajmere and Mhairwarra, resumed charge of his office from Captain H. J. Nuthall on the forenoon of the 8th March 1877.

By Order,

A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 20th March 1877.

No. 309.—Surgeon R. Caldecott, 1st Regiment, Central India Horse, is granted privilege leave of absence for 60 days, with effect from the date, during the current month, on which he may avail himself of the same.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 10th March 1877.

No. 159.—Captain F. W. Grant, Assistant Commissioner, Hyderabad Assigned Districts, and Judge, Small Cause Court, Akola, has been granted privilege leave for three months, with effect from the 18th March 1877, or from such date as he may avail himself of it.

By Order,

G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

IMPERIAL MUSEUM.

NOTIFICATION.

Calcutta, the 19th March 1877.

Dr. John Anderson, M.D., is appointed Superintendent, instead of Curator, and Mr. J. Wood-Mason, Deputy Superintendent, instead of Assistant Curator, from this date.

By order of the Trustees,

H. B. MEDLICOTT,
Honorary Secretary.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 14th March 1877.

No. 26.—Baboo Sreekisto Bhose, Accountant, 4th Grade, transferred from Bengal to Military Works Branch, by Public Works Department Notification No. 51, dated 8th February 1877, is posted to Executive Engineer's Office, Bareilly Division, Military Works, which he joined on 7th December 1876, before noon.

This cancels Inspector General's Notification No. 109, dated 3rd November 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

3rd Circle.

Meerut, the 16th March 1877.

No. 14.—Under instructions from Inspector General, Military Works, Barrack Sergeant Clarke, temporarily transferred to the 4th Circle, Military Works, reported his departure for Mooltan on the afternoon of the 12th instant.

The 20th March 1877.

No. 15.—Mr. S. Corrigan, Assistant Engineer, 2nd Grade, is transferred from the Agra to the Morar Division, Military Works, the latter of which he joined on the forenoon of the 16th instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

7th Circle.

The 17th March 1877.

No. 540.—Privilege leave for one month is granted to Lieutenant A. E. Ward, Bengal Staff Corps, Assistant Engineer, II Chukrata Division, with effect from the afternoon of the 7th instant.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., 7th Circle, Mily. Works.

8th Circle.

Rawal Pindi, the 14th March 1877.

No. 368.—Gunner G. E. Moore, Overseer, 1st Grade, transferred from the II Rawal Pindi Division, Military Works, left that station on the forenoon of 3rd March 1877, and joined the Mooltan Division on 7th idem.

Sergeant M. Hanley, Overseer, 1st Grade, transferred from the Mooltan Division, Military Works, left that station on the afternoon of 8th March 1877, and joined the II Rawal Pindi Division on forenoon of 10th idem.

The 17th March 1877.

No. 382.—Lieutenant-Colonel A. R. Bayly, Staff Corps, Executive Engineer, 1st Grade, Military Works Branch, has returned from the leave granted him in Public Works Department Notification No. 412, dated 9th October 1876, on the forenoon of 15th March 1877.

DAVID LIMOND, *Lieut.-Col., R.E.,*
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NOTIFICATIONS.

Calcutta, the 19th March 1877.

With reference to the Government of India, Public Works Department, Notification No. 93, dated the 2nd March 1877, Lieutenant D. A. Scott, R.E., Officiating Deputy Consulting Engineer to the Government of India at Calcutta, made over charge of his office on the afternoon of the 8th March 1877.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

Lahore, the 14th March 1877.

No. 369.—Baboo Preo Nath Gangooly, 4th Grade Accountant, on probation, appointed by Public Works Department Notification No. 75 of 22nd February 1877, joined the office of Examiner, Guaranteed Railway Accounts, Lahore, on the forenoon of the 12th March 1877.

J. G. MEDLEY, *Lieut.-Col., R.E.,*
Consulting Engineer.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 14th March 1877.

No. 50.—Lieutenant H. G. Kunhardt, Royal Engineers, Assistant Engineer, 1st Grade, Tirhoot State Railway, passed the Departmental Standard Examination in Hindoostani on the 7th March 1877.

The 19th March 1877.

No. 51.—Mr. C. Younghusband, Assistant-Engineer, 2nd Grade, officiated as Executive Engineer of the Jhelum Division, Punjab Northern Railway, from the 1st to the 10th November 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 17th March 1877.

No. 45.—Mr. J. V. Jones, Accountant, 2nd Grade, Chenab Division, returned to duty from the three months' privilege leave granted to him by Notification No. 178, dated 16th December 1876, on the forenoon of the 12th March 1877, and from the latter date is transferred to the Office of Examiner of Accounts, Punjab Northern State Railway.

ALEX. GRANT,
Engineer-in-Chief.

Mr. G. E. Thomas, Assistant Locomotive Superintendent, Revenue Establishment, State Railways, availed himself of the leave granted in Notification No. 18, dated 1st February 1877, on the afternoon of the 3rd March 1877.

T. B. B. SAVI, *Captain, R.E.,*
Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 14th March 1877.

No. 46.—Mr. J. B. Chalmers, Assistant Engineer, 1st Grade, is granted privilege leave for 15 days with effect from the 2nd April 1877, or such subsequent date as he may avail himself of it.

No. 47.—With reference to Director of State Railways' Notification No. 21, dated 5th February 1877, Mr. F. E. Robertson, Executive Engineer, 4th Grade, reported his departure on the forenoon of the 1st March 1877, making over charge of the Reti Division to Mr. L. H. C. Armstrong, Executive Engineer, 4th Grade, on that date.

The 15th March 1877.

No. 48.—The following posting has been made by Superintending Engineer, Lower Sind District:—

Lieutenant E. Balfe, Assistant Engineer, 2nd Grade, to the Sehwan Division.

M. RAYNE,
Engineer-in-Chief.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 20th March 1877.

No. 5.—With reference to Government of India Notification No. 105, dated 7th instant, Lieutenant C. C. C. Barlow, R.E., Assistant Engineer, 1st Grade, temporarily transferred to the Dhond and Munmar Railway, was relieved of his duties on the forenoon of the 5th instant.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 17th March 1877.

No. 11.—Privilege leave of absence for two and half months is granted to Mr. C. H. Croudace, Executive Engineer, Delhi Division, with effect from 15th April next, or such date as he may avail himself of the same.

FRED. FIREBRACE,
Offg. Manager.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th March 1877.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS							4½ PER CENT. LOANS			5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1859-60.	5 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.			10 years. Repayable, June 1877.	15 years. Repayable, June 1882.	
Balance of 28th February 1877	55,600	33,173	2,346	14,54,506	31,59,600	1,53,53,500	1,08,04,700	1,62,51,800	39,88,600	3,01,000	2,97,07,100	82,800	4,20,70,300	26,23,000	33,14,000	12,92,02,025
Stock transferred to London	...	...	...	...	...	...	...	31,000	...	...	...	...	...	...	...	31,000
Add— Amount enfaced at Madras between 1st and 15th March 1877 ...	...	...	...	...	...	2,500	33,400	47,700	...	...	...	...	12,000	...	...	95,600
Amount enfaced at Bombay between 1st and 15th March 1877 ...	...	...	...	...	...	...	1,500	1,500	...	...	1,600	...	8,900	...	...	13,500
Amount enfaced at Calcutta between 1st and 15th March 1877 ...	...	...	...	...	1,000	61,100	...	63,700	500	...	95,000	...	3,07,000	...	...	5,28,300
	55,600	33,173	2,346	14,54,506	31,60,600	1,54,17,100	1,08,39,600	1,63,95,700	39,89,100	3,01,000	2,98,03,700	82,800	4,23,98,200	26,23,000	33,14,000	12,98,70,425
Deduct— Amount written off in the London Registers	...	...	...	...	4,500	77,800	75,100	15,500	20,500	...	12,000	...	4,49,000	...	...	6,54,400
Balance on 15th March 1877	55,600	33,173	2,346	14,54,506	31,56,100	1,53,39,300	1,07,64,500	1,63,80,200	39,68,600	3,01,000	2,97,91,700	82,800	4,19,49,200	26,23,000	33,14,000	12,92,16,025

NOTE.—From 9th June 1867 to 15th Jan. 1877, enfaced from India, 2,388 lacs; re-transferred from London, 2,448 lacs.
" 16th Jan. 1877 to 31st " " 13 " " 8 "
" 1st Feb. " to 15th Feb. " 22 " " 6 "
" 16th " " to 28th " " 4 " " 6 "
" 1st Mar. " to 15th Mar. " 6 " " 6 "

2,433 lacs. 2,474 lacs.
2,433 "

Balance against London ... 41 lacs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 17th March 1877.

J. GORDON,
Depy. Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 20th March 1877.

LIABILITIES.	Rs.	A.	P.	Rs.	A.	P.
Capital paid-up				2,00,00,000	0	0
Reserve Fund				16,71,119	2	5
Public Deposits at Head Office ...	88,69,596	0	11	1,83,85,342	2	4
Public Deposits at Branches ...	95,15,746	1	5			
Other Deposits at Head Office and Branches				2,09,14,763	9	2
Bank Post Bills, &c.				2,94,854	6	9
Sundries				8,04,464	13	3
TOTAL ...				6,20,70,544	1	11

ASSETS.	Rs.	A.	P.	Rs.	A.	P.
Government Securities ...				97,05,260	8	6
Loans on Government Securities, &c., at Head Office and Branches ...				49,10,804	5	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches				46,18,828	1	4
Bills discounted and purchased at Head Office and Branches				1,97,24,911	14	6
Balances with other Banks ...				3,21,880	15	2
Bullion				7,18,719	6	10
Dead Stock				10,32,841	13	8
Stamps				10,790	13	0
Sundries				2,35,005	12	1
				4,12,79,043	10	5
Cash and Currency Notes at Head Office...	93,69,040	1	8	2,07,91,500	7	6
Cash and Currency Notes at Branches ...	1,14,22,460	5	10			
TOTAL ...				6,20,70,544	1	11

By order of the Directors,

BANK OF BENGAL;
Calcutta, 22nd March 1877.

J. GORDON,
Chief Acctt. & Depy. Secretary.

W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Candidates have passed the Medical Examinations:—

SECOND M. B. EXAMINATION.

FIRST DIVISION.

In alphabetical order.

Rudra, Bhagavatchandra ... Medical College.
Sarkar, Natavar ... Ditto.

SECOND DIVISION.

In alphabetical order.

Bandyopadhyay, Amritalal ... Medical College.
Dás, Manmohan ... Ditto.
De, Devendranath ... Ditto.
Mitra, Mahendranath ... Ditto.
Mukhopadhyay, Kailaschandra ... Ditto.

FIRST M. B. EXAMINATION.

FIRST DIVISION.

Bandyopadhyay, Girijapada ... Medical College.

SECOND DIVISION.

In alphabetical order.

Basu, Prandhan ... Medical College.
Chattopadhyay, Bagalacharan ... Ditto.
" Bamacharan ... Ditto.
" Bibhutibhusan ... Ditto.
" Haridás ... Ditto.
Dutta, Khirodkumar ... Ditto.
Gangopadhyay, Jadunath ... Ditto.
Mallik, Kunjalal ... Ditto.

SECOND L. M. S. EXAMINATION.

In alphabetical order.

Basu, Chandrabhusan ... Medical College.
" Suryyanarayan ... Ditto.
Bisvas, Mahendranath ... Ditto.
Chakravarti, Harinath ... Ditto.
Champati, Amulyachandra ... Ditto.
Chattopadhyay, Anukulchandra ... Ditto.

Das, Amarnath	...	Medical College.
„ Amritalál	...	Ditto.
„ Hiralal (1st)	...	Ditto.
De, Prasannakumar	...	Ditto.
Ghosh, Jogendranath	...	Ditto.
„ Syamapada	...	Ditto.
Gupta, Bipinvihari	...	Ditto.
„ Nitrendranath	...	Ditto.
Haldar, Nityacharan	...	Ditto.
Mitra, Nrityagopal	...	Ditto.
Mukhopadhyay, Amritalal	...	Ditto.
„ Pramathanath	...	Ditto.
„ Priyanath	...	Ditto.
Ray, Lalvihári	...	Ditto.
„ Sastivar	...	Ditto.
Sanyal, Kunjalál	...	Ditto.
Sarkar, Gangagovinda	...	Ditto.
Sen, Basantakumar	...	Ditto.
„ Durgananda	...	Ditto.
„ Kedarnath	...	Ditto.
Sinha, Sasibhusan	...	Ditto.
Tillaimuttu, J. C.	...	Ditto.

FIRST L. M. S. EXAMINATION.

In alphabetical order.

Athur Ali	...	Medical College.
Bandyopadhyay, Aghornath (1st)	...	Ditto.
„ Isanchandra	...	Ditto.
Basak, Nrityalal	...	Ditto.
Basu, Biharilal	...	Ditto.
„ Manmathanath	...	Ditto.
„ Suryyakumar	...	Ditto.
Bhattacharyya, Jogendranath	...	Ditto.
Brittain, James	...	Ditto.
Chakravarti, Bamacharan	...	Ditto.
„ Bhuvanmohan	...	Ditto.
„ Sitalprasad	...	Ditto.
Chattopadhyay, Aghorchandra	...	Ditto.
Chaudhuri, Apurvakrishna	...	Ditto.
Das, Brajanath	...	Ditto.
„ Indrakumar	...	Ditto.
Datta, Akshaykumar	...	Ditto.
„ Annadaprasad	...	Ditto.
„ Jogindranath	...	Ditto.
„ Revatimohan	...	Ditto.
Dhar, Rasiklal	...	Ditto.
Ghosh, Lalvehari	...	Ditto.
„ Rajkrishna	...	Ditto.
„ Ramchandra	...	Ditto.
„ Suryyakumar	...	Ditto.
„ Syamacharan	...	Ditto.
„ Upendranath	...	Ditto.
Gupta, Priyanath	...	Ditto.
„ Sivchandra	...	Ditto.
Lahiri, Dharanidhar	...	Ditto.
Maitra, Madhusudan	...	Ditto.
„ Trailokyanath	...	Ditto.
Majumdar, Durgacharan	...	Ditto.
Mitra, Umeschandra	...	Ditto.
Mukhopadhyay, Tinkari	...	Ditto.
„ Badrikanath	...	Ditto.
Purkaith, Purnachandra	...	Ditto.
Ray, Gopikananda	...	Ditto.
„ Khirodchandra	...	Ditto.
„ Mahendranath	...	Ditto.
Sarkar, Atulchandra	...	Ditto.
„ Dvarkanath	...	Ditto.
Sen, Upendranath	...	Ditto.
Sil, Kshetramohan	...	Ditto.
Sinha, Narendraprasanna	...	Ditto.
„ Pratápnarayan	...	Ditto.

SENATE HOUSE,
The 22nd March 1877.

A. W. CROFT,
Offg. Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Akola Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
K 2—21453	20	Govind Ramchunder, of Oomraotee.
„ —14215	20	Eshwunt Suckaram, Nazir, Bassim.
„ —14218	20	Eshwunt Suckaram, Nazir, Bassim.

AKOLA,—Paper Currency Dept.;
The 20th March 1877.

C. W. A. DAVIES,
Assistant Commissioner.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1874.			
H86	C 92—74450	10	Nathu Sakharamset, Nasirabad, Khandesh.
	C 67—56394	20	Nathu Sakharamset, Nasirabad, Khandesh.
	„ —56395	20	Nathu Sakharamset, Nasirabad, Khandesh.
1876.			
180	C 84—25862	20	D. C. Lobo, Royal Hotel, Bombay.
1877.			
39	M 19—12648	10	R. H. Hill, Noha, near Nasseram.
40	M 16—79927	10	Narayen Ramchandra Chendvirkan, Koompta.
41	M 4—51594	5	F. J. Double, Fyzabad, Oudh.
	„ —51596	5	F. J. Double, Fyzabad, Oudh.
42	M 4—74462	5	The Post Master General, Bombay.
43	M 21—40915	10	Moulvi Abdul Kadir, Akola.
M17	M 22—34125	20	Ramchandra Balloojee, Lower Colaba.
	„ —34126	20	Ramchandra Balloojee, Lower Colaba.
18	M 27—17575	10	Lieutenant E. W. Dun, 22nd Regt., N. I., Peshawur.
	„ —17574	10	Lieutenant E. W. Dun, 22nd Regt., N. I., Peshawur.

BOMBAY,—Paper Currency Dept.;
The 13th March 1877.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 3—05020	100	Hajee Kassim, Merchant, Udipy, South Canara.
J 10—02342	100	Hajee Kassim, Merchant, Udipy, South Canara.
„ —03126	100	Hajee Kassim, Merchant, Udipy, South Canara.
„ —04105	100	Hajee Kassim, Merchant, Udipy, South Canara.
„ —04516	100	Hajee Kassim, Merchant, Udipy, South Canara.
J 5—68063 wrongly joined. —68093	20	Vycoonta Camathy, 2nd Teller, Paper Currency Office, Calicut.

CALICUT,—Paper Currency Office;
The 12th March 1877.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
14	E 13—09977	100	Lieutenant-Colonel A. McKenzie, Assistant Commissary General Kasauli.
	„ —09978	100	Lieutenant-Colonel A. McKenzie, Assistant Commissary General Kasauli.
15	E 12—33670	20	The Post Master General, Punjab.
16	E 7—42680	5	Tulsi Ram, Accountant General's Office, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
7	E 7—48847 —48846	5	Kaleh Khan, Khansamah, Dak Bungalow, through the Cantonment Magistrate, Meean Meer.
8	E 7—39317 —39318	5	Gunga Pershad, Treasurer, Umballa.

LAHORE,—Paper Currency Office;
The 17th March 1877.

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Nagpur Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
5	F 8—50838	20	Henry Smith, Head Assistant, Office of Chief Inspector, Post Offices, C.P., Nagpur.
	F 7—71820	10	Henry Smith, Head Assistant, Office of Chief Inspector, Post Offices, C.P., Nagpur.

HALF NOTES.

35	F 7—69289	10	S. Smith, District Superintendent of Police, Peshawar.

NOTES MISMATCHED.

17	F 7—61361 —61359	10	Mahomed Yacoob Ali, Agent of Mahomed Ismail Sha, of Narsinghpur.

NAGPUR,—Paper Currency Office;
The 15th March 1877.

H. KEENE,
Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
100	... B 35—85184	...	20	... Mr. W. Simmons, Bangalore.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
260	... B 40—27109	...	5	... Narrainsawmy Naicker, Ramnadpuram.
	B 52—12326	...	10	...
261	... B 42—17164	...	20	... Sreenivassa Rágava Charyar, Madras.
	„ —50157	...	20	...
	„ —59086	...	20	...
	B 50—44827	...	100	...
262	... B 40—18857	...	5	... C. Vaidinadien, Cochin.
263	... B 44—92907	...	100	... Paramashwaraya, Mangalore.
50	... B 43—82346 wrongly joined.		50	... T. Chinnasawmy Moodelliar, Madras.
	„ —83546 wrongly joined.			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 12th March 1877.

D. KISSUN SING,
Asstt. to Acctt. Genl., in charge of Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
462	... L 81—52769	...	50	... Jugdeo Sahai.
463	... L 83—67099	...	100	... Babu Ram Lal Gossain.
464	... L 81—69108	...	50	... Hurry Mohun and Peary Mohun Roy.
467	... L 83—17496	...	100	...
	„ —05439	...	100	...
	„ —38934	...	100	... Mr. William Young, C.S.
	„ —38935	...	100	...
	„ —38936	...	100	...
468	... L 83—77237	...	100	...
	„ —77238	...	100	...
	„ —77239	...	100	...
	„ —77240	...	100	...
	„ —77241	...	100	... Messrs. Colvin, Cowie & Co.
	„ —77242	...	100	...
	„ —77256	...	100	...
	„ —77262	...	100	...
469	... L 83—14439	...	100	... Mr. R. DeDombal.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
539	... A 78—36353	...	10	...
	L 16—81395	...	5	... Mr. H. H. Macleod.
	L 11—21248	...	5	...
540	... L 26—29823	...	5	... Babu Brojo Lal Mittra.
541	... L 86—69937	...	10	... Miss M. Mendies.
542	... L 25—67983	...	5	... Grish Chundra Chowdhuri.
543	... L 17—21857	...	5	...
	„ —21858	...	5	... Babu Hurro Lal Mozoomdar.
544	... L 62—07079	...	10	...
	L 87—17533	...	10	... Lala Methoo Lal.
545	... L 60—41037	...	10	... Hafeezoolla Khan.
546	... L 32—46446	...	10	... Mr. S. Toom.
547	... L 67—04542	...	50	... Babu Mohima Chundra Das Gupta.
548	... L 83—60455	...	100	... Mr. W. O. A. Beckett.
549	... L 87—62812	...	10	... Mrs. A. Cox.
550	... L 57—65081	...	10	... Babu Motookdhari Lal.
551	... L 81—25950	...	50	... Mr. F. Wyatt.
552	... L 46—13109	...	20	...
	L 15—76066	...	5	... Babu Tarra Chand Das.
	L 24—00549	...	5	...
553	... A 93—61868	...	20	... Babu Debendra Krishna Mittra.
353	.. L 89—35534	...	20	... The Manager, Lowrie's Hotel, Kalka.
	„ —35535			
354	... L 17—73348	...	5	... Mrs. E. Jeffroy.
	„ —73356			
355	... L 17—03947	...	5	... Babu Brojo Gopal Ghosh.
	L 15—44172			
356	... L 80—82092	...	20	... Babu Issen Chunder Sen.
	L 79—97893			
357	... L 80—36484	...	20	... Babu Shama Pado Bhuttacharjee.
	L 77—08677			
358	... L 44—94833	...	10	... Babu Jodoo Nath Chakravarty.
	„ —94832			
360	... L 21—33836	...	5	... Saik Abdulla.
	„ —33839			
361	... L 89—59783	...	20	...
	„ —59283			
	L 11—73804	...	5	... Babu Tarra Chand Das.
	„ —73803			
181	... L 39—05780	...	10	... Babu Aughore Chunder Chatterjee.
	„ —02502			

CALCUTTA,—Paper Currency Dept.;
The 23rd March 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

WANTED

An Accountant for the Durbhungah Collectorate, salary Rs. 40. Apply sending copies of testimonials to Collector.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

22nd March 1877 ... Rs. 1,40,257-8-11.

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
23rd March 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR Rs.		BALANCE OF BULLION		
		On the General Treasury.	On the Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.	...		Rs.	Rs.	Rs.
Mar. 12	...	...	2,12,555	8,60,915	70,75,283	14,90,115
„ 13	...	...	2,11,462	6,57,557	70,80,425	16,93,473
„ 14	...	...	1,92,492	5,35,380	69,87,218	18,93,291
„ 15	...	...	96,627	4,35,075	69,87,173	19,93,598
„ 16	...	...	2 10,692	2,16,364	68,99,341	22,12,307
„ 17	...	...	2,14,682	14,249	68,01,239	24,14,422

CALCUTTA MINT,
The 19th March 1877.

J. F. TENNANT,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 23rd March 1877.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Malda*, will be closed at the General Post Office on Sunday, the 25th March 1877, at 7 P. M.; also mails for Port Blair and Camorta can be sent by this opportunity.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Commilla*, will be closed at the General Post Office on Sunday, the 25th March 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 27th March 1877, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 28th March 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate Ports, for transmission per Steamer *Goa*, will be closed at the General Post Office on Wednesday, the 28th March 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 30th March 1877.

2. Book-post and pattern packets must be posted on the 29th March 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M

Mails for Ceylon, Straits, Hong-Kong, and United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 31st March 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 23rd March 1877.

Alexander, A.	Lawrence, Mrs. A. M.
Allen, E. A.	Lincoln, E. W.
Anderson, Jas.	Logan, Bellew.
Antram, Mrs. B.	MacDougal, W. C.
Baildon, S.	Mackenzie, G. R.
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PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 31, 1877. Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

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HIGH COURT, Original Side.

NOTIFICATIONS.

Calcutta, the 29th March 1877.

Mr. E. A. Nott having resigned the appointment of Officiating Assistant Registrar, the Honorable the Chief Justice has, with the approval of His Excellency the Governor General in Council, appointed Baboo Grees Chunder Bonnerjee to officiate as Assistant Registrar of the High Court, Original Side, during the absence on leave of Mr. W. R. Fink, or until further orders, with effect from the 12th of February 1877.

By Order,
R. BELCHAMBERS,
Registrar.

The 29th March 1877.

The following rule having received the sanction of His Excellency the Governor General of India in Council is now published for general information.

R. BELCHAMBERS,
Registrar.

It is ordered that the following rule be passed as a Rule and Order of the High Court of Judicature at Fort William in Bengal, to take effect from the first day of April 1877:—

No summons or other process issued by the High Court in its Original Jurisdiction for service through another Court within its Appellate Jurisdiction shall be transmitted to such Court without Court-fee stamps being affixed thereon denoting the amount of the fee chargeable by such Court for serving similar process of its own, and without such stamps being punched and defaced in the usual manner.

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February 6, 1877.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned :—

Keneth Sutherland Brodie, formerly of Boggan-barry, in the District of Mymensing, in Bengal, and lastly of Edinburgh, in Scotland, died in Edinburgh, on the 1st May 1868.

Eliza Bryant Staig, of No. 16, Mendhee Bagan Lane, widow, died at Calcutta, on the 4th February 1877.

Henry Halpin, of Buxar, in the District of Shahabad, in Bengal, Indigo Planter, died at Buxar, on the 20th September 1876.

John Dearden, Circle Inspector of Schools, in the Central Provinces of India, died at Bilaspur, on the 27th November 1876.

Richard Topham, a Major in the Bengal Staff Corps, died at Bareilly, on the 16th October 1876.

Adolphus Lambert Dennis, a Lieutenant in the 62nd Regiment of Foot, died at Chakrata, on the 26th November 1876.

William Thomas Lindsay, Officiating Principal of the Government College at Lahore, lost at sea in the Steamer *Coromandel*, in July 1875.

Henry Hooper Clarke, an Assistant Inspector of Schools, Umballa Circle, Punjab, died at Ludhiana, on the 22nd January 1877.

L. P. D. BROUGHTON,

HIGH COURT, CALCUTTA, *The 17th Mar. 1877.* } *Administrator Genl.*

NOTICE.

All covers intended for His Excellency the Viceroy and Governor General and Party, during His Excellency's approaching visit to Lucknow and Nynee Tal *en route* to Simla, should be addressed to the "Governor General's Camp" without the addition of any postal town.

O. T. BURNE, *Lieut.-Col.,*
Private Secretary to the Viceroy.

CALCUTTA, *24th March 1877.*

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 21st March 1877.

No. 325.—Captain A. J. Bannerman, Officiating 2nd-in-Command, 1st Regiment, Central India Horse, is granted thirty days' privilege leave from the date in April on which he may avail himself thereof.

D. W. K. BARR, *Lieutenant,*
1st Asst. Agent, Govr. Genl.,
for *Agent, Govr. Genl., for Central India.*

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 22nd March 1877.

No. 16.—Major E. Swetenham, Executive Engineer, 1st Grade, Mhow Division, is granted three months' privilege leave from the 2nd proximo, or such subsequent date as he may avail himself of it.

No. 17.—Captain G. R. Gibbs, Executive Engineer, 3rd Grade, Assistant to Chief Engineer for Central India, is appointed to officiate as Executive Engineer, Mhow Division, during Major Swetenham's absence, or until further orders.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Camp Sanderao, the 20th March 1877.

No. 355/598 G.—With reference to Foreign Office Notification No. 593G, dated 9th March 1877, Major C. K. M. Walter re-assumed charge of his office of Political Agent in Marwar and Jeysulmere, from Lieutenant A. P. Thornton, Assistant Agent to the Governor General, on the forenoon of the 5th March 1877.

E. A. FRASER,
for *Offg. Agent, Govr. Genl., for Rajputana.*

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 26th March 1877.

Privilege leave under medical certificate is granted to Mr. J. W. Macdougall, Assistant Surveyor, 1st Grade, Mysore Topographical Survey, from the forenoon of the 21st January to 31st March 1877, under Supplement F, Section 12, of the Civil Leave Code.

Mr. R. D. Farrell, Surveyor, 4th Grade, No. 8 Topographical Survey Party, is granted two months' privilege leave under medical certificate, from the date on which he may avail himself thereof, under Supplement F, Section 12, of the Civil Leave Code.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

CONSULTING ENGINEER TO GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 22nd March 1877.

With reference to Public Works Department Notification No. 93, dated 2nd March 1877, Lieutenant D. A. Scott, R.E., Officiating Deputy Consulting Engineer to Government of India for Guaranteed Railways, Lucknow, assumed charge of his duties on the forenoon of Saturday, the 10th March 1877.

R. DEBOURBEL, *Lieut.-Col., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 22nd March 1877.

No. 52.—Mr. T. W. Bartlett, Assistant Engineer, 1st Grade, is temporarily appointed to officiate as Executive Engineer of the Sambhar Division, Rajputana Railway.

No. 53.—Mr. F. Wolley-Dod, Assistant Engineer, 2nd Grade, Holkar and Neemuch Railways, passed the colloquial examination in Hindustani on the 5th March 1877.

No. 54.—Mr. G. H. Tait, Executive Engineer, 3rd Grade, Tirhoot Railway, is granted furlough for nineteen months, with effect from the 8th May 1877, or such date as he may avail himself of the same; also the necessary subsidiary leave.

The 23rd March 1877.

No. 55.—Mr. J. F. Cockburn, Executive Engineer, 2nd Grade, Holkar and Neemuch Railways, is transferred to the Rajputana Railway.

The 26th March 1877.

No. 56.—Mr. W. Watson, Store-keeper for State Railways, Calcutta, has been granted by Her Majesty's Secretary of State six months' leave on medical certificate in extension of the leave granted in Director's Notification No. 24 of the 4th February 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 23rd March 1877.

No. 12.—Mr. Berry, Supervisor, 2nd Grade, attached to the Locomotive Department, Rajputana State Railway, is granted fifteen months' leave to England on medical certificate, with effect from the 22nd January last.

FRED. FIREBRACE,
Offg. Manager.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Lahore, the 24th March 1877.

No. 46.—With reference to Public Works Department Notification No. 121, dated 15th March 1877, Mr. R. G. Macdonald made over, and Major J. P. Westmorland received, charge of the Office of Examiner of Accounts, Punjab Northern State Railway, on the forenoon of the 20th March 1877.

No. 47.—Mr. D. G. Ottley, Executive Engineer, 4th Grade, transferred by Director of State Railways' Notification No. 709, dated 6th December 1876, from the Indus Valley State Railway to the Punjab Northern State Railway, reported his arrival at Lahore on the forenoon of 7th December 1876, and was posted to the charge of Maintenance, Open Line.

No. 48.—With reference to Director of State Railways' Notification No. 33, dated 13th February 1877, Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, made over, and Mr. F. K. Cunliffe, Store-keeper, 2nd Grade, received, charge of the Chenab Store Depôt on the afternoon of the 15th March 1877.

No. 49.—With reference to Director of State Railways' Notification No. 34 of the 16th February 1877, Mr. P. T. Large, Assistant Engineer, 1st Grade, availed himself of the subsidiary leave on the forenoon of 23rd March 1877.

ALEX. GRANT,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 20th March 1877.

No. 49.—Mr. Ameer Bux, Overseer, 1st Grade, Larkana Division, is granted leave without allowances for twelve months, with effect from such date as he may be permitted to avail himself of it.

The 21st March 1877.

No. 50.—Mr. Dharm Singh Soin, Assistant Engineer, 3rd Grade, is transferred from the Western Extension Survey to the Lower Sind District.

No. 51.—Mr. F. L. Dibblee, Executive Engineer, 2nd Grade, is transferred from the Mehar to the Kotri Division.

The 23rd March 1877.

No. 52.—The following transfers have been made by Superintending Engineer, Mooltan District :—

* * * * *

Mr. C. J. DeBretton, Sub-Engineer, 3rd Grade, from the Sutlej Bridge, to the Khanpur Division.

This cancels the transfer of Mr. DeBretton to the Bahawalpur Division in this Office Notification No. 152, dated 8th December 1876.

M. RAYNE,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 21st March 1877.

No. 27.—Mr. R. J. Ives, Sub-Engineer, 1st Grade, Northern Division, returned from the privilege leave granted to him in Notification No. 25 of 1877, on the forenoon of the 8th March 1877.

No. 28.—Amendment in Notification No. 8 of 1877 : for "30th December," read "17th December 1876."

No. 29.—Amendment in Notification No. 237 of 1876 : for "forenoon, 1st November 1876," read "afternoon, 3rd November 1876."

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

PUBLIC WORKS DEPARTMENT—
Military Works.

NOTIFICATIONS.

Simla, the 19th March 1877.

No. 27.—Mr. W. Eckstein, Temporary Executive Engineer, 4th Grade, is granted furlough for two years from 1st April 1877, or such subsequent date as he may be able to avail himself of the leave, with the usual subsidiary leave.

No. 28.—Mr. J. M. Harman, Assistant Engineer, 2nd Grade, is granted leave on medical certificate for six months from 18th April 1877, or such subsequent date as he may avail himself of the leave, with usual subsidiary leave.

No. 29.—Mr. W. Hart, Accountant, 4th Grade, transferred from Bengal by Public Works Department, Notification No. 22, dated 25th January 1877, is posted to the Office of Examiner of Accounts, Military Works, which he joined on the forenoon of 1st March 1877.

The 21st March 1877.

No. 30.—Captain G. T. Maitland, S.C., Executive Engineer, temporary 2nd Grade, is transferred from the 3rd to the 8th Circle, Military Works.

No. 31.—Captain W. H. Beckett, Executive Engineer, 2nd Grade, is transferred from the 3rd Circle to the Office of Chief Engineer, Military Works, *vice* Captain Dundas, R.E., proceeded on furlough.

No. 32.—Major E. T. Thackeray, V.C., R.E., Executive Engineer, 1st Grade, is transferred from the 1st to the 3rd Circle, Military Works.

No. 33.—Colonel J. Dawson, S.C., Executive Engineer, 1st Grade, is on return from furlough, posted to the 1st Circle, Military Works.

No. 34.—Major A. C. Padday, R.E., Executive Engineer, 2nd Grade, is transferred from the 5th to the 4th Circle, Military Works.

The 23rd March 1877.

No. 35.—Captain F. F. Cotton, R.E., Executive Engineer, made over, and Captain B. J. Goldie, R.E., Temporary Executive Engineer, 3rd Grade, received, charge of Office of Executive Engineer, Ferozepore Division, Military Works, on the afternoon of 3rd March 1877.

No. 36.—Lieutenant F. T. N. Spratt, R.E., Assistant Engineer, 1st Grade, is transferred from the 7th to the 5th Circle, Military Works.

No. 37.—Lieutenant A. Hildebrand, R.E., Assistant Engineer, 2nd Grade, is transferred from the 7th to the 8th Circle of Military Works.

No. 38.—Mr. T. H. Ashhurst, Assistant Engineer, 1st Grade, is transferred from the 7th to the 8th Circle of Military Works.

No. 39.—With reference to Government of India, Public Works Department, Notification No. 99, dated 5th March 1877, Mr. W. Ball, Accountant, 3rd Grade, is posted to the Office of Examiner of Accounts, Military Works, which he joined on the forenoon of the 2nd March 1877.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

1st Circle.

Calcutta, the 26th March 1877.

No. 958.—With reference to Inspector General Military Works' Notification No. 15 of 28th February 1877, Conductor A. Forsyth, Supervisor, 2nd Grade (temporary 1st Grade), left Benares on the 20th instant, to join the 5th Circle, Military Works.

W. R. TUCKER, *Lieut.-Col., R.E.,*
Supdg. Engr., 1st Circle, Mily. Works.

2nd Circle.

Lucknow, the 21st March 1877.

No. 19.—Three months' privilege leave of absence is granted to Lieutenant W. Peacocke, R.E., Temporary 1st Grade Assistant Engineer, attached to the II Allahabad Division, from such date as he may avail himself of the same.

The 26th March 1877.

No. 20.—With reference to this Office Notification No. 15, dated the 26th ultimo, Barrack Sergeant Warren took over the Barrack duties at Saugor from Barrack Master Edmondson, on the forenoon of the 7th instant, and not the 14th ultimo.

This Office Notification No. 18 of 10th instant is hereby cancelled.

J. J. HUME, *Colonel,*
Supdg. Engr., 2nd Circle, Mily. Works.

3rd Circle.

Meerut, the 27th March 1877.

No. 16.—Moonshee Dowlut Ram, Overseer, 2nd Grade, Morar Division, Military Works, reported his return from three months' privilege leave granted him in Notification No. 53, dated 28th November 1876, on the forenoon of the 23rd instant.

R. TYNDALL,
Supdg. Engr., 3rd Circle, Military Works.

4th Circle.

The 24th March 1877.

No. 6.—Barrack Sergeant J. Clarke, temporarily transferred from the 3rd to the 4th Circle, Military Works, is posted to the Moultan Sub-Division of the Ferozepore Division. He joined his Sub-Division on the forenoon of the 15th March 1877.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., 4th Circle, Military Works.

5th Circle.

The 24th March 1877.

No. 10.—Captain A. Hill, R.E., Executive Engineer, 4th Grade, is transferred from the 1st Rawal Pindi to the Lahore Division, Military Works.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., 5th Circle, Mily. Works.

Statement of the Affairs of the Bank of Bengal for the week ending 29th March 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up		...	2,00,00,000	0	0
Reserve Fund ...		...	16,71,119	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	83,05,406	8 6	1,80,15,215	7	11
Public Deposits at Branches ...	97,09,808	15 5			
Other Deposits at Head Office and Branches ...		...	1,95,87,581	9	8
Bank Post Bills, &c.	...	...	4,24,185	11	3
Sundries ...	...	...	8,68,670	7	1
TOTAL		...	6,05,66,772	6	4

ASSETS.			Rs.	A.	P.
Government Securities		...	96,06,809	3	6
Loans on Government Securities, &c., at Head Office and Branches		...	49,88,529	5	4
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...		...	40,63,090	15	8
Bills discounted and purchased at Head Office and Branches ...		...	2,10,85,482	5	10
Balances with other Banks		...	6,93,972	10	2
Bullion ...		...	6,15,251	7	0
Dead Stock		...	10,32,900	15	6
Stamps ...		...	10,803	13	0
Sundries ...		...	2,38,422	15	0
			4,23,35,263	11	0
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	70,81,959	12 8	1,82,31,508	11	4
Cash and Currency Notes at Branches ...	1,11,49,548	14 8			
TOTAL		...	6,05,66,772	6	4

By order of the Directors,

BANK OF BENGAL; *Calcutta, 29th March 1877.*

J. GORDON, *Chief Accts. & Depy. Secretary.*

W. D. CRUICKSHANK. *Offg. Secy. & Treasurer.*

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned Candidates have passed the Medical Examinations:—

SECOND M. B. EXAMINATION.

FIRST DIVISION.

In alphabetical order.

Rudra, Bhagavatchandra	...	Medical College.
Sarkar, Natavar	...	Ditto.

SECOND DIVISION.

In alphabetical order.

Bandyopadhyay, Amritalal	...	Medical College.
Dás, Manmohan	...	Ditto.
De, Devendranath	...	Ditto.
Mitra, Mahendranath	...	Ditto.
Mukhopadhyay, Kailaschandra	...	Ditto.

FIRST M. B. EXAMINATION.

FIRST DIVISION.

Bandyopadhyay, Girijapada	...	Medical College.

SECOND DIVISION.

In alphabetical order.

Basu, Prandhan	...	Medical College.
Chattopadhyay, Bagalacharan	...	Ditto.
" Bamacharan	...	Ditto.
" Bibhutibhusan	...	Ditto.
" Haridás	...	Ditto.
Datta, Khirpdkumar	...	Ditto
Gangopadhyay, Jadunath	...	Ditto.
Mallik, Kunjalal	...	Ditto.

SECOND L. M. S. EXAMINATION.

In alphabetical order.

Basu, Chandrabhusan	...	Medical College.
" Suryyanarayan	...	Ditto.
Biswas, Mahendranath	...	Ditto.
Chakravarti, Harinath	...	Ditto.
Champati, Amulyachandra	...	Ditto.
Chattopadhyay, Anukulchandra	...	Ditto.

Das, Amarnath	...	Medical College.
„ Amritalál	...	Ditto.
„ Hiralal (1st)	...	Ditto.
De, Prasannakumar	...	Ditto.
Ghosh, Jogendranath	...	Ditto.
„ Syamapada	...	Ditto.
Gupta, Bipinvihari	...	Ditto.
„ Narendranath	...	Ditto.
Haldar, Nityacharan	...	Ditto.
Mitra, Nrityagopal	...	Ditto.
Mukhopadhyay, Amritalal	...	Ditto.
„ Pramathanath	...	Ditto.
„ Priyanath	...	Ditto.
Ray, Lalvihári	...	Ditto.
„ Sastivar	...	Ditto.
Sanyal, Kunjalál	...	Ditto.
Sarkar, Gangagovinda	...	Ditto.
Sen, Basantakumar	...	Ditto.
„ Durgananda	...	Ditto.
„ Kedarnath	...	Ditto.
Sinha, Sasibhusan	...	Ditto.
Tillaimuttu, J. C.	...	Ditto.

FIRST L. M. S. EXAMINATION.

In alphabetical order.

Athur Ali	...	Medical College.
Bandyopadhyay, Aghornath (1st)	...	Ditto.
„ Isanchandra	...	Ditto.
Basak, Nrityalal	...	Ditto.
Basu, Biharilal	...	Ditto.
„ Manmathanath	...	Ditto.
„ Suryyakumar	...	Ditto.
Bhattacharyya, Jogendranath	...	Ditto.
Brittain, James	...	Ditto.
Chakravarti, Bamacharan	...	Ditto.
„ Bhuvanmohan	...	Ditto.
„ Sitalprasad	...	Ditto.
Chattopadhyay, Aghorchandra	...	Ditto.
Chaudhuri, Apurvakrishna	...	Ditto.
Das, Brajanath	...	Ditto.
„ Indrakumar	...	Ditto.
Datta, Akshaykumar	...	Ditto.
„ Annadaprasad	...	Ditto.
„ Jogindranath	...	Ditto.
„ Revatimohan	...	Ditto.
Dhar, Rasiklal	...	Ditto.
Ghosh, Lalvihari	...	Ditto.
„ Mahendranath	...	Ditto.
„ Rajkrishna	...	Ditto.
„ Ramchandra	...	Ditto.
„ Suryyakumar	...	Ditto.
„ Syamacharan	...	Ditto.
„ Upendranath	...	Ditto.
Gupta, Priyanath	...	Ditto.
„ Sivchandra	...	Ditto.
Lahiri, Dharanidhar	...	Ditto.
Maitra, Madhusudan	...	Ditto.
„ Trailokyanath	...	Ditto.
Majumdar, Durgacharan	...	Ditto.
Mukhopadhyay, Tinkari	...	Ditto.
„ Badrikanath	...	Ditto.
Purkaith, Purnachandra	...	Ditto.
Ray, Gopikananda	...	Ditto.
„ Khirodchandra	...	Ditto.
„ Mahendranath	...	Ditto.
Sarkar, Atulchandra	...	Ditto.
„ Dvarkanath	...	Ditto.
Sen, Upendranath	...	Ditto.
Sil, Kshetramohan	...	Ditto.
Sinha, Narendraprasanna	...	Ditto.
„ Pratápnarayan	...	Ditto.

SENATE HOUSE,
The 22nd March 1877.

A. W. CROFT,
Offg. Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
76	... D 10—69899	...	5	... Nand Coomar Lall, Sultanpur.
77	... D 10—87736	...	5	... The Chief Inspector of Post Offices, Oudh, Lucknow.
	D 11—57195	...	10	...
78	... D 11—39066	...	10	... Baboo Tincori Sircar, Shahjehanpur.
	L 47—33435	...	20	...
	D 4—66456	...	50	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
126	... L 49—91335	...	50	... The District Superintendent of Police, Patna.
127	... D 7—47240	...	100	.. R. E. Forrest, Esq., Meerut.
128	... D 10—67290	...	5	... Kisory Mohan Roy, Calcutta.
129	... D 10—86267	...	5	... Benode Behari Dass, Lonesingha.
47	... D 7—88157 wrongly		100	... Revd. Fr. Symphorian, Agra.
	„ —88158 joined.			
48	... D 5—88039 ditto.	...	20	... G. H. Watson, Esq., Jhansie.
	„ —88033			

ALLAHABAD,—Paper Currency Office;
The 22nd March 1877.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
1877.			Rs.	
W21	... M 25—24999	...	100	... Aga Mahomed Jafer Shirazi, Modi Khana.
22	... C 93—78453	...	100	... Waman Narayen Oke Haliyal, Kanara.

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
H44	... M 23—00543	...	50	... J. X. Cotta, 111, Cavel Street.
45	... M 20—90754	...	10	... The Post Master General, Bombay.
	M 21—04961	...	10	...
46	... M 22—18697	...	20	... Jamsetji Framji, Karachi.
47	... C 84—78347	...	20	... Ramchandra Dinkar, Waloa.
48	... M 22—29777	...	20	... W. C. Mair, Hyderabad, Deccan.
49	... M 5—93571	...	50	... H. R. Mathew, Sholapur.
M19	... M 24—17449	...	100	... Balaji Govind, Punpalkhare, Callian.
	„ —17450			
20	... C 99—90348	...	20	... Leeladhar Samji, Mandri Bunder.
	„ —90347			
21	... M 3—33582	...	5	... Pranjiwan Shivram, D. S. Agiari Road.
	„ —33597			
22	... C 88—51564	...	10	... Bomonji Naserwanji Paruk, 9 Humaum Street.
	„ —51565			
23	... M 27—33550	...	10	... C. Banks, Education S. Press, Byculla.
	„ —33556			

BOMBAY,—Paper Currency Dept.;
The 20th March 1877.

G. W. CLINE, LL.D.,
Assistant Commissioner.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.		Value.	Name of Claimant.
		Rs.	
G 13—25944	...	5	... Mr. Framroze Eduljee, Clerk, District Magistrate's Office, Kurrachee.

KURRACHEE,—Paper Currency Dept.;
The 16th March 1877.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
17	... E 10—71335	...	10	... Hursa Sing, Clerk, Forest Department, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
20	... E 10—53594	...	10	... Dr. S. W. Fallon, Delhi.
28	... E 7—76521	...	5	... Messrs. W. S. Blades & Co., Umballa.
	E 10—59029	...	10	...

LAHORE,—Paper Currency Office;
The 24th March 1877.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
470	... N 7—02892	... 1,000	... Babu Joy Chandra Vonjo.
471	... L 83—86932	... 100	... Messrs H. A. Coggan and Co.
475	... L 91—04458	... 20	...
	L 90—18704	... 20	...
	L 86—56931	... 10	...
	L 87—35815	... 10	... The District Superintendent of Police, Patna.
	L 96—78881	... 10	...
	L 74—93081	... 10	...
	L 76—46967	... 10	...
476	... L 67—59490	... 50	... Babu Amrito Lal Mookerjee.
477	... L 83—68656	... 100	... Babu Khetra Mohan Chatterjee.
478	... L 83—65069	... 100	... Babu Hurra Kissen Dass.
479	... L 81—60426 to „ —60797	... 50	... Messrs Colvin, Cowie and Co,.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
362	... L 76—12757 to „ —12756	... 10	... The Manager, Commercial Union Assurance Company, Calcutta.
363	... L 25—60338 to „ —60339	... 5	... Babu Nundiram Dass.
364	... L 61—90268		
	L 74—01093	... 10	... Pittambur Bannerjee,
365	... L 95—44590 to „ —44591	... 10	... Babu Kedar Nath Mitter.
366	... L 22—10392 to „ —10390	... 5	...
	L 15—47609 to „ —47601	... 5	... Babu Dhurmo Dass Palit.
	L 20—65709 to „ —65760	... 5	...
554	... L 11—49294	... 5	... Babu Binod Lal Sen Goopta.
555	... L 66—93356	... 50	...
	L 81—05283	... 50	... Mr. R. E. Forrest.
	L 69—14396	... 100	...
556	... L 25—57888	... 5	... Babu Shoshibhoosun Banerjee.
	L 21—18842	... 5	...
557	... L 52—73869	... 500	...
	L 82—36245	... 100	...
	L 83—07567	... 100	...
	L 64—70138	... 20	... Babu Goluck Chandra Coondoo..
	L 90—73109	... 20	...
	„ —58736	... 20	...
558	... L 21—85129	... 5	... Ramruttan Tacoor.

CALCUTTA,—Paper Currency Dept.; *The 29th March 1877.*

R. E. HAMILTON.
Offg. Assistant Commissioner of Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
102	... B 40—48976	... 5	... Maduraya Pillay, Trichinopoly.

NOTES PARTIALLY LOST OR DESTROYED.

264	... B 52—11384	... 10	...
	„ —11385	... 10	...
	„ —11386	... 10	...
	„ —11387	... 10	...
	„ —11388	... 10	...
	„ —11389	... 10	...
	„ —11390	... 10	...
	„ —11391	... 10	... P. Ramnarrain.
	„ —11392	... 10	...
	„ —11393	... 10	...
	„ —11394	... 10	...
	„ —11395	... 10	...
	„ —11396	... 10	...
	B 42—57853	... 20	...
265	... B 50—51940	... 100	... Dosa Valjee Sett, Calicut.
266	... B 39—58191	... 5	... Chinna Cunnoo Pillay, Bangalore.
51	... B 39—76144 wrongly joined. to „ —76145	... 5	... Comarasawmy Moodelliar, Madras.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.; *The 19th March 1877.*

D. KISSUN SING,
Asstt. to Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

MIS-MATCHED NOTE.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
18	... F 8—51732 to „ —51326	... 20	... Beerchand Dutt, Station Master, Oudh and Rohilcund Railway, Shajehanpore.

NAGPUR,—Paper Currency Office; *The — March 1877.*

H. KEENE,
Asstt. to Acctt. Genl., C. P., in charge of Paper Currency.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

29th March 1877 ... Rs. 9,71,857-8-11.

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
29th March 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES. On General Treasury.	CERTIFICATES ISSUED FOR RUPEES. On Currency Department.	BALANCE OF BULLION Under Assay.	BALANCE OF BULLION Assayed.	BALANCE OF BULLION Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Mar. 19	...	...	...	13,812	67,07,047	24,14,422
„ 20	8,94,871	...	...	9,08,683	66,13,093	24,14,422
„ 21	...	...	205	9,08,490	65,23,091	24,14,615
„ 22	...	...	13,563	8,95,778	89,37,467	18,24,086
„ 23	...	...	...	8,95,778	88,50,085	18,24,086
„ 24	...	...	1,136	8,94,698	87,64,433	18,25,166

CALCUTTA MINT,
The 26th March 1877.

J. F. TENNANT,
Offg. Mint Master.

Report of a Deserter from the 2-17th Regiment of Foot, dated at Mhow, this 22nd day of March 1877.

Number, Rank, and Name,—27B—1073, Private R. S. Ireland.
Age,—23 years.
Size,—5 feet 10½ inches.
Color of—
Complexion, sallow; hair, light brown; eyes, blue grey.
Date of Desertion,—22nd March 1877.
Place of Desertion,—Mhow.
Date of Enlistment,—20th July 1876.
At what place enlisted,—Newport, Mon.
Parish and County in which born,—Hull, York.
Marks,—R. I. on left arm, G. O. B. on right arm.
Trade,—Blacksmith.
Coat or Jacket,—Regimental.
Waistcoat,—Regimental.
Breeches or Trowsers,—Regimental.
REMARKS,—Escaped from Guard Room, morning of 22nd instant. Under one year's service.

———, *Colonel,*
Comdg. 2-17th Regiment.

Report of a Deserter from the 2-17th Regiment of Foot, dated at Mhow, this 22nd day of March 1877.

Number, Rank, and Name,—27B—1294, Private Jas. Thompson.
Age,—22 years 4 months.
Size,—5 feet 8⅛ inches.
Color of—
Complexion, fresh; hair, brown; eyes, grey.
Date of Desertion,—22nd March 1877.
Place of Desertion,—Mhow.
Date of Enlistment,—18th September 1876.
At what place enlisted,—London.
Parish and County in which born,—Not known, Forfar.
Marks,—Face marked with small-pox, G-4, left fore-arm.
Trade,—Laborer.
Coat or Jacket,—Regimental.
Waistcoat,—Regimental.
Breeches or Trowsers,—Regimental.
REMARKS,—Escaped from Guard Room, morning of 22nd instant. Under one year's service.

———, *Colonel,*
Comdg. 2-17th Regiment.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 12th March 1877.

Some difficulty has been experienced in making known to the public in Great Britain the conditions under which overland parcels can be sent out to India, and it is thought that the following notice respecting the conditions may be useful to persons in India who may have occasion to order parcels to be sent to them from Great Britain.

2. Particular attention is drawn to the *N. B.* at the foot of the Notice, which contains the first notice of an important reduction in the rate of charge for parcels containing books.

PARCEL POST FROM GREAT BRITAIN TO INDIA.

1. Persons wishing to send parcels to any part of British India, can do so through the *Indian Parcel Post Agency*—established under authority of the Director General of the Post Office of India—at 122, Leadenhall Street, E. C., and (Branch Office) at 25, Cockspur Street, S. W.

2. *The charge for parcels* is *1s.* per lb. or fraction of a lb. *(prepayment optional)*, covering transit from London to destination in India. Insurance may be effected, if desired, at the rate (to be prepaid) of *1s.* up to *3l.* value, *2s. 6d.* up to *10l.* value, and *5s.* up to *20l.* value. Indian Customs duty (if chargeable) will be realized from the addressee.

3. *The maximum weight, size, and value* of a parcel are—weight *50* lbs., size *2* feet long by *1* foot broad and *1* foot deep, value *20l.*

4. The following are *forbidden contents*:—Jewellery, watches, precious stones, liquids, or articles of a dangerous or damaging nature.

5. *Mode of packing and address*:—Parcels must be entirely closed and securely packed and fastened; a covering of cloth or water-proof sewn at the edges being recommended. The Indian address should be legibly written, with the superscription, "By Indian Parcel Post."

6. *A letter of advice*, stating name and address on parcel, contents and value for Custom House clearance, with legible signature and address of sender, should be sent to the Office (see clause 1), with each parcel, *accompanied by payment*, if it be desired to prepay or insure the parcel.

7. *A receipt* will be given (by the Company) for each parcel received from the country, and for other parcels, if required.

8. *Parcels from the country* (including all those not booked by the sender or their messengers or agents in person at the London Offices) may be forwarded to the Office in London (see address below) by railway, or any other means available; but the parcel with the Indian address, as in clause 5, should in such case be enclosed in an *outer covering*, bearing the address, "Indian Parcel Post Agency, 122, Leadenhall Street, London, E. C." The charges for carriage to the above address are additional to charges for transit or insurance under clause 2, and may be prepaid to the local carrying agent, or left to be paid on delivery in London, and subsequently collected from the addressee. The letter of advice (see clause 6), with any payment desired for transit or insurance (payment by post should be by cheque or money order, payable to A. M. Bethune), should be sent to the same address by letter post, and the *receipt* will in such case be forwarded by post.

N.B.—(With effect from 1st May 1877) Parcels containing books (or articles treated as books under the British Inland Book Post rules) will be charged at half the rates *viz.*, 6*d.* per pound.

E. R. DOUGLAS,
for *Dir. Genl. of the Post Office of India.*

The 30th March 1877.

Mails for Ceylon, Straits, Hong-Kong and the United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 31st March 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 1st April 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Arabia*, will be closed at the General Post Office on Sunday, the 1st April 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 3rd April 1877, at 7 P. M.

Mails for Madras only, for transmission per P. & O. Steamer *Nepaul*, will be closed at the General Post Office on Tuesday, the 3rd April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Madura*, will be closed at the General Post Office on Wednesday, the 4th April 1877, at 7 P. M.

Owing to the state of the tides, the P. & O. Steamer will leave Calcutta on the 4th instead of the 5th April 1877, but she will be required to remain at Madras until the contract date for leaving that Port, *viz.*, 10th April 1877. Mail for Galle will close at the General Post Office on Wednesday, the 4th April 1877, at 7 P. M., and be forwarded by Railway to Madras, so as to catch the P. & O. Steamer there.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 6th April 1877, by which mails for Mauritius, St. Denis, Reunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 5th April 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 30th March 1877.

Alfred, C.	Kelly, Jas.
Allan, W. H.	Logan, Bellew.
Anthony, U.	Lohr, Chas.
Authray, A.	Mackenzie, G. R.
Arson, G.	Mackenzie, Capt. S.
Barbaro, Miss J.	Mackintosh, D. S.
Bayly, Lieut.-Col. A. R.	McKellar, G. B.
Bell, Henry.	McMullin, M.
Benselly, R. S.	McQueen, Mrs.
Bload, A. R.	Misceli, Barnaba.
Bluett, Mrs. F. M.	Mitchell, T. C.
Breslaner, M.	Nohair, Mrs.
Brown, W. M.	Palmer, A. H.
Burgess, Mrs. A. R.	Peach, Mrs.
Burgess, Hugh.	Pearson, J.
Campbell, Mrs.	Percy, Hugh L. H.
Cole, Robert.	Peters, S.
Doherty, D.	Powell, Mrs. W. H.
Daly, C.	Reid, Louis D.
Davies, H.	Radford, Mrs. E.
Dileana, W.	Russel, F.
Dodgson, Chas. H.	Sheldon, J.
Dolle, Mrs. E.	Smale, John.
Erskine, Miss A.	Smith, Mrs. E. F.
Falmon, B.	Smyth, Lieut. S. G.
Forbes, A.	Sowerly, J. A.
Ferrari, Dr. D. A.	Story, Mrs.
FitzGerald, Jas. R.	Stone, Lieut.
Gasper, A.	Tell, George & Co.
Gattatby, G.	Tissendie, R. H. M.
George, David.	Tottenham and Co.
Giovanni, Mons.	Vaux, Mrs. A.
Gould, W. G.	Walker, Mrs.
Granger, John H.	Wane, Innes B.
Hallahan, P. J.	Watzler, M.
Hare, R. D.	Webster, A.
Hendrix, Rev. E. R.	Weibar, C.
Hooner, F.	West, James.
Houston, P.	Winscom, Miss.
Jackson, Mrs. H. W.	Winn, Mrs.
Jackson, L. W.	Woods, Miss.
Jones, C. M.	Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Andrew, Walter G. G.	Graham, Mrs.
Arthur, Geo.	Gray, William.
Battye, Major H. D.	Hudson, W.
Beale, William.	Huguenot, M.
Beck, R. A.	Jackson, J. W.
Biggs, Robert O. C.	Jenkinson, Mrs.
Bonerjee, Dr.	Johnstone, Ross.
Brownfield, M.	Jones, B. F.
Bromehead, Revd.	Kelly, Edward.
Buckley, C. W.	King, H. W.
Caddy, D. G.	Lewis, J. W.
Campbell, Major, C. W.	MacIntyre, A.
Campbell, Mrs. William.	Mazzaline, Mrs. J.
Carrington & Wigley.	Meyer, H. G.
Cavanagh, Jas.	Mitchell, Capt. G.
Chapman, Capt.	Mitchell, Miss.
Clarkson, Mr.	Moran, Frank Conyngham.
Collom, J.	Morgan, Mrs. Milton.
Cranbourn, Mrs.	Moseley, Capt. W. H.
Cranmer, Mrs. G. A.	Murison, J. S.
Crawford, H.	Norman, J. R.
Crawfurd, Major.	O'Brien, T. H.
Crossly, R.	Peel, E. W. H.
Dalitz, H. Oscar.	Penny, P.
Dias, Antonio.	Pierce, Mrs. J. O.
Donegan, N.	Piper, Mr. G.
E. F. W.	Power, W.
E. M.	Reed, J.
Forbes, Mrs. L. R.	Richardson, Geo.
Frawley, M. A.	Schapira, D.
Glukman, Lione.	Scolfi, A. L.
Good, J. W.	Simonds, R. H.
Simpson, W.	Thomson, Geo. Black.
Smith, J. C.	Watson, J. B.
Spicer, Mrs. R.	Willard, J. C.
Stone, B. J.	Williams, C. A.
Taylor, G. W.	Williams, W. J.
Thomas, S. B.	Wilson, G.
Thomas, W. L.	Zacharias, A. H,

Papers.

Battye, Major H. D.	Richardson, Geo.
Bellany, J.	Ryder, A.
Caddy, D.	Stewart, A.
Holland, Capt.	Williams, C. A.
Jones, B. F.	

Parcels.

Anderson, Mrs. John.	Logan, B.

Registered Letters.

Cosing, H.	Francis, Marples.
Fagan, L.	O'Brien, C.
Ferrari, Dr. A.	Spence, A. W.
Forbes, Mrs. L. R.	Watts, W. (Engineer.)
Forlong, Major-Genl.	

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Will be published on 1st April 1877.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, War Services of Officers, and the Military Regulations, corrected up to 1st April 1877. *Price, Rs. 4; packing and postage, 8 annas.*

Moore's Manual of Family Medicine for India, Revised Edition. *Price*—
To Government officers (except those mentioned below) and to the public at large. *Rs. 4.*
To all officers employed in Government Departments who are in receipt of salaries under Rs. 500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer. *Rs. 3.*
Packing and postage, 10 annas.

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal prescribed by the Lieutenant-Governor of Bengal on the 30th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director General of Statistics to the Government of India:
Vol. I. 24-Pergunnahs and Sundarbans.
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Price, per volume, Rs. 2-8; postage, 10 annas.

The Bengal Embankment Manual, containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act, with notes and appendices describing the present condition

Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

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The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 10 annas.*

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Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price, 8 annas per copy, or including postage, 10 annas.*

Ditto ditto in Bengali. *Price, 8 annas per copy, or including postage, 10 annas.*

Rules for the Sale of Waste Lands. *Price, 4 annas, or including postage, 5 annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 5 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 11 annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 3 annas.*

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Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 12 annas.*

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Report on the Effects of Artificial Respi- ration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st January 1877. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

The Books named below having been de- clared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

South America Pilot, Part I ...	... Rs.	4	4 0
West India Pilot, Vol. I ...	... „	3	0 0
West India Pilot, Vol. II ...	... „	6	0 0

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—bound copies ...	Rs.	45	0 0
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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 5 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 4 annas.*

Apply to MR. E. M. LEWIS, *Bengal Secretariat Press, 28, Chowringhee Road, Calcutta.*

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Now Ready,

Published by the Government of Bengal,

THE STATISTICAL REPORTER,

Vol. III, No. 3, for March 1877.

Import of Raw Jute into Calcutta during 1876.—Seaborne Trade of Calcutta, January 1877.—The Storm-wave of the 31st October 1876.—(By J. Elliott, Esq., M. A., Meteorological Reporter to the Government of Bengal).—The District of Noakholly, No. IV.—The Division of the Land.—The Forest Flora of Monghyr.—The Trade and Resources of the Central Provinces, 1875-76.—Traffic on the Diamond Harbour and Baraset Roads—No. V.—Traffic on the Bankipore and Gya Road—No. V.—River Steamer Traffic in Bengal—No. IV.—Statements of River Traffic in Bengal, District by District, during December 1876.—Statements of Bengal Railway Traffic during December 1876.—Vital Statistics of the Town of Calcutta, January 1877.—Vital Statistics of the Suburbs of Calcutta, January 1877.

Subsequent Numbers will issue on or about the 1st of each successive month.

Subscription, Rs. 12 per annum; postage, Re. 1, payable in advance; or, Rs. 2 per each Number if purchased singly.

All business matters should be arranged with, and advertisement rates may be learnt from, Mr. E. M. Lewis, Superintendent of the Bengal Secretariat Press.

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Volume II of the Statistical Reporter. Edited by H. J. S. Cotton, Junior Secretary to the Government of Bengal. *Price, bound in full cloth, lettered, Rs. 10.*

Apply to MR. E. M. LEWIS, *Superintendent, Bengal Secretariat Press, 28, Chowringhee Road, Calcutta.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 7, 1877. { Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 5th April 1877.

No. 64.—Mr. J. McNaught, Cable Clerk, 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 26th March 1877.

No. 65.—Mr. J. Chapman, Cable Clerk, 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 1st April 1877.

No. 66.—Mr. L. W. Seymour, Acting Cable Clerk, 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for one month, under Section 12 of Supplement F of the Civil Leave Code, with effect from 1st April 1877.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 4th April 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Wednesday, the 11th instant, on account of the Hindu festival "Choit Sung Kranti," in conformity with Government Notification No. 3464 of 29th October 1867.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 2nd April 1877.

No. 12.—The leave of absence, for three months, under Section 12, Supplement F, of the Civil Leave Code, granted in Notification No. 10, dated 15th ultimo, to Mr. Percival Edwin Heberlet, Probationary Assistant Surveyor, 4th Grade, is cancelled,

and in lieu thereof Mr. Heberlet is allowed three months' leave of absence under Section 3, Supplement F, of the Code, from 11th February 1877.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 31st March 1877.

No. $\frac{876}{617}$*G.*—LEAVE.—Surgeon-Major F. W. A. DeFabeck, in medical charge of the Deolie Irregular Force, is granted three months' privilege leave, with effect from the 1st April 1877, or such subsequent date as he may avail himself of the same.

A. C. LYALL,
Offg. Agent, Govr. Genl., for Rajputana.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 27th March 1877.

No. 40.—Mr. M. Birkbeck, Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in native languages on 5th March 1877, as required by Public Works Code II. iv. 22.

No. 41.—Lieutenant W. Peacocke, R. E., Assistant Engineer, is transferred from the 2nd Circle, Military Works, to the Head Quarters Staff of the Inspector General of Military Works.

The 29th March 1877.

No. 42.—With reference to Government of India, Public Works Department, Notification No. 125, dated 19th March 1877, the following postings are made:—

To 2nd Circle, Military Works.

Corporal S. Chambers, R.E., Overseer, 1st Grade.
Corporal J. Franklin, R.E., Overseer, 1st Grade.
Corporal M. Meara, R.E., Overseer, 1st Grade.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 28th March 1877.

No. 57.—Major K. A. Jopp, R. E., Executive Engineer, 3rd Grade, Indus Valley Railway, returned to duty under Director on the 2nd February 1877.

No. 58.—Mr. W. Scott, Executive Engineer, 2nd Grade, Indus Valley Railway, reported his return on the 7th December 1876 from the leave granted him in Director's Notification No. 83 of 7th May 1875, and is granted the necessary subsidiary leave.

The 29th March 1877.

No. 59.—Mr. J. H. deRinzy, Executive Engineer, 4th Grade, Indus Valley Railway, is granted two years' furlough, with effect from the 21th March 1877, or such later date as he may avail himself of the same, with the usual subsidiary leave.

The 31st March 1877.

No. 60.—Mr. H. J. Oddie, Assistant Engineer, 2nd Grade, Rajputana Railway, passed the colloquial examination in Hindustani on the 5th March 1877.

No. 61.—Mr. J. M. Luff, Executive Engineer, 2nd Grade, Northern Bengal Railway, is granted two months' leave on medical certificate, with effect from the afternoon of the 12th February 1877.

The 2nd April 1877.

No. 62.—Mr. H. F. Storey, Executive Engineer, 2nd Grade, and temporary 1st Grade, Punjab Northern State Railway, is granted eighteen months' furlough, with effect from the 23rd April 1877, or such date as he may avail himself of the same, also the usual subsidiary leave.

Camp Calcutta, the 4th April 1877.

No. 63.—Under the authority of the Government of India, the under-mentioned Officers are transferred from the lines of railway on which they at present are employed, and are posted temporarily to the open lines of State Railways entered against their respective names:—

Lieutenant W. H. Johnstone, R. E., Assistant Engineer, 1st Grade—Holkar and Neemuch Railways.
Lieutenant F. T. Maxwell, R. E., Assistant Engineer, 2nd Grade—Rajpootana Railway.
Lieutenant C. R. Hoskyn, R. E., Assistant Engineer, 2nd Grade—Punjab Northern Railway.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 28th March 1877.

No. 30.—Mr. T. J. Dumayne, Assistant Engineer, 2nd Grade, Northern Division, is transferred to the Southern Division, which he joined on the afternoon of the 21st March 1877.

No. 31.—With reference to Government of India, Public Works Department, Notification No. 105 of 7th March 1877, Mr. A. Thuey, Assistant Engineer, 2nd Grade, Southern Division, was relieved of his charge on the afternoon of the 21st March 1877 for transfer to the Dhoond Maunar Railway.

The 3rd April 1877.

No. 32.—Mr. E. A. Coello, Accountant, 4th Grade, Southern Division, is granted one month's privilege leave. He availed himself of this leave on the forenoon of the 26th March 1877.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 3rd April 1877.

No. 14.—Mr. F. McNevin, Accountant, 4th Grade, attached to the Central Office of Accounts, is granted one month's privilege of absence, with effect from the 3rd instant.

FRED. FIREBRACE,
Offg. Manager.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 14th March 1877.

No. 11.—Mr. H. Mann, Sub-Engineer, 1st Grade, attached to Ghát Division, is granted leave out of India, on private affairs, for six months, and subsidiary leave for 14 days, from the 15th April 1877.

No. 12.—Mr. T. Burrell, Sub-Engineer, 3rd Grade, attached to Ghát Division, is granted privilege leave for three months, from 28th April 1877.

The 31st March 1877.

No. 13.—The following Officers having been temporarily transferred to the Dhoond and Manmar Railway by Government of India, Public Works Department, Notification No. 105, dated 7th March 1877, reported their departure on the dates given against each:—

Mr. G. E. Moore, Executive Engineer, 4th Grade (temporary rank)—on the afternoon of 9th March 1877.
Mr. W. Johnstone, Assistant Engineer, 1st Grade—on the afternoon of 13th March 1877.
Mr. B. W. Cantopher, Assistant Engineer, 2nd Grade—on the 6th March 1877.
Babu Babu Mal, Assistant Engineer, 3rd Grade—on the forenoon of 12th March 1877.

No. 14.—Babu Benode Behari Dass, Assistant Surgeon, 3rd Grade, reported himself to the Executive Engineer, Barnagar Division, Neemuch State Railway, on the 10th March 1877, and assumed charge of the Barnagar Hospital from Babu Choonee Lall Dass, Assistant Surgeon, 3rd Grade, on the afternoon of the 13th March 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 2nd April 1877.

No. 8.—With reference to Government of India, Public Works Department, Notification No. 141 of the 27th March, Messrs. A. T. Chiodetti and T. Concannon, Assistant Engineers, 3rd Grade, were relieved of their duties on this line on the forenoon of the 5th and 8th March, respectively.

No. 9.—Babu Doorga Dass Dutt, Overseer, 2nd Grade, availed himself of the privilege leave granted to him in this Office Notification No. 6 of the 12th March, from the forenoon of the 14th idem.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 27th March 1877.

No. 53.—Mr. F. R. Upcott, Executive Engineer, 4th Grade, availed himself of the leave granted in Director of State Railways' Notification No. 49, dated 10th March 1877, on the afternoon of the 3rd instant, making over charge of the Khanpur Division to Mr. W. Scott, Executive Engineer, 2nd Grade.

No. 54.—Mr. J. A. D. Lloyd, Assistant Engineer, is transferred from the Office of the Engineer-in-Chief to the Upper Scinde District.

No. 55.—The transfer of Mr. W. G. Allen, Assistant Engineer, 2nd Grade, from the Mooltan to the Upper Scinde District, made in this Office Notification No. 38, dated 26th February 1877, is cancelled.

The 28th March 1877.

No. 56.—Mr. C. J. S. Baker and Lieutenant H. Finnis, R.E., Assistant Engineers, 2nd Grade, are transferred from the Western Extension Survey District to the Upper Scinde District.

The 29th March 1877.

No. 57.—Mr. R. Gompertz, Executive Engineer, 2nd Grade, is transferred from the Western Extension Survey District to the Office of the Superintending Engineer, Upper Scinde District.

No. 58.—Corporal C. Williams and Private J. Morrison, Overseers, 1st Grade, are transferred from the Western Extension Survey to the Upper Scinde District.

No. 60.—The following transfers have been made by Superintending Engineers:—

Mr. A. Bewley, Assistant Engineer, 2nd Grade—from the Larkana to the Reti Division.
Mr. W. Monies, Assistant Engineer, 3rd Grade—from the Reti to the Larkana Division.
Mr. F. Blake, Sub-Engineer, 2nd Grade—from the Office of Superintending Engineer, Lower Scinde District, to the Kotri Division.

M. RAYNE,
Engineer-in-Chief.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
Mar. 26	...	6,02,316	1,68,804	7,19,479	88,21,052	20,00,395
,, 27	2,361	6,43,256	...	7,21,831	87,34,216	20,00,395
,, 28	...	...	4,10,676	3,06,470	90,43,861	24,15,582
,, 29	...	...	94,555	2,08,316	90,52,577	25,13,736
,, 30	Holidays					
,, 31						

CALCUTTA MINT, *The 2nd April 1877.*

J. F. TENNANT,
Offg. Mint Master.

NOTICE.

All covers intended for His Excellency the Viceroy and Governor General and Party, during His Excellency's approaching visit to Lucknow

and Nynee Tal *en route* to Simla, should be addressed to the "Governor General's Camp" without the addition of any postal town.

O. T. BURNE, *Lieut.-Col.*,
Private Secretary to the Viceroy.

CALCUTTA,
24th March 1877.

NOTICE.

Certain effects belonging to the estate of Mr. Ambrose, late Engine Driver, Oude and Rohilcund Railway, who died intestate in this district, are in charge of this office.

Claimants are requested to apply to the undersigned within one month from this date.

G. PALMER, *C. S.*,
Judge.

MORADABAD,
JUDGE'S COURT;
The 31st March 1877.

NOTICE.

Under orders of the Government of India, the hourly Meteorological Observations hitherto taken at the Surveyor General's Office day and night have been discontinued, with effect from the 1st instant.

GOPEENAUTH SEN,
In charge of the Observatory.

SURVEYOR GENERAL'S OFFICE,
CALCUTTA;
The 1st April 1877.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

5th April 1877 ... Rs. 17,50,312-8-11

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA.
6th April 1877.

Statement of Transactions of District Savings Banks for the quarter ending 31st March 1877.

PROVINCE.	Number of Banks open.	DEPOSITS. No.	DEPOSITS. Amount.	WITHDRAWALS. No.	WITHDRAWALS. Amount, Principal.	WITHDRAWALS. Amount, Interest.	BALANCE.
			Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.
Bengal	45	1,639	1,45,157 10 4	712	1,28,215 7 4	1,104 3 10	9,37,941 5 1
Assam	9	184	14,747 10 3	84	10,407 10 7	87 7 0	95,618 0 9
N.-W. Provinces	35	1,221	67,375 3 8	344	55,106 8 1	687 14 4	4,00,112 10 9
Punjab	23	342	35,714 11 10	171	36,365 13 0	543 5 10	2,92,395 2 11
Oudh	12	213	21,150 9 11	99	24,168 13 3	323 15 3	1,92,606 1 9
Central Provinces... ...	19	190	23,749 1 0	109	21,941 3 7	180 13 6	2,00,349 12 2
British Burmah	13	185	12,091 4 5	98	24,173 3 0	366 5 5	1,13,636 11 2
Berar	2	126	5,820 0 0	23	2,302 4 2	12 9 4	57,043 7 4
India	6	307	13,730 6 3	119	16,893 12 7	184 7 4	1,07,231 9 3
TOTAL ...	164	4,407	3,39,536 9 8	1,759	3,19,574 11 7	3,491 1 10	23,96,934 13 2

CALCUTTA,
The 3rd April 1877.

W. WATERFIELD,
Offg. Comptroller General.

Statement of the Affairs of the Bank of Bengal for the week ending 3rd April 1877.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	16,71,119	2	5
Public Deposits at Head Office ... 76,76,769 11 11			
Public Deposits at Branches ... 1,06,56,761 10 4	1,83,33,531	6	3
Other Deposits at Head Office and Branches	1,88,18,021	9	6
Bank Post Bills, &c.	3,67,457	8	7
Sundries	8,92,897	3	5
TOTAL ...	6,00,83,026	14	2

ASSETS.	Rs.	A.	P.
Government Securities ...	94,97,785	6	3
Loans on Government Securities, &c., at Head Office and Branches ...	50,04,071	5	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches	49,73,029	7	1
Bills discounted and purchased at Head Office and Branches	2,11,72,980	15	10
Balances with other Banks ...	11,19,532	9	8
Bullion	4,93,490	1	3
Dead Stock	10,34,093	6	3
Stamps	10,603	8	11
Sundries	2,36,780	15	8
	4,35,42,367	12	4
Cash and Currency Notes at Head Office... 70,74,957 15 5			
Cash and Currency Notes at Branches ... 94,65,701 2 5	1,65,40,659	1	10
TOTAL ...	6,00,83,026	14	2

BANK OF BENGAL;
Calcutta, 5th April 1877.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st March 1877.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS of 1824-25.	of 1828-29.	of 1832-33.	of 1836-36.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	4½ PER CENT. LOANS of 1871.	of 1872.	5 PER CENT. LOAN OF 1866-67.	5½ PER CENT. LOAN OF 1868-69.	5 PER CENT. DEBENTURES FOR 10 years.	15 years.	TOTAL AMOUNT.
														Repayable, June 1877.	Repayable, June 1882.	
Balance of 15th March 1877	55,600	33,173	2,346	14,54,506	31,56,100	1,53,39,300	1,07,64,500	1,63,80,200	39,63,600	3,01,000	2,97,91,700	82,800	4,19,49,200	26,23,000	33,14,000	12,02,16,025
Stock transferred to London	...	...	...	...	...	...	...	1,000	...	...	...	...	...	...	...	1,000
Add—																
Amount enfaced at Madras between 16th and 31st March 1877 ...	...	...	...	...	3,000	27,900	1,500	34,500	...	...	...	...	3,94,600	...	...	66,000
Amount enfaced at Bombay between 16th and 31st March 1877 ...	...	...	...	...	1,000	...	...	3,000	...	...	...	...	4,50,000	...	5,000	3,88,600
Amount enfaced at Calcutta between 16th and 31st March 1877 ...	...	...	...	...	30,000	1,34,500	...	26,000	1,10,900	500	...	8,600	...	...	...	7,65,500
	55,600	33,173	2,346	14,54,506	31,90,100	1,55,00,800	1,07,92,000	1,65,29,600	39,69,100	3,01,000	2,98,00,300	82,800	4,27,83,800	26,23,000	33,19,000	13,04,37,125
Deduct—																
Amount written off in the London Registers ...	...	...	...	...	1,500	16,000	...	2,000	12,000	...	4,000	...	2,78,700	...	...	3,18,200
Balance on 31st March 1877	55,600	33,173	2,346	14,54,506	31,88,600	1,54,84,800	1,07,80,000	1,63,17,600	39,69,100	3,01,000	2,97,96,300	82,800	4,25,05,100	26,23,000	33,19,000	13,01,18,925

NOTE.—From 9th June 1867, to 31st Jan. 1877, enfaced from India, 2,401 lacs; re-transferred from London, 2,456 lacs.

„	1st Feb. 1877 to 15th Feb.	„	6 „
„	16th „ „ to 28th „	„	22 „
„	1st Mar. „ to 15th Mar.	„	4 „
„	16th „ „ to 31st „	„	6 „
		„	12 „
		„	3 „
			2,477 lacs.
			2,445 „
Balance against London ...			32 lacs.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 3rd April 1877.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
1	... L 52—87045	... 500	... Babu Okeel Chunder Biswas.
	„ —72730	... 500	...
3	... L 51—31120	... 100	... Babu Deno Nath Shaw.
5	... L 91—62525 to „ —62554	... 20 each	... Mr. J. Linehan, Inspector of Police, "G" (Town).
7	... L 83—03286	... 100	... The District Superintendent of Police, Midnapur.
	L 82—63653	... 100	...
	L 89—71719	... 20	...
	„ —97710	... 20	...
	L 59—09574	... 10	...
	L 62—89497	... 10	...
	„ —89496	... 10	...
	„ —89495	... 10	...
	„ —89494	... 10	...
	L 59—99797	... 10	...
	L 42—60808	... 10	...
	L 59—96663	... 10	...
	L 61—47032	... 10	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
2	... A 71—58376 „ —58379	... 20	... Babu Parbutty Churn Biswas.
	L 28—61836 „ —61835	... 5	...
1	L 96—82975	... 10	... Mr. F. J. Biden.
2	L 59—30565	... 10	... Babu Gojendra Mohapatra.
3	... L 17—23286	... 5	... Mr. J. Winterscale.
	„ —23262	... 5	...
4	... L 59—02413	... 10	... Geah Mohamed.
5	... L 59—75569	... 10	... Narain Singh.
6	L 64—16642	... 20	... Ojoodhiapershad Bajpie.

CALCUTTA,—Paper Currency Dept.; *The 6th April 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
103	... B 49—18980	... 10	... M. Lakshminarasiah, Madras.
104	... B 49—51275	... 10	... Captain C. W. H. Hutchins, Ship *Zenobia*.
	B 52—34275	... 10	...
	„ —34276	... 10	...
	„ —34861	... 10	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
267	... B 40—25526		... 5	... Kistna Reddi, Arcot.
268	... B 34—68254		... 10	... Khathu Meeah Saib, Madras.
269	... B 42—68840		... 20	... Major G. S. Hooper, Bangalore.
270	... B 42—63998		... 20	... Toolseedoss Narayanjee, Calicut.
271	... B 49—42407		... 10	... M. Rungiah Naidu, Madras.
52	... B 43—74818 „ —82768	wrongly joined.	50	... G. P. Johnstone, Esq., Madras.
272	... B 52—49431		... 10	... Mr. E. Hostein, Madras.
	B 43—92199		... 50	...
273	... B 28—90745		... 500	... Abdul Rahman, Mysore.

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 29th March 1877.*

D. KISSUN SING,
Asstt. to Acctt. Genl., in charge of Paper Currency Dept.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
18	... E 7—18583	... 5	... Bishen Das, Audit Office, Lahore.
19	... E 12—34412	... 20	... The Post Master General, Punjab.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
14	... E 10—01039	... 10	... Messrs. Raheem Bux & Co., Tent Makers, Futtehgurh.
31	... E 7—57176	... 5	... Baboo Prosono Chander Banerji, Ferozepur.
11	... E 12—21874 „ —21875	... 20	... Madho Ram, Booking Clerk, Rajputana State Railway, Ajmere.

LAHORE.—Paper Currency Office; *The 29th March 1877.*

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1877.	No. of Notes.	Value. Rs.	Name of Claimant.
W23	... M 6—16905	... 5	... Mrs. Mathew, Sholapur.
	M 25—00924	... 100	...

NOTES PARTIALLY LOST OR DESTROYED.

1877.		Rs.	
H50	... M 25—01413	... 100	... Ebbji Oomersey, Kaji Syd Street, Mandvi Bunder.
	„ —01414	... 100	...
	„ —01415	... 100	...
	„ —01416	... 100	...
	„ —01417	... 100	...
	C 70—94533	... 500	...
H51	... M 17—05105	... 10	... Jahangir Ali, Mandla.
H52	... M 23—30769	... 50	... J. Townsend, Kapurthala, Punjab.
H53	... M 20—71255	... 10	... Aditram Veniram, Dabhoi.
H54	... M 22—34377	... 20	... Simonji Samayalji, Kaladgi.
H56	... M 6—10972	... 5	...
	M 27—54294	... 10	... C. M. Bevan, Bhosawul.
	„ —60883	... 10	...
	M 21—00303	... 10	...
M24	... M 5—97512 „ —97514	... 50	... Mahomed Abdul Rahim, Paper Currency Office, Nagpore.
M25	... M 5—08922 M 23—08574	... 50	... Dadabhoy Rauji, Dhobi Talao.

BOMBAY,—Paper Currency Dept.; *The 27th March 1877.*

G. W. CLINE, LL.D.,
Assistant Commissioner.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 13—18317	... 5	... J. M. Maclean, Esq., Proprietor, *Bombay Gazette*, Bombay.

KURRACHEE,—Paper Currency Dept.; *The 26th March 1877.*

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Akola Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
K 3—15636	... 50	... Deen Mahomed, son of Shaikh Mungha, Cánsámá to Colonel W. Nembhard, Commr., Hyderabad Assigned Districts, Oomraotee.
„ —15637	... 50	...

AKOLA,—Paper Currency Dept.; *The 31st March 1877.*

C. W. A. DAVIES,
Assistant Commissioner.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
78	... L 47—18931	... 20	... Baboo Tincori Sircar, Shahjahanpur.
79	... D 4—70936	... 50	... Sahibditta Mull, Meanmir.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
130	... D 6—82996		... 10	... Jahangir Alie, Mandla.
131	... D 4—64558		... 50	... J. B. D'Silva, Esq., Umballa.
	L 47—31018		... 20	...
	D 5—90145		... 20	...
132	... D 10—57160		... 5	... Baboo Rissick Lall Roy, Calcutta.
133	... D 11—60665		... 10	... Baboo Koylash Chunder Mookerjee, Allahabad.
134	... D 11—16104		... 10	... Immam Ali, Pertabgarh.
49	... D 7—97618 „ —97620	wrongly joined.	100	... Gubboo Mull, Benares.

ALLAHABAD,—Paper Currency Office; *The 29th March 1877.*

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Calicut Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 6—17998	... 10	... Mr. J. P. Rozario, Calicut.

NOTES PARTIALLY LOST OR DESTROYED.

	Rs.	
J 6—87054	... 10	... Ammu, Ayah of Mrs. Wilkinson, Oosoor.
J 7—54419	... 5	... A. Vadevalu Pillay, Merchant of Peravar.
J 4—69620	... 50	... St. M. Elias, Superioress, Roman Catholic Female Orphanage, Cannanore.

CALICUT,—Paper Currency Office; *The 24th March 1877.*

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 6th April 1877.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Committa*, will be closed at the General Post Office on Sunday, the 8th April 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Busheer*, will be closed at the General Post Office on Sunday, the 8th April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Monday, the 9th April 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Tuesday, the 10th April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *India*, will be closed at the General Post Office on Wednesday, the 11th April 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 13th April 1877, by which mails for Mauritius, St. Denis, Réunion and Zanzibar, can be forwarded.

2. Book-post and pattern packets must be posted on the 12th April 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 14th April 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 7th April 1877.

Adams, Geo.
Allan, W. H.
Anthony, W.
Arson, G.
Authray, A.
Bayly, Lieut.-Col. A. R.
Benselly, R. S.
Bload, A. R.
Bluett, Mrs. F. M.
Boissaye, Monsieur.
Boswell, W.
Brance, W.
Breslauer, M.
Brown, W. M.
Burgess, Mrs. A. R.
Burgess, Hugh.
Burke, M.
Cole, Robert.
Daly, C.
Davies, H.
Denison, Col. R. A.
Dodgson, Chas. H.
Dolle, Mrs. E.
Doran, E.
Edwards, G. W.
Erskine, Miss A.
Falmon, B.
Farmer, Mrs. L.
Ferrari, Dr. D. A.
Forbes, A.
Gasper, A.
Geddies, A. C.
George, David.
Giovanni, Mons.
Goodard, Mrs.
Gordon, James.
Gould, W. G.
Granger, John H.
Hallahan, P. J.
Hendrix, Rev. E. R.
Higgins, J.
Horner, F.
Houston, P.
Howard, W. H.
Jackson, Mrs. H. W.
Jackson, L. W.
Jones, C. M.
Kelly, Jas.
Law, Mrs.
Linton, Mr.
Logan, Bellew.
Lohr, Chas.
Mackenzie, G. R.
Mackintosh, D. S.
McClellan, W.
McKellar, G. B.
McMullin, M.
McQueen, Mrs.
Michael, S.
Miller, Mrs.
Mitchell, T. C.
Moorhead, S.
Myer, Geo.
Palmer, A. H.
Parker, H. B.
Peach, Mrs.
Percy, Hugh L. H.
Peters, S.
Powell, Mrs. W. H.
Radford, Mrs. E.
Reid, Louis D.
Renerdine, Mrs. F.
Smale, John.
Smith, G. B.
Smith, Mrs. E. F.
Sowerly, J. A.
Stone, Lieut.
Story, Mrs.
Teil, George & Co.
Thorpe, W.
Vaux, Mrs. A.
Walker, Mrs.
Wallis, A. H.
Wane, Innes B.
Watkins, Miss C. F. A.
Weibar, C.
Winn, Mrs.
Winscom, Miss.
Woods, Miss.
Worne, Miss M.
Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Andrew, Walter G. G.
Arthur, Geo.
Battye, Major H. D.
Beale, William.
Biggs, Robert O. C.
Bonerjee, Dr.
Bromehead, Rev.
Brownfield, M.
Buckley, C. W.
Caddy, D. G.
Campbell, Major C. W.
Campbell, Mrs. William.
Carrington & Wigley.
Chapman, Capt.
Clarkson, Mr.
Cranbourn, Mrs.
Crawford, H.
Crossly, R.
Donegan, N.
Eaton, Mrs. G. W.
E. F. W.
E. M.
Forbes, Mrs. L. R.
Frawley, M. A.
Glukman, Lione.
Good, J. W.
Graham, Mrs.
Gray, William.
Hudson, Thos.
Huguenot, M.
Jackson, J. W.
Jenkinson, Mrs.
Johnstone, Ross.
Jones, B. F.
Kelly, Edward.
King, H. W.
Lewis, J. W.
McIntyre, A.
Meyer, H. G.
Mitchell, Miss.
Moran, Frank Conyngham.
Morgan, Mrs. Milton.
Moseley, Capt. W. H.
Norman, J. R.
O'Brien, T. H.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Reed, J.
Schapira, D.
Scolfi, A. L.
Simpson, W.
Smith F.
Stone, B. J.
Taylor, G. W.
Terlecki, Miss.
Thomas, S. B.
Thomas, W. L.
Watson, J. B.
Willard, J. C.
Williams, C. A.
Williams, W. J.
Wilson, G.
Zacharias, A. H.

Papers.

Battye, Major H. D.
Bellany, J.
Caddy, D.
Holland, Capt.
Jones, B. F.
Ryder, A.
Stewart, A.
Williams, C. A.

Parcels.

Anderson, Mrs. John.
Logan, B.

Registered Letters.

Cosing, H.
Fagan, L.
Ferrari, Dr. A.
Forbes, Mrs. L. R.
Francis, Marples.
O'Brien, C.
Spence, A. W.

W. ALPIN,
Offg. Post Master of Calcutta.

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Reports of Cases on appeal to the High Court of Judicature at Fort William in Bengal from the establishment of the Court (civil cases), by Walker Marshall, Esq., of the Middle Temple, Barrister-at-Law, Official Reporter to the Courts. Parts I to V. *Price, each part Rs. 3-12; packing and postage, 3 annas.*

The Rent Case including the Judgments delivered by the High Court on the 19th of June 1865. *Price, Rs. 2; packing and postage, 4 annas.*

Revised Rules and Forms for Revenue Accounts of State Railways. *Price, Rs. 3; packing and postage, Re. 1-8 extra.*

Rules for the Qualification, Admission, and Enrolment of Pleaders and Mooktears in Mofussil Courts. *Price, 4 annas; by post, 5 annas.*

The Bengal Civil Service Gradation List, with appointments, &c., published every quarter, as above. *Price per quarter, Re. 1; packing and postage, 2 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal, prescribed by the Lieutenant-Governor of Bengal on the 20th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director General of Statistics to the Government of India:

Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. *Nadiya and Jessore.*
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Vol. V. Dacca, Bakarganj, Faridpur, and Maimunsing.

Price, per volume, Rs. 2-8; postage, 10 annas.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

Now Ready.

The Bengal Administration Report for 1875-76. *Price, Rs. 4-8; postage, 14 annas.*

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Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 3 annas.*

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The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, Re. 1-4.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price, 8 annas per copy, or including postage, 10 annas.*

Ditto ditto in Bengali. *Price, 8 annas per copy, or including postage, 10 annas.*

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Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 5 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 11 annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 3 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 8 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 12 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 6 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st January 1877. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 5 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 4 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 14, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 12th April 1877.

No. 67.—Dr. T. F. Odling has been granted by the Director, Persian Telegraph, special leave on private affairs for six months, under Section 21, of the Civil Leave Code, with effect from afternoon of 4th December 1876, and subsidiary leave, not exceeding thirty days, under Section 24*(b)* of that Code, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

This cancels the leave granted in Notification No. 56, dated 18th January 1877.

W. PALMER,
Examiner of Telegraph Accounts.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 4th April 1877.

No. 13.—Mr. J. Low, Surveyor, 2nd Grade, is granted six weeks' leave on medical certificate, under Section 3, Supplement F, Civil Leave Code, with effect from 10th ultimo.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 7th April 1877.

No. 13.—LEAVE OF ABSENCE.—Mr. Edward Bolderodi Montebello Drew, Probationary Assistant Surveyor, 4th Grade, for six months, under Section 9, Supplement F, of the Civil Leave Code, with effect from the 16th instant.

The 9th April 1877.

No. 14.—Mr. Thomas Anderson, Probationary Assistant Surveyor, 4th Grade, has been permitted to resign his appointment, with effect from the 26th March 1877.

D. C. VANRENEN, *Colonel, R. A.,*
Superintendent of Revenue Surveys.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 3rd April 1877.

No. 43.—Lieutenant J. Cargin, Barrack Master, is, on return from furlough, posted to the Lahore Division of Superintendence, Military Works.

The 4th April 1877.

No. 44.—Captain J. Dundas, R.E., Executive Engineer, temporary, 1st Grade, Assistant to Chief Engineer, Military Works, availed himself of the leave granted in G. O. G. G. No. 120, dated 9th February 1877, on the 18th March 1877, before noon.

No. 45.—Sergeant E. Daintith, Overseer, 1st Grade, returned from furlough, is posted to the Oudh Division of Superintendence, Military Works, which he joined on 19th March 1877, before noon.

The 5th April 1877.

No. 46.—Lieutenant-Colonel W. R. Tucker, R.E., made over and Colonel L. Russell, R.E., received charge of the Office of Superintending Engineer, Presidency District of Superintendence, Military Works, on 26th March 1877, after noon.

The 7th April 1877.

No. 47.—With reference to Government of India, Public Works Department Notification No. 142, dated 27th March 1877, Lieutenant N. Arnott, R.E., Assistant Engineer, 1st Grade, is posted to the Meerut Division of Superintendence, Military Works.

The 9th April 1877.

No. 48.—With reference to Government of India, Public Works Department, Resolution No. 74—76E. M. & C., dated 23rd February 1877, Mr. R. Tyndall, Superintending Engineer, joined the Head Quarters of Inspector General of Military Works, on the forenoon of 7th April 1877.

C. W. HUTCHINSON, *Colonel, R. E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 9th April 1877.

No. 11.—Captain A. Hill, R.E., Executive Engineer, 4th Grade, is granted one month's privilege leave. He availed himself of this leave on the forenoon of 29th March 1877.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Oudh Division.

Lucknow, the 5th April 1877.

No. 21.—Mr. T. H. Jewett, Assistant Engineer, 2nd Grade, attached to the Allahabad Division, has been transferred to the Saugor Division, Military Works, to take charge of the Nowgong Sub-Division, from Mr. Reid, Assistant Engineer, about to proceed to Europe on furlough.

Mr. Jewett reported his arrival at Nowgong on the afternoon of the 18th ultimo.

The 6th April 1877.

No. 22.—Corporal J. Franklin, R.E., appointed as Overseer, 1st Grade, in Public Works Department Notification No. 125, dated the 19th March last, has been posted to the Allahabad Division, Military Works, which he joined on the forenoon of the 4th instant.

The 10th April 1877.

No. 23.—With reference to Inspector-General, Military Works, Notification No. 42, dated the 29th March last, Corporal S. Chambers, R.E., Overseer, 1st Grade, reported his arrival and posted to the Lucknow Division, Military Works, which he joined on the afternoon of 3rd instant.

No. 24.—Barrack Sergeant T. Wells, attached to the Allahabad Division, Military Works, is transferred to the Fyzabad Division, Military Works, which latter he joined on the afternoon of the 7th instant. This transfer is made for the benefit of the public interest.

No. 25.—With reference to Notification No. 14, dated the 27th February last, by the Inspector-General, Military Works, Lieutenant F. B. G. D'Aguilar, R. E., Assistant Engineer, reported his arrival and joined the Allahabad Division, Military Works, on the 6th instant.

No. 26.—Mr. J. Beale, Sub-Engineer, attached to the late 2nd Allahabad Division, Military Works, has been transferred to the Lucknow Division, Military Works, which he joined on the 1st of November 1876.

No. 27.—This Office Notification No. 19, dated the 21st March last, granting three months' privilege leave to Lieutenant Peacocke, R.E., Temporary Assistant Engineer, 1st Grade, is hereby cancelled.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Rawul Pindi Division.

Rawul Pindi, the 2nd April 1877.

No. 457.—Lieutenant W. G. Nicholson, R.E., Executive Engineer, 4th Grade, is transferred from the 2nd Peshawur to the 2nd Rawul Pindi Division, Military Works. Lieutenant Thurburn, R.E., Assistant Engineer, 1st Grade, will assume charge of the former division on Lieutenant Nicholson's departure.

Lieutenant A. Hildebrand, R.E., Assistant Engineer, 2nd Grade, is posted to the 2nd Peshawur Division, Military Works.

Mr. F. H. Ashurst, C.E., Assistant Engineer, 1st Grade, is posted to the 1st Rawul Pindi Division, Military Works.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawul Pindi Divn., Mily. Works.

Sirhind Division of Superintendence.

Umballa, the 9th April 1877.

No. 7.—Lieutenant H. Smith, Barrack Master, attached to the Jullundur Division, Military Works, is granted three months' privilege leave from 1st proximo, or such subsequent date as he may avail himself of it.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.—GENERAL DEPARTMENT.

Port Blair, the 28th March 1877.

No. 11.—APPOINTMENTS.—Mr. F. A. deRoepstorff, Extra Assistant Superintendent of the 1st Class and Officiating 3rd Assistant Superintendent, having obtained leave on medical certificate and the usual subsidiary leave, with effect from the 19th January last, Mr. F. E. Tuson officiated as 3rd Assistant Superintendent, and Mr. O. H. Brookes, as Extra Assistant Superintendent of the 1st Class, with effect from the forenoon of the 20th idem until the afternoon of the 26th February when Major-General Barwell returned from privilege leave.

The 6th April 1877.

No. 12.—Mr. W. Mackay, Executive Engineer, Port Blair Division of Public Works, is granted thirty days' preparatory leave, from the date of departure of the mail steamer, to enable him to appear before a Medical Board at Calcutta.

Mr. W. Causley, Sub-Engineer, is appointed to officiate as Executive Engineer from this date.

C. A. BARWELL, *Major-Genl.,*
Chief Commr. and Supdt., Andaman and Nicobar Islands.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 5th April 1877.

No. 64.—Mr. J. M. Luff, Executive Engineer, 2nd Grade, Northern Bengal Railway, is granted one month's leave in extension of that granted in Director's Notification No. 61 of the 31st March 1877.

The 6th April 1877.

No. 65.—Mr. T. W. Grant, Assistant Engineer, 2nd Grade, Northern Bengal State Railway, is granted six months' special leave, under Section 21 of the Civil Leave Code, with the usual subsidiary leave.

The 7th April 1877.

No. 66.—Mr. E. Johnston, Executive Engineer, 4th Grade, Rajputana Railway, is granted leave on medical certificate for one month and a half, with effect from the 16th March 1877.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 3rd April 1877.

No. 15.—Mr. G. Cowper, Assistant Engineer, 2nd Grade, attached to Ghat Division, is granted leave for three months to study the native languages from 1st May 1877.

The 5th April 1877.

No. 16.—Mr. T. R. Edmondson, Probationary Accountant, 2nd Grade, attached to the Office of the Examiner of Accounts, Holkar and Neemuch State Railways, is granted leave on medical certificate for two months and twenty-three days, with effect from 8th March 1877.

The 7th April 1877.

No. 17.—Mr. J. C. Ledger, Executive Engineer, 3rd Grade, and Personal Assistant to Engineer-in-Chief, Holkar and Neemuch State Railways, is granted privilege leave for three months from 15th April 1877 or such subsequent date as he may avail himself of it.

No. 18.—Mr. F. Wolley Dud, Assistant Engineer, 2nd Grade, is transferred from Ghat Division to the Office of Engineer-in-Chief, Holkar and Neemuch State Railways, to which he is to be temporarily attached during the absence of Mr. J. C. Ledger on three months' privilege leave, or until further orders.

No. 19.—With the approval of the Director of State Railways, Fatehabad Division is amalgamated with the Barnagar Division, Neemuch State Railway, with effect from 1st April 1877.

No. 20.—Mr. J. F. Cockburn, Executive Engineer, 2nd Grade, made over charge of the late Fatehabad Division to Mr. C. Swappe, Executive Engineer, 4th Grade, on 31st March 1877.

No. 21.—Mr. G. E. Moore, temporary Executive Engineer, 4th Grade, was transferred from the Nerbudda Division and placed in charge of the work of verifying stores, Holkar and Neemuch State Railways, from 23rd February to 9th March 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATION.

The 4th April 1877.

No. 62.—The following postings have been made by Superintending Engineers:—

Mr. Dharm Singh Soin, Assistant Engineer, 3rd Grade, to the Mebur Division.

Lieutenant H. Finnis, Assistant Engineer, 2nd Grade, to the Larkana Division.

M. RAYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 10th April 1877.

No. 10.—Fifteen days' privilege leave is granted to Baboo Chundee Ram, Overseer, 1st Grade, attached to the Somastipore Division, Tirhoot State Railway, from the 16th April 1877, or from such date he may avail himself of it.

No. 11.—Mr. Edward Byrne, Executive Engineer, 2nd Grade, availed himself of the privilege leave granted to him in this Office Notification No. 7 of the 12th March 1877, from the afternoon of the 10th April 1877.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 9th April 1877.

No. 15.—Pundit Janki Nath, Accountant, 4th Grade, attached to the Central Office of Accounts, Rajputana State Railway, was allowed 25 days' privilege leave of absence from the 11th March last.

FRED. FIREBRACE,
Offg. Manager.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 7th April 1877.

No. 6.—Mr. W. C. Rennie, Executive Engineer, 3rd Grade, has been granted privilege leave for two months and seventeen days, with effect from the date on which he may avail himself of it subsequent to 15th April 1877.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

The 26th March 1877.

No. 265.—Referring to Director, State Railways' Notification No. 198, dated 1st December 1876, granting Mr. D. F. Hogarth, Executive Engineer, 2nd Grade, twenty months' furlough from 1st February 1877 and the necessary subsidiary leave, that Officer reported his departure on the afternoon of the 2nd January 1877.

No. 267.—Referring to this Office Notification No. 55, dated 20th January 1877, Babu Shyamlal Singh, Accountant, 4th Grade, reported his return from privilege leave on the afternoon of 5th March 1877.

JAMES COLLET,
Engineer-in-Chief.

Report of a Deserter from E Battery, 9th Brigade, Royal Regiment of Artillery, dated at Kirkee, this 26th day of March 1877.

Name,—John Parry.
Age,—23 years and 11 months.
Size,—5 feet 7½ inches.
Color of—
Complexion, fair; hair, sandy; eyes, grey.
Peculiar marks by which his identity may be ascertained,—two small circular scars on abdomen, J. P. tattooed on back of left arm, tattoo marks on back of left hand.
Date of Desertion,—22nd March 1877.
From whence deserted,—Kirkee, E. I.
Date of Enlistment,—23rd December 1876.
Place of Enlistment,—Kirkee, E. I.
Parish where born,—Bodare.
County,—Anglesey.
Former Trade or Occupation,—Sailor.
Dress at the time of Desertion,—coat or jacket, white; helmet, white; breeches or trowsers, white.
REMARKS,—stating any particular circumstances attending his desertion,—was on pass to Poona, from 9 A. M. on the 22nd March. 1877, till 12 midnight the 22nd March 1877.

W. H. McCAUSLAND, *Major,*
Comdg. E Batty., 9th Brig., Royal Artillery.

Report of a Deserter from the E Battery, 9th Brigade, Royal Regiment of Artillery, dated at Kirkee, this 5th day of April 1877.

Name,—Thomas Murphy.
Age—23 years and 6 months.
Size,—5 feet 2½ inches.
Color of—
Complexion, sallow; hair, black; eyes, grey.
Peculiar marks by which his identity may be ascertained,—tattooed on both arms.
Date of Desertion,—2nd April 1877.
From whence deserted,—Kirkee, E I.
Date of Enlistment,—14th February 1876, at Kirkee.
Place of Enlistment,—Kirkee, E. I.
Parish where born,—St. Mary's.
County,—Dublin.
Former Trade or Occupation,—Believed to be a Sailor. Harness maker.
Dress at the time of Desertion,—coat or jacket, white; cap, black cloth; breeches or trousers, white.
REMARKS,—stating any particular circumstances attending his Desertion,—absent from tattoo roll-call at 9-30 P. M.

W. H. McCAUSLAND, *Major,*
Comdg. E Batty., 9th Brig., Royal Artillery.

Report of a Deserter from the 92nd Regiment of "Gordon Highlanders," dated at Sitapur, this 8th day of April 1877.

Number, Rank, and Name,—Hospital Apprentice George Clegg, Sub-Medical Department.
Age,—18 years.
Size,—6 feet.
Color of—
Complexion, dark; hair, black and wavy; eyes, black.
Date of Desertion,—8th April 1877.
Place of Desertion,—Sitapur.
Date of Enlistment,—15th April 1875.
At what place enlisted,—Joined 92nd Highlanders at Mooltan.
Parish and County in which born,—India.
Marks,—Heart tattooed on right arm.
Trade,—Hospital Apprentice.
Coat or Jacket,—Grey.
Waistcoat,—None.
Breeches or Trowsers,—Dark.

G. H. PARKER, *Lieut.-Colonel,*
Comdg. 92nd Regt., "Gordon Highlanders."

Report of a Deserter from the 59th Regiment of Foot, dated at Dagshai, this 4th day of April 1877.

Number, Rank, and Name,—513, Color Sergent Michael Foy.
Age,—33 years and 2 months.
Size,—5 feet 9 inches.
Color of—
Complexion, fresh; hair, dark brown; eyes, hazel.
Date of Desertion,—31st March 1877.
Place of Desertion,—Dagshai.
Date of Enlistment,—1st October 1862.
At what Place enlisted,—Sheffield.
Parish and County in which born,—Turley, Castlebar, Mayo.
Marks,—Scar from a burn on inner part of left arm and on the lower part of left chest.
Trade,—Laborer.
Coat or Jacket, Waistcoat, Breeches or Trowsers, } Regimentals.
Under 15 years' service.

J. deMONTMORENCY, *Colonel,*
Comdg. 59th Regiment.

NOTICE.

All covers intended for His Excellency the Viceroy and Governor General and Party, during His Excellency's approaching visit to Lucknow and Nynee Tal *en route* to Simla, should be addressed to the "Governor General's Camp" without the addition of any postal town.

O. T. BURNE, *Lieut.-Col.,*
Private Secretary to the Viceroy.

CALCUTTA,
24th March 1877.

ECCLESIASTICAL.

The Venerable Joseph Baly, M. A., Archdeacon of Calcutta and Commissary of the Right Reverend the Lord Bishop, having proceeded to England on leave, the Reverend Brownlow Thomas Atlay, M. A., Senior Chaplain of Saint Paul's Cathedral, Calcutta, has been appointed Commissary of the Bishop during the absence of Archdeacon Baly, and to perform the duties of the Archdeacon until his return to Calcutta.

CHAS. SANDERSON,
Registrar and Secretary.

CALCUTTA,
The 10th April 1877.

INDIAN MUSEUM.

NOTIFICATION.

Calcutta, the 9th April 1877.

No. 624.—Mr. G. Nevill, Assistant Secretary and Librarian, and Assistant Superintendent, Indian Museum, availed himself of the leave granted in the Department of Revenue, Agriculture and Commerce, Notification No. 29, dated 23rd February 1877, making over charge of his office to Mr. H. K. W. Arnold at noon, on Monday, the 9th instant.

By order of the Trustees,
H. B. MEDLICOTT,
Honorary Secretary.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

12th April 1877 ... Rs. 4,98,243-0-11

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
13th April 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
April 2	...	7,11,000	2,18,757	2,968	71,39,627	20,31,553
" 3	...	...	2,914	...	72,19,702	20,34,521
" 4	...	...	...	...	71,33,243	20,34,521
" 5	...	...	...	...	70,39,697	20,34,521
" 6	...	...	...	...	69,38,219	20,34,521
" 7	...	...	...	...	68,44,465	20,34,521

CALCUTTA MINT,
The 9th April 1877.

J. F. TENNANT,
Offg. Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 9th April 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up	...	...	2,00,00,000	0	0
Reserve Fund ...	...	...	16,71,109	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	71,23,328	5 3			
Public Deposits at Branches ...	1,22,38,427	8 11	1,93,61,755	14	2
Other Deposits at Head Office and Branches ...			1,92,03,919	5	3
Bank Post Bills, &c. ...			5,88,174	7	0
Sundries ...			9,40,389	4	2
TOTAL ...			6,17,65,348	1	0

ASSETS.			Rs.	A.	P.
Government Securities ...			92,79,883	2	3
Loans on Government Securities, &c., at Head Office and Branches ...			49,83,822	12	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...			46,32,312	7	9
Bills discounted and purchased at Head Office and Branches ...			2,24,37,656	3	10
Balances with other Banks ...			14,75,064	4	7
Bullion ...			4,97,982	6	5
Dead Stock ...			10,33,116	8	9
Stamps ...			10,346	5	11
Sundries ...			2,22,598	13	1
			4,45,72,783	1	0
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	68,38,395	0 6			
Cash and Currency Notes at Branches ...	1,03,54,169	15 6	1,71,92,565	0	0
TOTAL ...			6,17,65,348	1	0

BANK OF BENGAL;
Calcutta, 12th April 1877.

W. WESTLAND,
Offg. Chief Accti. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned student has passed the examination for Honors in Medicine:—

Bhagavatchandra Rudra ... Medical College.

SENATE HOUSE,
The 12th April 1877.

A. W. CROFT,
Offg. Registrar.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
11	... A 98—57004	... 10	... Mr. A. H. Rhoades, Junior.
	L 98—23754	... 10	...
	L 39—31824	... 10	...
	L 37—66795	... 10	...
12	... L 50—27863 to „ —27875	... 100 each	... Babu Issan Chandra Das.
13	... L 82—56820	... 100	... Sreemati Harimati Dasee.
	„ —56823	... 100	...
	„ —56827	... 100	...
	„ —15717	... 100	...
14	... L 27—39486 to „ —39491	... 5 each	... Mr. F. DeMoullynes.
	„ —39492	... 5	...
15	... L 75—17242	... 10	... Babu Ram Lal Mookerjee.
	L 76—19231	... 10	...
	L 72—55731	... 10	...
	L 60—15045	... 10	...
	L 58—80591	... 10	...
	L 44—24224	... 10	...
	L 42—72761	... 10	...
	L 72—13351	... 10	...
	L 59—66928	... 10	...
	L 60—14258	... 10	...
	L 72—18187	... 10	...
16	... L 81—20045	... 50	... Babu Khelaram Mukerjee.
18	... L 81—72052	... 50	... Mr. R. R. Bayne.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
3	.. L 16—06096 „ —06095	... 5	... Mr. J. H. Bancroft.
5	... A 35—58886 „ —58885	... 50	... Babu Indra Narain Banerjee.
7	... L 25—69409	... 5	... Babu Mohavarut Dey.
8	... L 39—67369	... 10	... Babu Mutty Lall Dey Chowdhury.
	L 87—06165	... 10	...
9	... L 25—60682	... 5	... Babu Nobo Kissen Mukerjee.
10	... L 25—60595	... 5	... Imam Ali Duftry.
11	... A 90—77597	... 100	... Hari Nath Tahabildar.
	A 97—30108	... 10	...
	„ —61993	... 10	...
12	... L 87—28356	... 10	... Hajee Nubbee Bux, Mohamed Ibrahim.
	L 86—56789	... 10	...
	L 61—10103	... 10	...
13	... L 81—09180	... 50	... Abbool Hossein.
14	... A 35—42493	... 50	... Babu Indra Narain Banerjee.
15	... L 89—83193	... 20	... Mr. Alexander Rae.
	„ —84965	... 20	...

CALCUTTA,—Paper Currency Dept.; *The 13th April 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
1	... D 10—83809	... 5	... Mr. T. A. Shaw, Agra.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
1	... D 11—45109		... 10	... Mr. J. S. Paterson, Lucknow.
	D 10—76850		... 5	...
2	... D 6—83113		... 10	... The Post Master General, Punjab.
3	... D 11—49618		... 10	... The District Superintendent of Police, Banda.
	D 4—62437		... 50	...
1	... D 10—72943 „ —72942	wrongly joined.	5	... Allarakhoo Mistree, Allahabad.
2	... D 11—04145 E 6—91588	ditto	... 10	... Captain J. G. Kelly, Delhi.

ALLAHABAD,—Paper Currency Office; *The 5th April 1877.*

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877.		Rs.	
M26	... M 21—09836 „ —09856	... 10	... Shunker Balwant, Great Indian Peninsula Railway.
H57	... M 4—72047	... 5	... Edulji N. Massanee, 19, Cama Street, Fort Bombay.
M27	... M 3—79755 M 6—11577	... 5	... Mrs. E. Langley, Marine Lines.
28	... C 99—81407 „ —81414	... 20	... Cowasji Heerjibhai, 7, Apollo Street.
29	„ —42819 „ —50251	... 20	... Munchierji Behramji Talati, Bazar Gate Street, Fort.
30	... C 96—31635 C 88—91302	... 10	... Chuniram Jusraj, Mumbadevi.
H58	... M 21—49970	... 10	... Mahomed Ahmed, Godarwara.
59	... M 27—18348	... 10	... Kashinath Kesheokali, Nassik.
60	... C 78—48015 „ —59283	... 20 each	... Narayn Sheoram, Court of Small Causes, Bombay.
61	... M 22—29776	... 20	... W. C. Mair, Hyderabad, Deccan.
62	... C 70—95494	... 500	... Harman & Co., 12, Govt. Place, Calcutta.
63	... C 99—21495	... 20	... Neelkanth Anantappa, Sirsi.

BOMBAY,—Paper Currency Dept.; *The 10th April 1877.*

G. WELLS, LL.D.,
Offg. Assistant Commissioner.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
20	... E 10—16655 „ —44535	... 10 ... 10	... The District Superintendent of Police, Delhi.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
13	... E 7—56321 „ —56322	... 5	... Abdul Rahman and Abdul Kareem, Merchants, Lahore.
17	... E 12—37101	... 20	... Hurnam Sing, Tehseel Nawan Shahur, *viâ* Jullundur.
30	... E 7—20390	... 5	... Mr. J. Townsend, Kuporthala.
	E 13—07019	... 100	...
	„ —07438	... 100	...
37	... E 12—48692	... 20	... Omrao Sing, Kathowli.

LAHORE,—Paper Currency Office; *The 7th April 1877.*

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Note.	Value.	Name of Claimant.
		Rs.	
12	... F 9—66638	... 50	... J. H. Dingei, Head Assistant, Commissariat Department, Kamptee.

NAGPUR,—Paper Currency Office; *The ——— 1877.*

T. H. BIGGS,
Depy. Acctt. Genl., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th March 1877.

GOVERNMENT SIMLA PASSENGER DAK.

From the 10th March to the 15th April 1877, arrangements have been made for booking Express Carriage Dâks from Umballa to Kalka at the Calcutta Post Office* under certain rules and conditions, of which a printed copy can be obtained on application to the Post Master, Calcutta.

* Post Master's room, east verandah, between the hours of 10 A.M. and 4 P.M.

2. The charge for an Express Carriage Dâk from Umballa to Kalka will be Rs. 30. Two ordinary vans carrying mails will also leave the Umballa Post Office—one in the morning at or about 6 A.M., and the other in the evening at or about 6 P.M. In each of these vans four seats will be available for passengers (if the weight of the mails admit) at a charge of Rs. 6 per seat.

A. M. MONTEATH,
Director Genl. of the Post Office of India.

The 13th April 1877.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Saturday, the 14th April 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Mecca*, will be closed at the General Post Office on Sunday, the 15th April 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 15th April 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 16th April 1877, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 17th April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Ethiopia*, will be closed at the General Post Office on Wednesday, the 18th April 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Peshowur*, will be closed at the General Post Office on Wednesday, the 18th April 1877, at 7 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Penguin* and *A. Apcar*, will be closed at the General Post Office on Wednesday, the 18th April 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 20th April 1877.

2. Book-post and pattern packets must be posted on the 19th April 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 13th April 1877.

Allan, W. H.
Ashby, G.
Balmer, Lawrie & Co.
Bernard de Valleror.
Blamsten, Monsr. C.
Bluett, Mrs. F. M.
Boissaye, Monsieur.
Boswell, W.
Boyce, Miss M.
Brance, W.
Burke, M.
Carew, Mrs. D.
Carrington, Mrs. E. W.
Cresswell, Doyne & Co.
Davies, H.
Denison, Col. R. A.
Dodgson, Chas. H.
Doods, J.
Edwards, G. W.
Elston, E.
Fagan, St. Leger.
Falmon, B.
Farmer, Mrs. L.
Ferrari, Dr. D. A.
Floyd, H. P.
Forbes, G. I.
George, David.
Giovanni, Mons.
Goodard, Mrs.
Gordon, James.
Granger, John H.
Hackerdon, Mrs. A. H.
Hendrix, Rev. E. R.
Heuford, T. E.
Higgins, J.
Jackson, Mrs. H. W.
Jones, Mrs. S.
Kiernan, Mrs.
Lackerstien, N. I.
Landeshut, Mrs.
Lane, W.
Leeming, J.
Lidwell, Miss F.
Linton, Mr.
Lohr, Chas.
Lorimer, J.
Mackenzie, G. R.
Mackintosh, D. S.
McArthur, J.
Michael, S.
Molesworth, G.
Morrison, Frank.
Newmarch, Mrs.
Neville, Walter.
Oram, J.
Parker, H. B.
Percy, Hugh L. H.
Perroux, Mrs. C.
Reid, Louis D.
Reid, Mrs. M. A.
Robarts, Harry.
Simpson, Miss.
Sancenson, L.
Shepherd, John.
Smale, John.
Smith, Mrs. E. F.
Thomson, W. P.
Wallace, Alex. (C. Engineer.)
Wane, Innes B.
Watkins, Miss C. F. A.
White, M.
Winscom, Miss.
Wood, G. D.
Wood, Marshall.
Woods, Miss.
Wotherspoon, Geo.
Yates, B. J.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Andrew, Walter G. G.
Arthur, Geo.
Battye, Major H. D.
Beale, William.
Biggs, Robert O. C.
Bogie, James.
Bonerjee, Dr. S. A.
Brink, Miss P. A.
Brownfield, M.
Bromehead, Revd.
Caddy, D. G.
Campbell, Mrs. William.
Carrington & Wigley.
Clarkson, Mr.
Cranbourn, Mrs.
Crossly, R.
Donegan, N.
Eaton, Mrs. G. W.
E. F. W.
Forbes, Mrs. L. R.
Frawley, M. A.
Glukman, Lione.
Graham, Mrs.
Hudson, Thos.
Huguenot, M.
Jackson, J. W.
Jenkinson, Mrs.
Johnstone, Ross.
Jones, B. F.
Kaikhosru Nowrosj Kabraj.
Kelly, Edward.
King, H. W.
McIntyre, A.
Meyer, H. G.
Moran, Frank Conyngham.
Moseley, Capt. W. H.
Mirza Bazhoal Hossein.
Penny, P.
Pierce, Mrs. J. O.
Power, W.
Reed, J.
Richardson, Geo.
Schapira, D.
Scolfi, A. L.
Simpson, W.
Stone, B. J.
Taylor, G. W.
Terlecki, Miss.
Thomas, S. B.
Watson, J. B.
Willard, J. C.
Williams, C. A.
Williams, W. J.
Zacharias, A. H.

Papers.

Battye, Major H. D.
Bellany, J.
Caddy, D.
Holland, Capt.
Ryder, A.
Williams, C. A.

Registered Letters.

Agents, Sunderchuck Coal Company.
Cosing, H.
Duff, G.
Fagan, L.
Ferrari, Dr. A.
Forbes, Mrs. L. R.
Francis, Marples.
Hill, G. W.
Stewart, Alex.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

Sheets of the Indian Atlas published and available at the Surveyor General's Office, Calcutta.

Constructed from the Topographical and Revenue Surveys on the basis of the Great Trigonometrical Survey of India and engraved on copper. Scale 4 British Miles = 1 Inch. Size of full sheets 3 feet 4½ inches by 2 feet 3½ inches. Price Rs. 2 Colored & Unmounted. Quarter sheets, instead of full sheets, will in future be published, price 12 annas each. The Atlas is designed to extend to 177 sheets with an Index Map, &c.

INDEX to the Sheets of the ATLAS of INDIA.

Scale 128 Miles = 1 Inch. Price 1 Rupee.

The following Indian Atlas Sheets have already been published.

Number of the Atlas Sheets.	Principal Places in each Sheet.
1A	*S. E. Quarter sheet*, Lárkána, Jacobabad—(SIND.)
1	*N. E. Quarter sheet*, Lárkána, Mehar, Naushahro—(SIND.) *S. E. Quarter sheet*, Mehar, Naushahro, Sehwan—(SIND.)
2	*N. E. Quarter sheet*, Sehwan, Hála, Naushahro, Karáchi—(SIND.) *S. E. Quarter sheet*, Karáchi, Jerruck, Sehwan—(SIND.) *S. W. Quarter sheet*, Karáchi (Kurrachee)—(SIND.)
3	*N. W. Quarter sheet*, Jerruck—(SIND.) *N. E. Ditto* Jerruck, Sháhbandar—(SIND.) *S. E. Quarter sheet*, Sháhbandar—(SIND.)
4	Kurram Valley, Kabul—(TRANS-FRONTIER, PUNJAB.)
5	*N. E. Quarter sheet*, Mahsud Waziris—(TRANS-FRONTIER, PUNJAB.) *S. E. Quarter sheet*, Mahsud Waziris, Tánk—(PUNJAB.)
6	*N. E. Quarter sheet*, Sulemán Range, Darában—(PUNJAB.) *S. E. Quarter sheet*, Sulemán Range, Vihowa—(PUNJAB.)
7	Dájal, Harrand, Vidor, Sham Plain—(PUNJAB.)
8	*N. E. Quarter sheet*, Dera Gházi Khan—(PUNJAB.) *S. W. Quarter sheet*, Jacobabad, Shikárpur, Rohri—(SIND.) *S. E. Quarter sheet*, Jacobabad, Rohri—(SIND.)
9	*N. W. Quarter sheet*, Lárkána, Naushahro, Khairpur, Rohri—(SIND.) *N. E. Quarter sheet*, Rohri—(SIND.) *S. W. Ditto* Naushahro, Khairpur—(SIND.) *S. E. Quarter sheet*, Khairpur—(SIND.)
10	*N. W. Quarter sheet*, Naushahro, Umarkot, Hála—(SIND.) *N. E. Quarter sheet*, Khairpur, Umarkot—(SIND.) *S. W. Quarter sheet*, Hála, Umarkot, Tando Muhammad Khan—(SIND.) *S. E. Quarter sheet*, Umarkot—(SIND.)
11	*N. W. Quarter sheet*, Umarkot, Sháhbandar, Tando Muhammad Khan—(SIND.) *N. E. Quarter sheet*, Umarkot—(SIND.) *S. W. Quarter sheet*, Sháhbandar, Cutch—(SIND & BOMBAY.) *S. E. Quarter sheet*, Umarkot, Cutch—(SIND & BOMBAY.)
14	Pesháwar, Attock, Swat, Hazára. Kohát—(PUNJAB.)
15	Sakesar, Bannu, Shahpur, Kálabágh, Pind Dádan Khan—(PUNJAB.)
16	Dera Ismail Khan, Jhang, Leiah—(PUNJAB.)
17	Dera Gházi Khan, Mooltan, Muzaffargarh (Baháwalpur *portion blank*)—(PUNJAB.)
24	Daman, Jawhár, Bhiwandi—(BOMBAY.)
25	Bombay, Colába, Bánkot, Borghát—(BOMBAY.)
26	Ratnágiri, Anjanwel, Viziadurg—(BOMBAY.)
27	*With sheet 41 (See below.)*
27A	*N. E. Quarter sheet*, Baltistan or Little Tibet.
28	*S. E. Ditto* Baltistan or Little Tibet. Kashmír, Abottabad or Hazára, Kághán, Murree, Deosai Plain—(PUNJAB.)
29	Ráwalpindi, Jammoo, Jhelum, Siálkot, Gujrát—(PUNJAB.)
30	Lahore, Amritsar, Ferozepoor, Gugera, Jullundur—(PUNJAB.)
31	Pákpattan, Sirsa—(PUNJAB.)
32	*N. E. Quarter sheet*, Bikanir, Loháru, Sirsa, Hissar—(RAJPUTANA & PUNJAB.)
32	*S. E. Quarter sheet*, Loháru, Bikanir, Shekawati—(RAJPUTANA.)
33	*N. E. Quarter sheet*, Shekawati, Jaipur—(RAJPUTANA.)
33	*S. E. Quarter sheet*, Jaipur, Jodhpur, Kishengarh—(RAJPUTANA.)
34	*N. E. Quarter sheet*, Kishengarh, Ajmere, Jaipur, Tonk—(RAJPUTANA.)
34	*S. E. Quarter sheet*, Ajmere, Udaipur, Jaipur, Bundi—(RAJPUTANA.)
38	Nasik, Talghát, Aurangabad, Daulatabad, Paitan (*Khandesh blank*)—(BOMBAY & HYDERABAD.)
39	Poona, Purainda, Ahmednagar, Mahableshwar—(BOMBAY & HYDERABAD.)
40	Satara, Kolhápur, Bijápur—(BOMBAY.)
41	Goa, Dharwar, Belgaum—(BOMBAY.)
42	Honáwar, Sonda, Bilgi, and Mysore, W. Part—(BOMBAY & MYSORE.)
43	Mangalore, Baikal, Coorg, Mercara and Mysore, S. W. part—(MADRAS & MYSORE.)
44	Calicut, Cannanor, Tellicheri, Bepur.
44A	*N. W. Quarter sheet*, Baltistan or Little Tibet. *S. W. Ditto* Baltistan or Little Tibet. *S. E. Ditto* Baltistan and Ladakh.
45	*N W. Ditto* Baltistan or Little Tibet. *S. W. Ditto* Ladakh or Maru Wardwan.
46	Chamba, Kullu, Láhul, Spiti.
47	Ludhiána, Simla, Kángra, Hoshiárpur, Bashahr, Kasauli, Chini—(PUNJAB.)
48	Mussoorce, Landour, Karnál, Saháranpur, Umballa, Muzaffarnagar, Bijnor, Dehra, Sirhind, Patiála, Thánesar—(PUNJAB & NORTH-WESTERN PROVINCES.)
49	Delhi, Meerut, Bulandshahr, Gurgaon, Jínd, Jhajjár, Rohtak, Rewári Hissar, Hánsi *(Old Edition)*—(PUNJAB & NORTH-WESTERN PROVINCES.)
50	Agra, Muttra, Bhartpur, Dholpur, Alwar, Koil, Aligarh, Jaipur *(New Edition Engraving)*—(RAJPUTANA & NORTH-WESTERN PROVINCES.)

Number of the Atlas Sheets.	Principal places in each Sheet.
51	*N. W. Quarter sheet*, Gwalior, Jaipur, Karauli, Tonk, Bundi—(RAJPUTANA & CENTRAL INDIA.)
	N. E. Quarter sheet, Gwalior, Karauli, Dholpur.—(CENTRAL INDIA.)
	S. W. Quarter sheet, Gwalior, Kota, Bundi—(RAJPUTANA & CENTRAL INDIA.)
	S. E. Quarter sheet, Gwalior, Jhalawar—(CENTRAL INDIA.)
52	*N. E. Quarter sheet*, Gwalior and Tonk—(CENTRAL INDIA.)
52	*S. E. Quarter sheet*, Gwalior, Tonk, Saugor—(CENTRAL INDIA & CENTRAL PROVINCES.)
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 21, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 14th April 1877.

No. 1.—Mr. W. H. Douglas, an Assistant Superintendent of the 2nd Grade, is allowed special leave for six months, under Section 21, and subsidiary leave for four days, under Section 24(*a*) of the Civil Leave Code, with effect from the forenoon of the 27th March 1877.

No. 2.—Mr. W. R. Brooke, an Officiating Superintendent of the 1st Grade, is allowed privilege leave for eighty days, under Section 32 of the Civil Leave Code, with effect from the forenoon of the 4th April 1877.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 16th April 1877.

No. 18.—The following temporary promotions are made in the Engineer Establishment in Central India, with effect from the 6th March 1877, consequent on the departure of Mr. C. E. Gael, Executive Engineer, 4th Grade (temporary 3rd Grade), on eighteen months' furlough to England, with the usual subsidiary leave, sanctioned in Notification No. 9, dated 3rd February 1877:—

From Assistant Engineer, 1st Grade, to Executive Engineer, 4th Grade.

Baboo Umbica Churn Chowdry.

From Assistant Engineer, 2nd, to 1st Grade.

Mr. Carl Von Ahn.

No. 19.—Baboo Umbica Churn Chowdry, Assistant Engineer, 1st Grade, has passed the Departmental Standard Examination prescribed in Public Works Code, Chapter II, Section IV, paragraph 22.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 11th April 1877.

No. 438.—Lieutenant A. Masters, Adjutant, 2nd Regiment, Central India Horse, is granted sixty days' privilege leave, with effect from the 10th May 1877.

H. D. DALY, *Major-General,*
Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 10th April 1877.

No. $\frac{287}{734}$ G.—With reference to Military Department Notification No. 249, dated 16th March 1877, Surgeon-Major W. J. Moore made over temporary charge of his duties as Rajputana Agency Surgeon and Superintendent General of Dispensaries and Vaccination in Rajputana, to Surgeon W. Beatson, Officiating in medical charge of the Erinpoora Irregular Force, on the afternoon of the 27th idem.

The 12th April 1877.

No. $\frac{1020}{766}$ G.—Lieutenant O'Moore Creagh, Adjutant, Mhairwara Battalion, is granted one month's privilege leave from the 18th April 1877, or such subsequent date as he may avail himself of the same.

No. $\frac{1024}{776}$ G.—Captain P. W. Smith, Officiating Squadron Commander, Deolie Irregular Force, is granted privilege leave for three months from the 15th April 1877, or such subsequent date as he may avail himself of the same.

By Order,
H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 10th April 1877.

No. 4.—Mr. P. Chamarett, Civil Surgeon, Wun District, has been granted privilege leave for three months, with effect from such date as he may avail himself of it.

Hospital Assistant Enoch Shadrach will assume medical charge of the Civil Station during Mr. Chamarett's absence on leave.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Dehra Dún, the 10th April 1877.

No. 14.—The unexpired portion of the leave on private affairs granted in Notification, dated 28th October 1876, by the Surveyor General of India, to Mr. E. J. Connor, Assistant Surveyor, 1st Grade, is cancelled, with effect from the 6th instant.

The 12th April 1877.

No. 16.—Mr. W. H. Cole, M.A., Assistant Superintendent of the 1st Grade, is granted subsidiary leave from the 22nd to the 26th March, both dates inclusive, on return from furlough.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 16th April 1877.

The Directors have made the following change in the Bank's Establishment:—

Mr. G. I. Arbuthnot to be Acting Agent at Nagpore in the room of Mr. Thos. Dyson, who has obtained leave to Europe.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 19th April 1877.

No. 78.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 9½*d.* per rupee. Schedule 11 of the Tariff Table is therefore in force until further notice.

W. WATERFIELD
Offg. Comptroller General.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

19th April 1877 ... Rs. 8,51,528-0-11

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
20th April 1877.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 11th April 1877.

No. 49.—Mr. J. H. Reid, Assistant Engineer, 1st Grade, and temporary Executive Engineer, 4th Grade, is granted furlough to Europe, from such date as he may be able to avail himself of it, up to 16th December 1877.

The 12th April 1877.

No. 50.—Conductor J. Murray, Barrack Master, on return from furlough, is posted to the Oudh Division of Superintendence, Military Works.

No. 51.—Baboo Rugonath Sahoy, Accountant, 4th Grade, is transferred from the Office of Executive Engineer, Military Works, Allahabad, to that of Executive Engineer, Military Works, Sialkote.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Meerut Division of Superintendence.

Meerut, the 13th April 1877.

No. 17.—Mr. J. M. Harman, Assistant Engineer, 2nd Grade, Morar Division, Military Works, availed himself on the afternoon of the 4th instant of the six months' leave on medical certificate granted him in Government of India Notification No. 28, dated 19th March 1877.

The 16th April 1877.

No. 18.—Colonel J. J. Dansey, Barrack Master, Bareilly Division, Military Works, availed himself on the forenoon of the 9th instant of the sixty days' privilege leave granted him in Notification No. 9, dated 26th February 1877.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Oudh Division.

Lucknow, the 14th April 1877.

No. 28.—Lieutenant R. Maxwell Hyslop, R.E., temporary Executive Engineer, made over, and Major G. E. Sanford, R.E., Executive Engineer, received, charge of the Lucknow Division, Military Works, on the afternoon of the 12th instant.

No. 29.—With reference to Inspector General, Military Works' Notification No. 41 of 27th ultimo, Lieutenant W. Peacocke, R.E., Assistant Engineer, reported his departure, on the 10th instant, to join the Head-Quarter Staff of the Inspector General, Military Works, Simla.

No. 30.—Lieutenant J. A. Ferrier, R.E., Assistant Engineer, 2nd Grade, attached to the Lucknow Division, Military Works, is transferred to the Allahabad Division, Military Works.

The 16th April 1877.

No. 31.—With reference to Government of India, Public Works Department Notification No. 163, dated the 3rd instant, Lieutenant J. H. C. Harrison, R.E., reported his departure, on the afternoon of 10th instant, to join his appointment at Thomason College, Roorkee, in North-Western Provinces.

No. 32.—With reference to Inspector General, Military Works, Notification No. 50, dated the 12th instant, Barrack Master J. Murray joined the Lucknow Division, Military Works, on the afternoon of 30th March, and is posted to the Sitapur Sub-Division.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Presidency District.

Calcutta, the 16th April 1877.

No. 1.—Captain W. H. Pierson, R.E., made over charge of the Barrackpore Division to Colonel J. Dawson, Bengal Staff Corps, on the forenoon of 3rd instant.

No. 2.—Major E. T. Thackeray, V.C., R.E., made over charge of the Fort William Division to Captain W. H. Pierson, R.E., on the forenoon of 4th instant.

L. RUSSELL, *Colonel,*
Superintending Engineer.

Sirhind Division of Superintendence.

Umballa, the 12th April 1877.

No. 8.—Mr. J. D. Davies, Assistant Engineer, 2nd Grade, attached to the Dagshai Division, Special Military Works, is allowed three months' privilege leave from 1st May next, or such subsequent date as he may avail himself of it.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 10th April 1877.

No. 67.—With reference to Public Works Department Notification No. 149 of the 29th March 1877, Lieutenant A. L. Mein, R.E., Assistant Engineer, 2nd Grade, is posted to the Indus Valley Railway.

The 11th April 1877.

No. 68.—With reference to Public Works Department Notification No. 125 of the 19th March 1877, the Non-Commissioned Officers placed at Director's disposal are posted as under:—

Corporal J. M. Browne, R.E., Overseer, 1st Grade, to the Punjab Northern Railway.
Corporal J. Martin, R. E., Overseer, 1st Grade, to the Rajputana Railway.
Corporal J. Tudball, R. E., Overseer, 1st Grade, to the Western Rajputana Railway.

The 16th April 1877.

No. 69.—Under the authority of Public Works Department No. 527E—R of the 8th September 1875, Mr. W. B. Carter, Executive Engineer, 2nd Grade, Northern Bengal State Railway, is invested with the powers of a Superintendent of Works, with effect from the 30th December 1876.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 12th April 1877.

No. 12.—Baboo Jodoo Nath Paul, Probationary Accountant, 4th Grade, attached to the Durbhunga Division, Tirhoot State Railway, is granted leave, on medical certificate, from the 8th January to 23rd March 1877.

The 16th April 1877.

No. 13.—Baboo Doorga Dass Dutt, Overseer, 2nd Grade, attached to the Somastipore Division, Tirhoot State Railway, reported his return from the privilege leave granted to him in this Office Notification No. 6 of 12th March, on the forenoon of the 11th April 1877.

F. S. STANTON, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATIONS.

Khandwa, the 13th April 1877.

No. 8.—With reference to the Director of State Railways' Notification No. 33, dated 15th February 1877, Mr. J. H. L. Patterson, Store-keeper, 2nd Grade, reported his arrival at Khandwa on the forenoon of the 24th March 1877, and took charge of the Office of Store-keeper, Holkar and Neemuch State Railways, from Mr. E. N. Homan, Store-keeper, 1st Grade, on the afternoon of the 10th April 1877.

No. 9.—Mr. E. N. Homan, Store-keeper, 1st Grade, availed himself of the furlough granted to him in the Director of State Railways' Notification No. 32, dated 15th February 1877, from the forenoon of the 11th April 1877.

No. 10.—With reference to this Office Notification No. 6 of the 12th March 1877, Mr. G. J. S. Madge, Accountant, 4th Grade, reported his return from leave on the forenoon of the 12th April 1877.

F. N. GUTERSLOH,
Offg. Manager (Open Line), Holkar and Neemuch State Railways.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawul Pindi, the 14th April 1877.

No. 50.—Mr. H. C. Mann, Sub-Engineer, 1st Grade, Ravi Division, returned to duty from the privilege leave granted to him by Notification No. 37, dated 3rd March 1877, on the afternoon of 12th February 1877.

No. 51.—With reference to Director of State Railways' Notification No. 34 of the 16th February 1877, Mr. P. T. Large, Assistant Engineer, 1st Grade, Ravi Division, availed himself of the subsidiary leave, on the forenoon of the 24th March 1877. This cancels Notification No. 49 of 24th March 1877.

ALEX. GRANT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 11th April 1877.

No. 33.—With reference to Director's Notification No. 61 of 31st March 1877, the privilege leave granted to Mr. J. M. Luff, Executive Engineer, in No. 17 of 1877, is cancelled.

The 12th April 1877.

No. 34.—The furlough granted to Mr. E. J. Lemaistre, Supervisor, 2nd grade, of late No. 3 Rungpore Branch Division, in Notification No. 171 of 1876, is commuted to leave without allowances with effect from the afternoon of the 15th April to 5th November 1876 inclusive.

No. 35.—Mr. George Hawkes, Store-keeper, 2nd Grade, South District, is granted forty-two days' privilege leave from 1st May 1877, or from such date as he may avail himself of the same.

The 13th April 1877.

No. 36.—Baboo Mohesh Chunder Banerjee, Overseer, 3rd Grade, Assam Railway Extension Survey Party, is transferred to the Northern Division, which he joined on the forenoon of 5th April 1877.

J. G. LINDSAY, *Major, R. E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 16th April 1877.

No. 16.—Mr. W. H. Cole, Assistant Engineer, 2nd Grade, is transferred from the Ajmere to the Sambhar Division, Rajputana State Railway.

No. 17.—Messrs. B. W. Blood, Executive Engineer, 4th Grade, and T. W. Bartlett, Assistant Engineer, 1st Grade, made over and received charge of the Sambhar Division, Rajputana State Railway, respectively, on the forenoon of the 12th instant.

Mr. Blood availed himself of the leave granted to him in the Director of State Railways' Notification No. 35, dated 20th February 1877, on the above date.

FRED. FIREBRACE,
Offg. Manager.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 15th April 1877.

No. 377.—With reference to Public Works Department Notification No. 100, dated 5th March 1877, Mr. R. B. Duncan made over, and Mr. P. Phillips took over, charge of the duties of Examiner of Accounts to the Western Rajputana Railway on the forenoon of the 9th April current.

JAMES COLLET,
Engineer-in-Chief.

Report of a Deserter from the 2-17th Regiment of Foot, dated at Mhow, this 13th day of April 1877.

Number, Rank, and Name,—27B—1294, Private James Thompson.
Age,—22 years and 5 months.
Size,—5 feet 8½ inches.
Color of—
Complexion, fresh; hair, brown; eyes, grey.
Date of Desertion,—13th April 1877.
Place of Desertion,—Mhow.
Date of Enlistment,—18th September 1876.
At what place enlisted,—London.
Parish and County in which born,—Not known. Forfarshire.
Marks,—Face marked with small-pox. G. L. left forearm.
Trade,—Laborer.
Coat or Jacket,—Karkee.
Waistcoat,—None.
Breeches or Trowsers,—White karkee, wicker helmet with white cover.
REMARKS,—A district court-martial prisoner undergoing sentence; broke out of regimental cells during night of 12th April 1877; supposed to have broken into canteen and taken Rs. 17, 2 bottles of brandy, 8 bottles of porter, another man's rifle, and ten rounds of ball ammunition.
Under one year's service.

G. T. BRICE, *Colonel,*
Comdg. 2-17th Regiment.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th April 1877.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	4½ PER CENT. LOANS of 1854-55.	of 1864-65.	Transfer of 1865.	4½ PER CENT. LOANS of 1870.	of 1871.	of 1872.	5 PER CENT. LOAN OF 1866-67.	6½ PER CENT. LOAN OF 1868-69.	5 PER CENT. DEBENTURES FOR 10 years. Repayable, June 1877.	15 years. Repayable, June 1892.	TOTAL AMOUNT.
Balance of 31st March 1877	55,600	33,173	2,346	14,54,506	31,86,600	1,54,84,900	1,57,172	1,07,90,000	1,65,17,600	39,69,100	2,97,000	2,99,19,800	82,800	4,25,05,100	26,23,000	33,19,000	13,01,18,925
Stock transferred to London	...	...	...	...	...	...	...	...	2,000	...	...	49,400	...	6,500	...	...	67,900
Add—																	
Amount enfaced at Madras between 1st and 15th April 1877	...	...	...	...	...	...	...	40,000	...	...	...	...	...	...	...	...	40,000
Amount enfaced at Bombay between 1st and 15th April 1877	...	...	...	...	...	1,000	...	...	6,500	...	...	69,600	...	5,55,000	...	...	6,22,100
Amount enfaced at Calcutta between 1st and 15th April 1877	...	...	...	2,666	1,500	1,93,700	...	84,500	66,000	9,000	...	14,500	...	2,96,700	...	...	6,69,566
	55,600	33,173	2,346	14,57,172	31,90,100	1,56,80,500	1,57,172	1,08,14,500	1,65,92,100	39,78,100	2,97,000	2,99,19,800	82,800	4,33,69,800	26,23,000	33,19,000	13,15,08,491
Deduct—																	
Amount written off in the London Registers	...	...	...	2,666	1,42,000	1,60,900	...	16,400	22,000	...	...	1,000	...	2,00,500	...	5,000	5,50,466
Balance on 16th April 1877	55,600	33,173	2,346	14,54,506	30,48,100	1,55,19,600	1,57,172	1,08,98,100	1,65,70,100	39,78,100	2,97,000	2,99,18,800	82,800	4,31,69,300	26,23,000	33,14,000	13,09,58,025

NOTE.—From 9th June 1867 to 15th Feb. 1877, enfaced from India, 2,423 lacs; re-transferred from London, 2,462 lacs.
" 16th Feb. 1877 to 28th " " 4 " " 6 "
" 1st Mar. " to 16th Mar. " " 6 " " 6 "
" 16th " " to 31st " " 12 " " 3 "
" 1st April " to 16th April " 13 " " 5 "
2,468 lacs. 2,468 lacs.

Balance against London ... 24 lacs.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 18th April 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 17th April 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up ...		...	2,00,00,000	0	0
Reserve Fund ...		...	16,70,939	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	76,74,209	7 4			
Public Deposits at Branches ...	1,23,65,407	0 10	2,00,39,616	8	2
Other Deposits at Head Office and Branches ...		...	1,82,12,829	2	4
Bank Post Bills, &c. ...		...	3,17,628	7	8
Sundries		...	10,04,139	7	1
TOTAL ...			6,12,45,152	11	8

ASSETS.			Rs.	A.	P.
Government Securities ...			95,21,715	4	0
Loans on Government Securities, &c., at Head Office and Branches ...			52,77,872	12	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches			57,02,894	0	4
Bills discounted and purchased at Head Office and Branches			2,30,05,700	7	6
Balances with other Banks ...			4,84,813	1	0
Bullion			6,75,553	11	0
Dead Stock			10,23,423	0	6
Stamps			9,955	11	11
Sundries			2,29,258	0	0
			4,59,31,186	0	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	66,40,778	9 9			
Cash and Currency Notes at Branches ...	86,73,188	1 3	1,53,13,966	11	0
TOTAL ...			6,12,45,152	11	8

BANK OF BENGAL;
Calcutta, 19th April 1877.

W. WESTLAND,
Offg. Chief Acctt. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possesison, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
1	... B 52—32401	...	10	... Sergeant J. Johnstone, Madras Police.

NOTES PARTIALLY LOST OR DESTROYED.

1	... B 49—14027	...	10	...
	„ —54672	...	10	... Mrs. M. C. Wolff, Cuddalore.
	B 35—99845	...	20	...
	B 42—54577	...	20	...
2	... B 50—10589	...	100	... S. Krishnasawmy Iyengar, Madura.
3	... B 49—54076	...	10	... Codvyalum Rungasawmy Iyengar, Srirangam.
4	... B 43—75905	...	50	... M. Tummiah, Hassan.
5	... B 50—25143	...	100	... Dr. A. F. Dobson, Mangalore.
6	... B 34—98074	...	10	...
	B 52—35451	...	10	... C. M. Balakrishna Naidu, St. Thomas' Mount.
	B 42—84370	...	20	...
1	... B 20—04213 wrongly		10	...
	„ —04214 joined.			M. Venkatakrishnama Chetty, Madras.
2	... B 42—10683			
	J 5—63683 ditto	...	20	... Gookoolchund Roopchund, Calicut.
3	.. B 42—47259			
	„ —13838 ditto	...	20	... Messrs. J. F. Perreira & Co., Cochin.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 9th April 1877.

D. KISSUN SING,
Asstt. to Acctt. Genl., in charge of Paper Currency Dept.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.			Value. Rs.	Name of Claimant.
J 7—46386		...	5	... The Commissioner for Chinna Cannoo Pillay, Bangalore.
B 38—08820		...	100	... The Commissioner for Dosa Valjee Sett, Calicut.
J 5—70280		...	20	... The Commissioner for Toolseedoss Narayanjee, Calicut.
J 3—67445		...	100	...
„ —93019		...	100	... P. Moothoo Vencatachellum Pillay, Salem.
J 5—61558	wrongly			
„ —61559	joined		20	... J. E. Brearey, Esq., Agent, Bank, Calicut.
J 4—54245		...	50	... T. Mootoosawmy Moodeliar, Wood's Road, Madras.

CALICUT.—Paper Currency Office;
The 9th April 1877.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
19	... L 83—77880	...	100	... Mr. E. R. Henry, C.S.
20	... L 83—32900	...	100	...
	„ —26383	...	100	...
	„ —32898	...	100	...
	„ —24057	...	100	... The Post Master General, N.-W. Provinces, Allahabad.
	„ —32899	...	100	...
	L 66—83458	...	50	...
	L 79—07438	...	20	...
21	... L 81—74145	...	50	... Abdool Rezak.
22	... L 83—91494	...	100	...
	„ —98947	...	100	... The Inspector of River Police, Koyla Ghaut, Calcutta.
	„ —86065	...	100	...
23	... L 90—23053	...	20	... The Superintendent of Government Printing, Calcutta.
24	... L 83—49156	...	100	... Babu Debendra Nath Sen.
25	... L 83—70187	...	100	... Miss E. Short.
26	... L 89—27694	...	20	...
	L 87—86923	...	10	... Babu R. C. Mookerjee.
28	... L 73—78795	...	10	... The Post Master General, Punjab.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
7	... L 95—64986			
	„ —64989	...	10	... Babu Juggessur Roy.
8	... L 88—18736			
	„ —18737	...	10	... Babu Baney Madhub Nundun.
9	L 36—85298			
	„ —92416	...	20	... Jodu Roy Bhunna Mull.
10	... L 15—93369			
	„ —93368	...	5	...
	L 22—68672			... Babu Annodaprosad Mookerjee.
	„ —68671	...	5	...
11	... L 9—53431			
	L 15—52063	...	5	... Babu Mohendranath Raha.
12	... L 1—42529			
	„ —42526	...	10	... Babu Denonath Banerjee.
13	... A 81—57164			
	L 80—43515	...	20	...
	L 20—63757			... Mr. C. H. T. Crosthwaite, C.S.
	„ —63755	...	5	...
14	... L 40—11397			
	„ —11396	...	10	... Golam Ishaf.
16	... L 81—14274	...	50	... Babu Gosto Lal Mitter.
17	... L 22—65204	...	5	...
	L 23—85601	...	5	... Babu Nobokristo Chatterjee.
18	... L 11—80441	...	5	... Babu Dinanath Mitter.
19	... L 65—42985	...	20	... Babu Mohes Narain Roy.
20	... L 76—02050	...	10	...
	L 74—34873	...	10	... Babu Janokeynath Bhuttacharjee.
	L 75—07755	...	10	...
21	... L 76—12860	...	10	...
	L 27—05204	...	5	... Mr. Owen Aratoon.
22	... L 74—73771	...	10	... Moulvie Mohamed Sharafatoolla.
23	... L 75—66683	...	10	... Babu Dwarkanath Gupta.
24	... L 46—74290	...	20	... Mrs. E. Tweedie.
25	... L 12—79806	...	20	... Babu Debendra Nath Ghose.
26	... L 19—31812	...	50	...
	L 14—35727	...	20	... Koomersain Gyapershad.
	L 33—84924	...	10	...
27	... L 82—26078	...	100	...
	„ —25667	...	100	...
	L 68—70214	...	100	...
	L 69—61467	...	100	...
	L 66—67407	...	50	...
	L 79—91709	...	20	... Babu Kali Coomar Dass, L.M.S.
	L 71—70952	...	10	...
	L 20—71468	...	5	...
30	... L 87—18894	...	10	... Babu Mohesh Chunder Sarcar.
31	... L 80—23108	...	20	...
	L 65—55596	...	20	... Babu Jodu Nath Banerjee.
32	... L 91—44116	...	20	... Babu Gour Mohun Bhur.
28	... L 81—61963	...	50	... Messrs. Gisborne & Co.
29	... L 88—22294	...	10	...
	L 96—82195	...	10	... Mr. G. R. deRosario.

CALCUTTA,—Paper Currency Dept.;
The 20th April 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Akola Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
K 2—22931	...	20	... H. P. Lovell, Esq., Supdt., P. & O. S. N. Co., Calcutta.

AKOLA,—Paper Currency Dept.;
The 11th April 1877.

C. W. A. DAVIES,
Assistant Commissioner.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
2	... D 10—79267	...	5	... The Post Master General, N. W. P., Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
4	... L 51—16788	...	100	... Baboo Jogendro Nath Mookerjee, Allahabad.
	D 7—90537	...	100	...
3	... D 7—95237 wrongly joined		100	... Surgeon-Major J. B Hannah, Mean Meer.
	„ —95236			

ALLAHABAD,—Paper Currency Office;
The 12th April 1877.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value.	Name of Claimant.
		Rs.	
G 10—27376	...	100	... Mr. Hosein Golab, Nagpada, Bombay.
G 7—56402	...	10	... Mr. Cowasjee Dorabjee, Assistant Shroff, Chartered Bank of India, Australia and China, Bombay.
„ —56406			
G 7—74238	...	10	... Messrs. J. Cristna Brothers, Dhobitalao, Bombay.
G 13—23056	...	5	...

KURRACHEE.—Paper Currency Dept.;
The 9th April 1877.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Nagpur Circle.

MIS-MATCHED NOTE.

Register No.	No. of Note.		Value.	Name of Claimant.
			Rs.	
1	... F 8—43273	...	20	... Shew Narain, Treasurer, Paper Currency Office, Lahore.
	„ —43806			

NAGPUR,—Paper Currency Office;
The ——— 1877.

H. KEENE,
Asstt. Acctt. Genl., C. P., in charge of Paper Currency.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
21	... E 6—95677	...	10	... The Post Master General, Punjab, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
15	... E 7—57176 wrongly joined		5	... Revd. W. H. Tribe, Lahore.
	„ —57179			
32	... E 4—79274	...	50	... Captain F. R. C. Yoyle, 29th Punjab Native Infantry, Talagung.
	„ —92457	...	50	...
	„ —94909	...	50	...
36	... E 7—78827	...	5	... Sergeant J. Fawcett, Banda.
40	... E 12—36732	...	20	... Major G. Emerson, Murree.
	„ —30663	...	20	...
41	... E 10—36950	...	10	... Shere Sing, Sepoy, 27th Punjab Infantry, Nowshera.
42	... E 7—91068	...	5	... The Manager, Agra Bank, Limited, Calcutta.
	„ —91963	...	5	...

LAHORE,—Paper Currency Office;
The 14th April 1877.

I. C. BOSE,
Asstt. Acctt. Genl., in charge of Currency Office.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The under-mentioned student has passed the examination for Honors in Medicine :—

Bhagavatchandra Rudra ... Medical College.

SENATE HOUSE,
The 12th April 1877.

A. W. CROFT,
Offg. Registrar.

The following is the list of subjects appointed for the Examinations of 1879-80 :—

ENTRANCE EXAMINATION, 1879.

Greek.

Xenophon ... Anabasis, Book I.
Homer ... Odyssey, Book II.

Latin.

Cicero ... De Amicitiâ.
Ovid ... Fastorum Narrationes.
... Epistolæ de Ponto.

Sanskrit.

Extracts from Hitopadesha, Vishnupurána, and Mahábhárat in Rijupat, Part III.
Upakramaniká.

Arabic.

Selections* by Major Fuller.

Persian.

Iqd-i-gul, pages 1—105.
Iqd-i-Manzum.

Hebrew.

The Book of Genesis.

Bengali.

Selections* by the Revd. K. M. Banerjee.

Urdu.

Selections* in Prose by Raja Sivaprasad, C.S.I.
Selections* in Poetry by Mr. Browning.

Hindi.

Rámáyana ... Bálkánda.
Rájniti ... The first two chapters.

Uriya.

Rámáyana ... Sundra Kánda.
Jeebun Charita ... Translation from Iswara Chandra Vidyasagara by Fakeer Chand Sinapati.
Batris Singhasan ... The whole.

Armenian.

History of Armenia ... Books I—III.

Burmese.

Zaneka.
Dammapada ga-hta ... Selections (Rangoon Mission Press, 1873).

FIRST EXAMINATION IN ARTS, 1879.

English.

Cowper* ... Table Talk.
Goldsmith* ... The Deserted Village.
Macaulay* ... Lay of Horatius.
Pope* ... Essay on Criticism.
Johnson* ... Life of Milton.
Prescott* ... Essays on Sir W. Scott, Cervantes, and Molière.
Helps* ... Spanish Conquest of America, Vol. I, Book II.
Macaulay* ... History of England, Chap. I.

Greek.

Herodotus ... Book IV (Melpomene).
Euripides ... Hecuba.

Latin.

Catullus ... Selections.*
Ovid ... Miscellanea.*
Cicero ... Orations against Catiline, Chaps. I & II.

Sanskrit.

Raghuvansa ... Books I—VII.
Bhattikavya ... Books I—V.

* Thacker, Spink & Co.

Selections* by Mr. Kempson.	*Arabic.* ...
	Hebrew.
Genesis.	
Ruth.	
Psalms, 1—72.	
Job, Chapters 1—5.	
	Persian.
Sih nasr-i-zahuri	... First 25 pages.
Rúquat-i-Mirza Bedil	... Ditto.
Qasaid-i-Urfi	... Ditto.
Sekandar Namah	... Ditto.

B. A. EXAMINATION, 1880.

	English.
Shakspeare	... Hamlet.
Milton *	... Paradise Lost, Books XI and XII.
Trench	... Household Book of English Poetry, pp. 194 to end.
Helps *	... Realmah (the story only, excluding the conversations).
Burke *	... Speech on Economical Reform.
Macaulay	... Essay on Hallam's Constitutional History (Rivingtons' English School Classics).
Lamb *	... Essays of Elia, the following only :— Oxford in the Vacation. The Two Races of Men. Mrs. Battle's Opinions on Whist. All Fools' Day. A Quakers' Meeting. The Old Benchers of the Inner Temple. A Dissertation upon Roast Pig. Sanity of True Genius. Captain Jackson. The Superannuated Man.
	Greek.
Sophocles	... Antigone.
Thucydides	... Book VII.
	Latin.
Horace	... Odes, Books I & II.
Sallust	... Jugurtha.
Juvenal and Persius	... Selections.*
	Sanskrit.
Kúmar Sambhava	... Books I—VII.
Meghaduta	...
Sakuntalá	...
	Hebrew.
Deuteronomy	
Psalms, I—XLI.	
Isaiah, I—XXXIX.	
Daniel, I—VII.	
Proverbs.	
	*Arabic.**
Tarikh-i-Yamani	... }
Hamasah, first 31 pages	... } As contained in Selections by Col. Lees.
Mutanabbi	... }
	*Persian.**
Veqai Neamat Khan Ali	... The first half.
Durra-i-Nádiri	... 50 pages, from page 181.
Qasaid Kháqáni	... First 50 pages.
Qasaid Badar Chachi	... Ditto.

The following Text-book in General Geography has been appointed for the Entrance Examination of 1878 and following years :—

C. B. Clarke's Geographical Reader and Companion to the Atlas.

SENATE HOUSE, *The 19th April 1877.*

A. W. CROFT, *Offg. Registrar.*

* Thacker, Spink & Co.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	*Rs.*			*Rs.*	*Rs.*	*Rs.*
April 9	...	6,17,138	...	...	73,09,555	14,32,001
,, 10	...	...	...	...	72,21,619	14,32,001
,, 11	Holiday					
,, 12	...	...	...	...	71,39,015	14,32,001
,, 13	...	...	...	...	68,53,400	14,32,001
,, 14	...	...	...	...	66,46,638	14,32,001

CALCUTTA MINT, *The 16th April 1877.*

J. F. TENNANT, *Offg. Mint Master.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 20th April 1877.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Penguin* and *A. Apcar*, will be closed at the General Post Office on Saturday, the 21st April 1877, at 7 P. M.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Commilla*, will be closed at the General Post Office on Sunday, the 22nd April 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Baghdad*, will be closed at the General Post Office on Sunday, the 22nd April 1877, at 7 P. M. Mails for Port Blair and Camorta can be sent by this opportunity.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 23rd April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Almora*, will be closed at the General Post Office on Wednesday, the 25th April 1877, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 25th April 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 27th April 1877.

2. Book-post and pattern packets must be posted on the 26th April 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 20th April 1877.

Anderson, R. T.	Cardozo, R. J.
Anthony, J.	Carr, J.
Ayres, T. J.	Caser, I. N.
Ballard, G.	Clark, Miss Annie.
Baptist, C.	Correa, E. A.
Bates, W.	Cresswell, Doyne & Co.
Bavary, R.	Davies, H.
Bawl, R.	Davison, T. M.
Bernard de Valleror.	Day, Mrs.
Cales, G. F.	Dodgson, Chas. H.
Cameron, J.	Emilie, Melle.
Cannon, G.	Falmon, B.
Fan, Mrs. E. M.	Nicolas, J.
Forbes, G. J.	Percy, Hugh L. H.
Garson, Mrs. C. E. M.	Pereira, C.
Gordon, James.	Perroux, Mrs. C.
Goulbin, Miss P. E.	Rainer, H.
Granger, John H.	Reardon, J. P.
Hendrix, Rev. E. R.	Reid, Louis D.
Jackson, Mrs. H. W.	Reid, Mrs. M. A.
Jones, Mrs. S.	Scott, Mrs. G. A.
Leeming, J.	Shepherd, John.
Mackenzie, G. R.	Stewart, A. A. I.
Mackintosh, D. S.	Thompson, C. L., Mrs.
McNevin, F.	Tipping, R. G.
Middleton, Lewis.	Wallace, Alex. (C. Engr.)
Milman, W.	Wane, Innes B.
Molesworth, G.	Woods, Miss.
Newmarch, Mrs.	Wotherspoon, Geo.

Letters marked "Care of Post Office, to be kept till called for."

Agar, Henry.	Hughes, I. W.
Ameer Ally.	Jackson, J. W.
Arthur, Geo.	Jenkinson, Mrs.
Battye, Major H. D.	Johnstone, Ross.
Beale, William.	Kaikhosru Nowrosj Kabraj.
Biggs, Robert O. C.	Kelly, Edward.
Bogie, James.	King, H. W.
Bonerjee, Dr. S. A.	Lawrie, G. W.
Brink, Miss P. A.	MacIntyre, A.
Brownfield, M.	Macnamara, G. I.
Bromehead, Revd.	Meyer, H. G.
Caddy, D. G.	Moran, Frank Conyngham.
Carrington & Wigley.	Mirza Bazhoal Hossein.
Carter, H., Mrs.	Nichols, W. J.
Chill, Mr.	Nixon, T. W.
Clarkson, Mr.	Reed, J.
Cranbourn, Mrs.	Richardson, Geo.
Crossly, R.	Schapira, D.
Donegan, N.	Simpson, W.
Eaton, Mrs. G. W.	Stone, B J.
E. F. W.	Storey, William.
Forbes, Mrs. L. R.	Terlecki, Miss.
Frawley, M. A.	Thomas, S. B.
Friedwald, Madam F.	Watson, J. B.
Glukman, Lione.	Willard, J. C.
Graham, Mrs.	Williams, C. A.
Gray, William.	Young, Capt. Alx.
Hudson, Thos.	Zachariah, A. H.

Papers.

Battye, Major H. D.	Holland, Capt.
Bellany, J.	Ryder, A.
Caddy, D.	Williams, C. A.

Registered Letters.

Cosing, H.	Francis, Marples.
Duff, G.	Hill, G. W.
Fagan, L.	Stewart, Alex.
Forbes, Mrs. L. R.	

W. ALPIN, *Offg. Post Master of Calcutta.*

Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal, prescribed by the Lieutenant-Governor of Bengal on the 20th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director General of Statistics to the Government of India :

Vol. I. 24-Pergunnahs and Sundarbans.
Vol. II. Nadiya and Jessore.
Vol. III. Midnapur, Hughli, and Howrah.
Vol. IV. Bardwan, Bankura, and Birbhum.
Vol. V. Dacca, Bakarganj, Faridpur, and Maimansing.
Price, per volume, Rs. 2-8; postage, 10 annas.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

Now Ready.

The Bengal Administration Report for 1875-76. *Price, Rs. 4-8; postage, 14 annas.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 3 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 10 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, Re. 1-4.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar General of Bengal. *Price, Rs. 10; postage, Re. 1-2.*

Act VII (B. C.) of 1873 (Labor Districts Emigration), the Government Resolution thereon, and the Rules and Forms under the Act, bound up together in pamphlet form. *Price, 8 annas per copy, or including postage, 10 annas.*

Ditto ditto in Bengali. *Price, 8 annas per copy, or including postage, 10 annas.*

Rules for the Sale of Waste Lands. *Price, 4 annas, or including postage, 5 annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 5 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 11 annas.*

A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 3 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 8 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 12 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 6 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st April 1877. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—bound copies	...	Rs. 45 0 0
„ unbound copies	...	„ 35 0 0

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 5 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 1 annas.*

The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

Vol. I, bound in full cloth, lettered	...	Rs. 10 0 0
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Single copies of monthly Nos.	...	„ 2 0 0

The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

South America Pilot, Part I	...	Rs. 4 4 0
West India Pilot, Vol. I	...	„ 3 0 0
West India Pilot, Vol. II	...	„ 6 0 0

Apply to MR. E. M. LEWIS, *Bengal Secretariat Press, 28, Chowringhee Road, Calcutta.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 28, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
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Subscription for Supplement only ...	6	0	0
Postage	3	0	0
For a single copy of the *Gazette* ...	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 26th April 1877.

No. 68.—Mr. W. D. Smallpeice, Cable Clerk, 4th Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on medical certificate for one year under Section 3 of Supplement F of the Civil Leave Code, with effect from 16th April 1877, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

No. 69.—Mr. S. Parrott, Cable Clerk, 1st Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on medical certificate for one year under Section 3 of Supplement F of the Civil Leave Code, with effect from 16th April 1877, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,
Examiner of Telegraph Accounts.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 19th April 1877.

Offices opened and closed during the month of March 1877.

Name of Station.	Where situated.	Date.	Remarks.
Allyghur ...	N. W. Provinces ..	31st ... Nov. 1876	Closed.
Bhawulpore ...	Sind ...	29th ...	Opened.
Cuddapah ...	Madras Presidency	23rd ...	Ditto.
*Dehra Dún ...	N. W. Provinces...	27th ...	Closed.
Dibrugarh ...	Assam ...	31st ...	Opened.
Jorhát ...	Assam ...	5th ...	Ditto.
*Mahableshwar ...	Bombay Presidency	1st ...	Ditto.
*Matheran ...	Ditto * ...	1st ...	Ditto.
Sibságar ...	Assam ...	18th ...	Ditto.

* Season Offices.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

PUBLIC WORKS DEPARTMENT—
Military Works.

NOTIFICATIONS.

Simla, the 17th April 1877.

No. 52.—Mr. A. Grant, Assistant Engineer, 3rd Grade, passed the colloquial examination in Hindustani, as required by Code II, iv, 21, on 11th April 1877.

No. 53.—Lieutenant-Colonel Æ. Perkins, R.E., Superintending Engineer, is granted ten days' subsidiary leave, from 2nd to 12th February 1877.

The 21st April 1877.

No. 54.—ADDENDUM.—To Inspector General's Notification No. 49, dated 11th April 1877, add "with usual subsidiary leave."

C. W. HUTCHINSON, *Colonel, R. E.,*
Inspr. Genl. of Military Works.

Meerut Division of Superintendence.

Meerut, the 19th April 1877.

No. 19.—Lieutenant A. E. Ward, Bengal Staff Corps, Assistant Engineer, returned on the forenoon of the 7th instant from the one month's privilege leave granted him in Notification No. 540, dated 17th March 1877.

No. 20.—With reference to Inspector General's Notification No. 1, dated 8th January 1877, Lieutenant M. Martin, R.E., Assistant Engineer, Chakrata Division, Military Works, returned to duty from the three months' leave granted him to study the Native languages on the forenoon of the 10th instant.

The unexpired portion of his leave, *viz.*, forty days, is hereby cancelled.

The 21st April 1877.

No. 21.—With reference to Inspector General, Military Works, Notification No. 32, dated 21st ultimo, Captain W. H. Beckett, Executive Engineer, 2nd Grade, and Major E. T. Thackery, V.C., R.E., Executive Engineer, 1st Grade, respectively, made over and received charge of the Bareilly Division, Military Works, on the afternoon of the 12th instant.

The 23rd April 1877.

No. 22.—Mr. J. Culvert, Overseer, 1st Grade, is transferred from the Ranikhet Division, Military Works, to the Agra Division, Military Works, and proceeded to join the latter Division on the forenoon of the 14th instant.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Oudh Division.

Lucknow, the 21st April 1877.

No. 33.—With reference to Inspector General, Military Works, Notification No. 42, dated the 29th March last, Corporal M. Meara, R.E., Overseer, 1st Grade, is posted to the Saugor Division, Military Works, which he joined on the afternoon of 17th instant.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Presidency District.

Calcutta, the 25th April 1877.

No. 3.—Mr. W. H. King, Temporary Executive Engineer, 4th Grade, proceeded on 13th instant on the furlough granted in Inspector General, Military Works, Notification No. 18 of 5th ultimo.

No. 4.—Mr. W. Delahay, Supervisor, 2nd Grade, availed himself from 4th to 29th ultimo of the leave granted in this office Notification No. 590 of 28th February last.

L. RUSSELL, *Colonel,*
Superintending Engineer.

Sirhind Division of Superintendence.

Umballa, the 19th April 1877.

No. 9.—Mr. J. D. Davies, Assistant Engineer, 2nd Grade, is transferred from the Firozepore to the Dagshai Division, Military Works. He joined at Dagshai on the afternoon of the 12th instant.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 19th April 1877.

No. 70.—Mr. W. Wiseman, Assistant Engineer, 1st Grade, is temporarily appointed to officiate as Executive Engineer of the Mehur Division, Indus Valley Railway.

No. 71.—In supersession of Director's Notification No. 55 of the 23rd March 1877, Mr. J. F. Cockburn, Executive Engineer, 2nd Grade, is transferred from the Holkar and Neemuch Railways to the Indus Valley Railway.

The 21st April 1877.

No. 72.—The Inspectors of Maintenance of the Rajputana State Railway are graded as follows with effect from 1st January 1877:—

Mr. J. Lewis,	Inspector,	1st	Grade.
,, G. Newton	,,	2nd	,,
,, J. Hainsworth	,,	2nd	,,
,, R. Jackson	,,	2nd	,,
,, H. Harris	,,	2nd	,,
,, H. Austin	,,	2nd	,,
,, R. Dunn	,,	3rd	,,
,, H. G. Arnott	,,	3rd	,,
,, J. B. Adam	,,	3rd	,,
,, E. Le Feuvre	,,	3rd	,,
Baboo Soonder Lall	,,	3rd	,,
,, Peary Lall	,,	4th	,,
,, Kifaetoolla	,,	4th	,,

The 23rd April 1877.

No. 73.—Mr. J. Elston, Assistant Engineer, temporary 1st Grade, Indus Valley Railway, passed the Departmental Standard Examination in Hindustani on the 1st April 1877.

No. 74.—Mr. H. Luckstedt, Assistant Engineer, 2nd Grade, Punjab Northern Railway, passed the Departmental Standard Examination in Hindustani on the 6th March 1877.

No. 75.—Mr. J. E. P. Lincké, Assistant Engineer, 1st Grade, Tirhoot State Railway, passed the Departmental Standard Examination on the 16th April 1877.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 24th April 1877.

No. 18.—Mr. W. H. Cole, Assistant Engineer, 2nd Grade, joined the Sambhar Division, Rajputana State Railway, on the forenoon of the 19th instant.

No. 19.—Messrs. C. H. Croudace, Executive Engineer, 4th Grade, and C. Thomson, Assistant Engineer, 1st Grade, respectively, made over and received charge of the Delhi Division, Rajputana State Railway, on the afternoon of the 21st instant.

Mr. Croudace availed himself on the same day of the privilege leave granted in Notification No. 11 of 20th ultimo.

No. 20.—Corporal J. Martin, R. E., Overseer, 1st Grade, reported himself for duty on the forenoon of the 2nd instant, and is posted to the Agra Division, Rajputana State Railway.

No. 21.—Mr. E. Johnston, Executive Engineer, 4th Grade, reported his return to duty on the forenoon of the 14th instant from leave on medical certificate, granted in Director of State Railways' Notification No. 66, dated 7th April 1877.

FRED. FIREBRACE,
Offg. Manager.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 24th April 1877.

No. 7.—With reference to Notification No. 6, dated 7th instant, Mr. W. C. Rennie, Executive Engineer, 3rd Grade, availed himself of the privilege leave granted therein on the morning of the 24th idem.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 9th April 1877.

No. 63.—Sergeant J. Adamson, Overseer, 1st Grade, is transferred from the Western Extension Survey to the Upper Scinde District.

The 11th April 1877.

No. 64.—Mr. J. W. Christison, Assistant Engineer, 1st Grade, is transferred from the Western Extension Survey to the Lower Scinde District.

No. 66.—Baboo N. C. Mookerjee, Temporary Overseer, 1st Grade, is transferred from the Mooltan to the Upper Scinde District.

The 14th April 1877.

No. 67.—With reference to Director of State Railways' Notification No. 46 of 5th March 1877, Mr. J. W. Henry, Executive Engineer, 2nd Grade, was relieved of his duties on this line on the forenoon of 2nd April 1877.

The 16th April 1877.

No. 68.—Mr. C. S. Warwick, Store-keeper, 1st Grade, is granted three months' privilege leave with effect from 17th May 1877, or such subsequent date as he may be able to avail himself of it.

No. 70.—With reference to Director of State Railways' Notification No. 42 of 27th February 1877, Mr. H. L. Monk, Executive Engineer, 4th Grade, was relieved of his duties on this line on the afternoon of 20th March 1877.

The 18th April 1877.

No. 71.—Mr. W. Vardon, Store-keeper, 2nd Grade, is transferred from the Mooltan to the Upper Scinde District and posted to the Reti Division.

The 19th April 1877.

No. 73.—With reference to this office Notification No. 54 of 16th June 1876, Mr. J. Ramsay, Executive Engineer, 3rd Grade, is granted an extension of privilege leave for five days, *viz.*, from 3rd to 7th October 1876.

No. 74.—With reference to Government of India Public Works Department Notification No. 141 of 27th March 1877, the undermentioned officers were relieved of their duties on this line on the dates noted opposite their names:—

Mr. E. B. Medley, Executive Engineer, 4th Grade,—15th March, afternoon.
Mr W. S. Haig, Assistant Engineer, 2nd Grade,—19th March, forenoon.
Mr. C. H. C. Bickerton, Assistant Engineer, 2nd Grade,—19th March, afternoon.
Mr. W. G. Allen, Assistant Engineer, 2nd Grade,—1st March, forenoon.

No. 75.—The following postings and transfers have been made by Superintending Engineers:—

Mr. C. J. S. Baker, Assistant Engineer, 2nd Grade, to the Ghotki Division.
Sergeant J. Adamson, Overseer, 1st Grade, to the Ghotki Division.
Private J. Morrison, Overseer, 1st Grade, to the Reti Division.
Corporal C. J. Williams, Overseer, 1st Grade, to the office of Superintending Engineer, Upper Scinde District.

* * * * *

Mr. H. C. Knox, Assistant Engineer, 2nd Grade, from the Sehwan Division to the Office of Superintending Engineer, Lower Scinde District.

M. RAYNE,
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 20th April 1877.

No. 397.—Lieutenant R. Gardiner, R. E., Assistant Engineer, 1st Grade, is granted three months' privilege leave, with effect from 15th May 1877, or such subsequent date as he may avail himself of it.

JAMES COLLETT,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 18th April 1877.

No. 37.—With reference to Government of India Notification No. 160 of 2nd April 1877, Mr. T. L. Tanner, Assistant Engineer, 1st Grade, rejoined in Calcutta on the forenoon of 19th February, and is posted to the Northern Division.

J. G. LINDSAY, *Major, R.E.*,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 21st April 1877.

No. 22.—Mr. J. C. Ledger, Executive Engineer, 3rd Grade, and Personal Assistant to Engineer-in-Chief, Holkar and Neemuch State Railways, availed himself of the three months' privilege leave granted him in Notification No. 17, dated 7th April 1877, on the afternoon of 16th April 1877.

No. 23.—With reference to Notification No. 18, dated 7th April 1877, Mr. F. Wolly Dod, Assistant Engineer, 2nd Grade, joined the Office of Engineer-in-Chief, Holkar and Neemuch State Railways, on the 17th April 1877.

No. 24.—Mr. H. Mann, Sub-Engineer, 1st Grade, attached to Ghat Division, availed himself of the leave granted him in Notification No. 11, dated 14th March 1877, on the forenoon of 18th April 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawul Pindi, the 21st April 1877.

No. 52.—Referring to Notification No. 28, dated 17th February 1877, Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, joined the Indus Division on the forenoon of the 24th February 1877.

No. 53.—Mr. F. J. E. Spring, Assistant Engineer, 1st Grade, is transferred from the Indus to the Soán Division. He left the former on the forenoon of the 23rd March 1877, and joined the latter Division on the same day.

No. 54.—Lieutenant B. Scott, R.E., Assistant Engineer, 2nd Grade, is transferred from the Soán to the Indus Division. He left the former on the forenoon of the 5th March 1877, and joined the latter Division on the same date.

No. 55.—With reference to Director of State Railways' Notification No. 62, dated 2nd April 1877, Mr. H. F. Storey, Executive Engineer, 2nd Grade, availed himself of the subsidiary leave therein granted on the forenoon of the 16th April 1877.

No. 56.—Sheik Edoo, Overseer, 1st Grade, is transferred from the Open Line to the Soán Division. He left the former on the 1st April 1877, and joined the latter on the forenoon of the 8th idem.

ALEX. GRANT,
Engineer-in-Chief.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Calcutta, the 24th April 1877.

With reference to the Notification of the Government of India, in the Public Works Department, No. 144, dated 27th March 1877, Major C. H. Luard, R.E., Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, was relieved of his duties on the afternoon of Saturday, the 21st instant.

F. S. TAYLOR, *Lieut.-Col., R.E.*,
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 21st April 1877.

No. 20.—Major E. Swetenham, Executive Engineer, 1st Grade, made over charge of the Mhow Division to Captain G. R. Gibbs on the afternoon of the 31st March 1877, and availed himself of the three months' privilege leave granted in Notification No. 16, dated 22nd idem, from the 2nd April 1877.

No. 21.—In pursuance of Notification No. 17, dated 22nd March 1877, Captain G. R. Gibbs, Executive Engineer, 3rd Grade, received charge of the Mhow Division from Major E. Swetenham on the afternoon of the 31st March 1877.

No. 22.—Mr. E. A. Wood, Accountant, 3rd Grade, attached to the Office of the Examiner of Public Works Accounts, Central India, is granted two months' privilege leave, of which he availed himself on the forenoon of the 2nd April 1877.

No. 23.—Hurput Roy, Overseer, 2nd Grade, returned on the forenoon of the 17th March 1877 from three months' privilege leave granted in Notification No. 43, dated 11th November 1876.

No. 24.—Hurput Roy, Overseer, 2nd Grade, has been transferred from the Mhow to the Southern Road Division.

No. 25.—Baboo Gyan Chunder Roy, Assistant Engineer, 2nd Grade, was granted 15 days' privilege leave, of which he availed himself on the 22nd March 1877, and returned to duty on the morning of the 5th April 1877.

No. 26.—Mr. C. E. Gael, Executive Engineer, 4th Grade (temporary 3rd Grade), embarked at Bombay on the 21st March 1877 for England on 18 months' furlough granted in Notification No. 9, dated 3rd February 1877.

A. CADELL, *Colonel, R.E.*,
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 20th April 1877.

No. 494.—*Names of Places, &c., in the Central India Agency.*

[Names which have acquired a fixed spelling.]

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
बेतवां ...	Betwán ...	Betwa ...	River ...	Bhopal, Gwalior, &c.
भोपाल ...	Bhopál ...	Bhopal ...	State and Town ...	Bhopal Political Agency.
गुन्हा ...	Gunhá ...	Goona ...	Cantonment, &c.	Goona ditto.
गवालीयार ...	Gawáliyár ...	Gwalior ...	State, Town, Fort	Gwalior ditto.
इंदौर ...	Indaur ...	Indore ...	State and Town ...	Indore Agency.
मालवा ...	Málwá ...	Malwa ...	Province ...	Holkar, &c.
मैहदपुर ...	Maihadpur ...	Mehidpur ...	Pergunnah, Town, and Cantonment.	Western Malwa Agency.
महु ...	Mahu ...	Mhow ...	Cantonment ...	Holkar.
मुरार ...	Murár ...	Morar ...	Cantonment ...	Gwalior.
नागोद ...	Nágod ...	Nagode ...	State ...	Baghelkhand Agency.
नीमच ...	Nímach ...	Neemuch ...	Cantonment, &c.	Gwalior, Western Malwa Agency.
नरमदा ...	Narmadá ...	Nerbudda ...	River ...	Bhopal, &c.
नौगांव ...	Naugánw ...	Nowgong ...	Cantonment ...	Bundelkhand Political Agency.
पन्यार ...	Panyár ...	Punniar ...	Battlefield ...	Gwalior.
रीवां ...	Ríwán ...	Rewah ...	State, Town ...	Baghelkhand Agency.
रतला ...	Ratlám ...	Rutlam ...	State, Town ...	Western Malwa Agency.
सीहोर ...	Síhor ...	Sehore ...	Town, Cantonment, and Pergunnah.	Bhopal Political Agency.
सरदारपुर ...	Sardárpur ...	Sirdarpore ...	Town and Cantonment.	Bheel Agency.
सतना ...	Satná ...	Sutna ...	Town ...	Baghelkhand.
	RIVERS.			
आहू ...	Áhú ...	Áhu ...	... ...	Western Malwa.
अजनार ...	Ajnár ...	Ajnár ...	... ...	Deputy Bheel Agency.
अमजर या अमजार ...	Amjar or Amjár	Amjar or Amjár	... ...	Gwalior.
अमरहन ...	Amrahan ...	Amrahan ...	... ...	Baghelkhand.
अनास ...	Anás ...	Anás ...	... ...	Bheel Agency.
आसन ...	Ásan ...	Ásan ...	... ...	Gwalior.
बागरडी ...	Bágardí ...	Bágardi ...	... ...	Bheel Agency.
बागनी ...	Bágní ...	Bágni ...	... ...	Ditto.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	RIVERS—*continued.*			
बनास ...	Banás ...	Banás ...	... ...	Baghelkhand.
बरूवा ...	Baruwá ...	Baruwa ...	... ...	Ditto.
बेसली ...	Beslí ...	Besli ...	... ...	Gwalior.
बेतवां ...	Betwán ...	Betwa ...	... ...	Bhopal, Gwalior, &c.
भाडेर ...	Bháder ...	Bháder ...	... ...	Baghelkhand.
भुसरू ...	Bhusrú ...	Bhusru ...	... ...	Ditto.
बीयास ...	Biás ...	Biás ...	... ...	Bhopal.
बीना ...	Bína ...	Bína ...	... ...	Ditto.
चलदू ...	Chaldú ...	Chaldu ...	... ...	Western Malwa Agency.
चम्बल ...	Chambal ...	Chambal ...	... ...	Holkar, Gwalior, &c.
चामला ...	Chámlá ...	Chámla ...	... ...	Bheel Agency.
छोटीकालीसिंध ...	Chhotí Kálí Sindh	Chhoti Káli Sindh	... ...	Gwalior, &c.
डेब ...	Deb ...	Deb ...	... ...	Deputy Bheel Agency.
धसान ...	Dhasán ...	Dhasán ...	... ...	Bundelkhand Agency.
गंभीर ...	Gambhír ...	Gambhír ...	... ...	Holkar, &c.
घोड़ापछाड़ ...	Ghorápachhár ...	Ghorapachhár ...	... ...	Goona and Bhopal Political Agency.
गोई ...	Goí ...	Goi ...	... ...	Deputy Bheel Agency.
गोपत ...	Gopat ...	Gopat ...	... ...	Baghelkhand.
हतनी ...	Hatní ...	Hatni ...	... ...	Bheel Agency.
ईसर ...	I'sar ...	I'sar ...	... ...	Western Malwa.
जामनेर ...	Jámner ...	Jámner ...	... ...	Gwalior.
जोहिला ...	Johilá ...	Johila ...	... ...	Baghelkhand.
कालीसिंध ...	Kálí Sindh ...	Káli Sindh ...	... ...	Gwalior, Bhopal, Holkar.
कन या कान ...	Kan or Kán ...	Kan or Kán ...	... ...	Gwalior.
कनी ...	Kaní ...	Kani ...	... ...	Ditto.
कारम ...	Káram ...	Káram ...	... ...	Deputy Bheel Agency.
केन ...	Ken ...	Ken ...	... ...	Bundelkhand.
कुंदी ...	Kundí ...	Kundi ...	... ...	Ditto.
कूनो ...	Kúno ...	Kúno ...	... ...	Goona Agency.
कुवारी ...	Kuwárí ...	Kuwári ...	... ...	Gwalior.
लखंदर ...	Lakhúndar ...	Lakhúndar ...	... ...	Western Malwa Agency.
लिलजी ...	Liljí ...	Lilji ...	... ...	Baghelkhand.
महानदी ...	Mahánadí ...	Mahánadi ...	... ...	Ditto.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	RIVERS—*concluded.*			
मही ...	Mahí ...	Mahi ...	... ...	Bheel Agency.
महुथर ...	Mahuar ...	Mahuar ...	... ...	Gwalior.
मलेनी ...	Malení ...	Maleni ...	... ...	Western Malwa Agency.
मान ...	Mán ...	Mán ...	... ...	Bheel Agency.
मीहन ...	Míhan ...	Míhan ...	... ...	Baghelkhand.
नरमदा ...	Narmadá ...	Nerbudda ...	... ...	Bhopal, &c.
नेवज ...	Newaj ...	Newaj ...	... ...	Rajgarh, &c.
पहूज ...	Pahúj ...	Pahúj ...	... ...	Gwalior.
पनडवा ..	Pandwá ...	Pandwa ...	... ...	Ditto.
पारबती ...	Párbatí ...	Párbati ...	... ...	Goona Political Agency.
रेतम ...	Retam ...	Retam ...	... ...	Western Malwa Agency.
सजनेर ...	Sajner ...	Sajner ...	... ...	Gwalior.
सांख ...	Sánkh ...	Sánkh ...	... ...	Ditto.
सतना ...	Satná ...	Satna ...	... ...	Baghelkhand.
शिताबा ...	Shitábá ...	Shitába ...	... ...	Ditto.
सीहोज ...	Síhoj ...	Síhoj ...	... ...	Gwalior.
सिंध ...	Sindh ...	Sindh ...	... ...	Goona Political Agency.
सिपरा ...	Siprá ...	Sipra ...	... ...	Indore, Gwalior, &c.
सिव ...	Siv ...	Siv ...	... ...	Western Malwa Agency.
सोन ...	Son ...	Son ...	... ...	Baghelkhand.
टोंस ...	Tons ...	Tons ...	... ...	Ditto.
तूमर ...	Túmar ...	Túmar ...	... ...	Western Malwa Agency.
वेदा ...	Vedá ...	Weda ...	... ...	Deputy Bheel Agency.
	HILLS, MOUNTAINS, &c.			
अमरकंटक ...	Amarkantak ...	Amarkantak ...	... ...	Baghelkhand.
भांड़ेड़ ...	Bhánrer ...	Bhánrer ...	... ...	Ditto.
हातीपावा ...	Hátipáwá ...	Hátipáwa ...	... ...	Bheel Agency.
जामघाट ...	Jám Ghát ...	Jám Ghát ...	... ...	Indore.
कैमूर ...	Kaimúr ...	Kaimúr ...	... ...	Baghelkhand.
कैंजुवा ...	Kainjuwá ...	Kainjuwa ...	... ...	Ditto.
मैकल ...	Maikal ...	Maikal ...	... ...	Ditto.
मवासेकाडंगर ...	Maváse-ká-Dúngar.	Mawáse-ka-Dúngar.	... ...	Bheel Agency.
समोईकापहाड़ ...	Samoí-ká-Pahár	Samoi-ka-Pahár	... ...	Ditto.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	HILLS, MOUNTAINS, &c.—*continued.*			
सातपुड़ा ...	Sátpurá ...	Sátpura ...	... ...	Indore, &c.
सिंघासनटेकड़ी ...	Singhásan Tekrí	Singhásan Tekri	... ...	Bheel Agency.
सोनगढ़ ...	Songarh ...	Songarh ...	... ...	Ditto.
विंध्याचल ...	Vindhyáchal ...	Vindhyas (Vindhyáchal). ...	... ...	Indore, &c.
	OTHER NAMES.			
अबदुलशाहचंगाल ...	Abdulsháh Changál.	Abdulsháh Changál ...	Place of Pilgrimage.	Bheel Agency.
अफजलपुर ...	Afzalpur ...	Afzalpur ...	Town and Police Station.	Western Malwa, Gwalior.
आगर ...	Ágar ...	Ágar ...	District, Town, and Cantonment.	Ditto.
अग्राबरखेड़ा ...	Agrá Barkhera	Agra Barkhera...	Guaranteed Thákurat.	Bhopal Political Agency.
अजैगढ ...	Ajaigarh ...	Ajaigarh ...	Town, Fort, and State.	Bundelkhand.
अजरौदा ...	Ajraudá ...	Ajrauda ...	Guaranteed Thákurat.	Western Malwa Agency.
अकौना ...	Akauná ...	Akauna ...	Town ...	Baghelkhand.
अकबरपुर ...	Akbarpur ...	Akbarpur ...	Ditto ...	Dewás.
अकलौन ...	Aklaun ...	Aklaun ...	Ditto ...	Gwalior.
आलमपुर ...	Álampur ...	Álampur ...	Ditto and Pergunnah.	Holkar.
आलौट ...	Álaut ...	Álaut ...	Ditto ...	Dewás.
अलगी ...	Algí ...	Algi ...	Great Trigonometrical Survey Station.	Gwalior.
अलीपुरा ...	Alípurá ...	Alipura ...	Town and Jágír ...	Bundelkhand.
अमरपाटन ...	Amarpátan ...	Amarpátan ...	Town ...	Baghelkhand.
अमायन ...	Amáyan ...	Amáyan ...	Ditto ...	Gwalior.
अंबाह ...	Ambáh ...	Ambáh ...	Ditto ...	Ditto.
अमिर्ती ...	Amirtí ...	Amirti ...	Ditto ...	Baghelkhand.
अमझेरा ...	Amjherá ...	Amjhera ...	District and Town	Gwalior, Bheel Agency.
अमोला ...	Amolá ...	Amola ...	Town ...	Gwalior.
अंधारीबड़ ...	Andhárfbar ...	Andháribar ...	Place of Pilgrimage.	Bheel Agency.
अन्धेर ...	Andher ...	Andher ...	Topes ...	Bhopal.
अंधेरी ...	Andherí ...	Andheri ...	Great Trigonometrical Survey Station.	Gwalior.
अंजर ...	Anjar ...	Anjar ...	Town ...	Deputy Bheel Agency, Barwáni State.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
आंतरी ...	Ántrí ...	Ántri ...	Town and Fort ...	Gwalior.
आंतरी ...	Ántrí ...	Ántri ...	Town and Pergunnah.	Holkar.
अरमलिया ...	Aramliá ...	Aramlia ...	Great Trigonometrical Survey Station.	Gwalior.
आरौन ...	Araun ...	Araun ...	Town ...	Ditto.
अरनीया ...	Arniá ...	Arnia ...	Ditto ...	Ditto.
आष्टा ...	Ashtá ...	Ashta ...	Ditto and Pergunnah.	Bhopal.
अटेर ...	Ater ...	Ater ...	Ditto ...	Gwalior.
आवर ...	Awar ...	Awar ...	Ditto and Pergunnah.	Western Malwa Agency, Jhalawar.
अवासगढ ...	Awásgarh ...	Awásgarh ...	Ditto ...	Deputy Bheel Agency, Barwáni.
बाबुपुर ...	Bábúpur ...	Bábupur ...	Ditto ...	Baghelkhand.
बदरवास ...	Badarwás ...	Badarwás ...	Staging Bungalow	Gwalior.
बदनावर ...	Badnáwar ...	Badnáwar ...	District ...	Bheel Agency, Dhár State.
बाग ...	Bág ...	Bág ...	Town and Fort ...	Gwalior, Bheel Agency.
बागौद ...	Bágaud ...	Bágaud ...	Pergunnah ...	Deputy Bheel Agency, Dewás.
बागचिनी ...	Bágchiní ...	Bágchini ...	Town ...	Gwalior.
बघेलखंड ...	Baghelkhand ...	Baghelkhand ...	Agency, Province	Baghelkhand Agency.
बागली ...	Bágli ...	Bágli ...	Town and Fort—Guaranteed Thákurat.	Indore Agency.
बहादुरपुर ...	Bahádurpur ...	Bahádurpur ...	Fort ...	Gwalior.
बकुंठपुर ...	Baikunthpur ...	Baikunthpur ...	Town ...	Baghelkhand.
बजरंगगढ़ ...	Bajranggarh ...	Bajranggarh ...	Town and Fort ...	Goona Political Agency, Gwalior.
बाकानेर ...	Bákáner ...	Bákaner ...	Town ...	Bheel Agency, Gwalior.
बखगढ़ ...	Bakhtgarh ...	Bakhtgarh ...	Town and Guaranteed Thákurat.	Ditto Dhár.
बालाभेट ...	Bálábhet ...	Bálabhet ...	Town ...	Goona Political Agency.
बालागड़ा ...	Bálágará ...	Bálágara ...	Great Trigonometrical Survey Station.	Gwalior.
बमोरी ...	Bamorí ...	Bamori ...	Town ...	Goona Political Agency, Tonk.
बामोरी ...	Bámarí ...	Bámori ...	Pergunnah and Town.	Bhopal.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
बांदा ...	Bándá ...	Bánda ...	Railway Station ...	Gwalior.
बांधोगढ़ ...	Bándhogarh ...	Bándhogarh ...	Town ...	Baghelkhand.
बनेड़ा ...	Banerá ...	Banera ...	Lake ...	Indore.
बांमोर ...	Bánmor ...	Bánmor ...	Railway Station ...	Gwalior.
बावनी ...	Báoní ...	Baoni ...	State ...	Bundelkhand.
बरा ...	Bará ...	Bara ...	Town ...	Baghelkhand.
बड़ाबरखेड़ा ...	Bará Barkherá...	Bara Barkhera...	Bhúmiat ...	Bheel Agency.
बड़ावदा ...	Baráodá ...	Baráoda ...	Town and Pergunnah.	Western Malwa, Jaora.
बड़ापहाड़ा ...	Bará Pahárá ...	Bara Pahára ...	Town ...	Gwalior.
बड़ौद ...	Baraud ...	Baraud ...	Town and Pergunnah.	Ditto.
बड़ौदीया ...	Baraudíá ...	Baraudia ...	Police Station ...	Western Malwa, Gwalior.
बरौंडा ...	Baraundá ...	Baraunda ...	Town and Jágír ...	Bundelkhand.
बरौंधा ...	Baraundha ...	Baraundha ...	Town ...	Baghelkhand.
बरदाडीह ...	Bardádíh ...	Bardadíh ...	Town and Jágír ...	Ditto.
बरदी ...	Bardí ...	Bardi ...	Pergunnah ...	Ditto.
बरेली ...	Barelí ...	Bareli ...	Town and Pergunnah.	Bhopal.
बरहद ...	Barhad ...	Barhad ...	Town ...	Gwalior.
बारी ...	Bárí ...	Bári ...	Town and Pergunnah.	Bhopal.
बड़केसर ...	Barkesar ...	Barkesar ...	Place of Pilgrimage.	Bheel Agency.
बरखेड़ा ...	Barkherá ...	Barkhera ...	Camping Ground	Goona Agency.
बरखेड़ी ...	Barkherí ...	Barkheri ...	Great Trigonometrical Survey Station.	Gwalior.
बड़नगर ...	Barnagar ...	Barnagar ...	Town and Pergunnah.	Western Malwa, Gwalior.
बरड़ा ...	Barrá ...	Barra ...	Guaranteed Thákurat.	Western Malwa Agency.
बड़वाहा ...	Barwáhá ...	Barwáha ...	Fort, Town, and Pergunnah.	Deputy Bheel Agency, Holkar.
बड़वानी ...	Barwání ...	Barwáni ...	Town and State ...	Ditto.
बासोदा ...	Básodá ...	Básoda ...	Ditto ...	Bhopal Agency.
बेहट ...	Behat ...	Behat ...	Town and Fort ...	Gwalior.
बेला ...	Belá ...	Bela ...	Town ...	Baghelkhand.
बेरचोई ...	Berchoí ...	Berchoi ...	Ditto ...	Gwalior.
बेरी ...	Berí ...	Beri ...	Town and Jágír ...	Bundelkhand.
बेरसीया ...	Bersíá ...	Bersia ...	Town and Pergunnah.	Bhopal.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
बेसरगढ़ ...	Besargarh ...	Besargarh ...	Fort and Great Trigonometrical Survey Station.	Gwalior.
बेटमां ...	Betmán ...	Betmán ...	Town and Pergunnah.	Holkar.
भदौरा ...	Bhadaurá ...	Bhadaura ...	Town ...	Goona Agency.
भैंसौदा ...	Bhainsaudá ...	Bhainsauda ...	Ditto ...	Western Malwa, Gwalior.
भैरोंदा ...	Bhairondá ...	Bhaironda ...	Town and Pergunnah.	Bhopal.
भैसौंदा ...	Bhaisaundá ...	Bhaisaunda ...	Town and Jágír ...	Bundelkhand.
भैसवार ...	Bhaiswár ...	Bhaiswár ...	Town ...	Baghelkhand.
भंदनपुर ...	Bhandanpur ...	Bhandanpur ...	Ditto ...	Ditto.
भानपुरा ...	Bhánpurá ...	Bhánpura ...	Town and Pergunnah.	Holkar.
भंवर ...	Bhanwar ...	Bhanwar ...	Town ...	Baghelkhand.
भरहुत ...	Bharhut ...	Bharhut ...	Ditto ...	Ditto.
भरसुला ...	Bharsula ...	Bharsula ...	Camping Ground, Bombay and Agra Road.	Goona Political Agency.
भारूडपुरा ...	Bhárúdpurá ...	Bhárúdpura ...	Village and Bhúmiat.	Deputy Bheel Agency.
भटनवारा ...	Bhatanwárá ...	Bhatanwára ...	Town ...	Baghelkhand.
भटगवां ...	Bhatgawán ...	Bhatgawán ...	Ditto ...	Ditto.
भाउगढ ...	Bháugarh ...	Bhaugarh ...	Ditto ...	Gwalior.
भौंरासा ...	Bhaunrásá ...	Bhaunrása ...	Town and Great Trigonometrical Survey Station.	Ditto.
भवती ...	Bhavatí ...	Bhauti ...	Town ...	Deputy Bheel Agency, Barwáni.
भेसवा ...	Bheswá ...	Bheswa ...	Ditto ...	Dewás.
भीलसा ...	Bhílsá ...	Bhílsa ...	District Town, Fort	Bhopal Agency, Gwalior.
भीलवार ...	Bhílwár ...	Bhílwár ...	Pergunnah ...	Rájgarh State.
भिंड ...	Bhind ...	Bhind ...	District, Fort, Town	Gwalior.
भीतरवार ...	Bhítarwár ...	Bhítarwár ...	Town ...	Ditto.
भोजपुर ...	Bhojpur ...	Bhojpur ...	Ruins ...	Bhopal.
भोलीया ...	Bholiá ...	Bholia ...	Town ...	Western Malwa, Holkar.
भोजखेड़ी ...	Bhojá Kherí ...	Bhoja Kheri ...	Guaranteed Thákurat.	Indore, Central India.
भोमपुरा ...	Bhompurá ...	Bhompura ...	Town ...	Gwalior.
भोंटी ...	Bhontí ...	Bhonti ...	Ditto ...	Ditto.
भोपाल ...	Bhopál ...	Bhopal ...	State and Town ...	Bhopal Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
भोपालपुरा ...	Bhopálpurá ...	Bhopálpura ...	Town ...	Gwalior.
भोपावर ...	Bhopáwar ...	Bhopáwar ...	Ditto ...	Ditto.
बियाबानीदाता ...	Biábánidátá ...	Biabánidáta ...	Place of Pilgrimage	Bheel Agency.
बिछरौद ...	Bichhraud ...	Bichhraud ...	Guaranteed Thákurat.	Western Malwa Agency.
बीयावरा ...	Biyáorá ...	Biáora ...	Town, Post Office, &c.	Rájgarh State.
बिडवाल ...	Bidwál ...	Bidwál ...	Town ...	Bheel Agency
बीहट ...	Bíhat ...	Bíhat ...	Town and Jágír ...	Bundelkhand.
बिजावर ...	Bijáwar ...	Bijáwar ...	Town and State ..	Ditto.
बिजेपुर ...	Bijepur ...	Bijepur ...	Town ...	Gwalior.
बिजना ...	Bijná ...	Bijna ...	Town and Jágír ...	Bundelkhand.
बिजोली ...	Bijolí ...	Bijoli ...	Town ...	Gwalior.
बिलकेश्वरमहादेव ...	Bilkeshwar Mahádeo.	Bilkeshwar Mahádeo.	Place of Pilgrimage	Bheel Agency
बिलौदा ...	Bilaudá ...	Bilauda ...	Guaranteed Thákurat.	Western Malwa Agency.
बीनागांव ...	Bínágáon ...	Bínagaon ...	Camping Ground, Agra and Bombay Road.	Goona Agency.
बिरहना ...	Birahná ...	Birahna ...	Town ...	Baghelkhand.
बिरसिंजपुर ...	Birsingpur ...	Birsingpur ...	Pergunnah ...	Ditto.
बीसभुजी ...	Bísbhují ...	Bísbhuji ...	Fair ...	Goona Agency.
बोड़ायता ...	Boráetá ...	Boráeta ...	Town ...	Bheel Agency.
बोरी ...	Borí ...	Bori ...	Ditto ...	Ditto.
ब्रह्मनगांव ...	Brahmangáon ...	Brahmangaon ...	Town and Pergunnah.	Holkar.
बुन्देलखंड ...	Bundelkhand ...	Bundelkhand ...	Province and Agency.	Bundelkhand Agency.
बोहारि ...	Byohárí ...	Byohári ...	Town ...	Baghelkhand.
चचाई ...	Chachái ...	Chachai ...	Ditto ...	Ditto.
चाचोड़ा ...	Cháchorá ...	Cháchora ...	Ditto ...	Goona Agency, Gwalior.
चकदिही ...	Chakdihí ...	Chakdihi ...	Ditto ...	Baghelkhand.
चलवानी ...	Chalwání ...	Chalwani ...	Great Trigonometrical Survey Station.	Gwalior.
चंदेरी ...	Chanderí ...	Chanderi ...	Town ...	Gwalior, Goona Agency.
चंदिया ...	Chandiya ...	Chandia ...	Ditto ...	Baghelkhand.
चांदपुर ...	Chándpur ...	Chándpur ...	Ditto ...	Gwalior.
चन्दपुरा ...	Chandpurá ...	Chandpura ...	Town and Pergunnah.	Bhopal.
चंदूपुरा ...	Chandúpurá ...	Chandupura ...	Ditto ...	Holkar.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
चंदवासा ...	Chandwásá ...	Chandwása ...	Town and Pergunnah.	Holkar.
चंगेरी ...	Changerí ...	Changeri ...	Great Trigonometrical Survey Station.	Gwalior.
चरखारी ...	Charkhárí ...	Charkhári ...	Town and State ...	Bundelkhand.
छबड़ा ...	Chhabrá ...	Chhabra ...	Town ...	Goona Agency, Tonk.
छापीहेड़ा ...	Chhápíhera ...	Chhápihera ...	Town and Pergunnah.	Narsinghgarh.
छीपानेर ...	Chhípáner ...	Chhípaner ...	Ditto ...	Bhopal.
छतरपुर ...	Chhatarpur ...	Chhatarpur ...	Town and State ...	Bundelkhand.
छोंदा ...	Chhondá ...	Chhonda ...	Town and Staging Bungalow.	Gwalior.
छोटाबरखेड़ा ...	Chhotá Barkherá	Chhota Barkhera	Bhúmiat ...	Bheel Agency.
छोटासीरीया ...	Chhotá Síriá ...	Chhota Síria ...	Fort ...	Gwalior.
चिकलदा ...	Chikaldá ...	Chikalda ...	Town and Pergunnah.	Holkar.
चित्रकोट ...	Chitr Kot ...	Chitr Kot ...	District ...	Bundelkhand.
चुनवरी ...	Churwarí ...	Churwari ...	Town ...	Baghelkhand.
दबोह ...	Daboh ...	Daboh ...	Ditto ...	Gwalior.
डबरा ...	Dabrá ...	Dabra ...	Town and Staging Bungalow.	Ditto.
डाबरी ...	Dábrí ...	Dábri ...	Guaranteed Thákurat.	Western Malwa Agency.
डढेरी ...	Dadherí ...	Dadheri ...	Great Trigonometrical Survey Station.	Gwalior.
डग ...	Dag ...	Dag ...	Town and Pergunnah.	Western Malwa Agency, Jhalawar.
दलथोवन ...	Dalthoban ...	Dalthoban ...	Lake ...	Bheel Agency.
डही ...	Dahí ...	Dahi ...	Town and Thákurat.	Ditto.
दरयाखेड़ी ...	Daryákherí ...	Daryakheri ...	Thákurat (Guaranteed).	Bhopal Agency.
दसाई ...	Dasaí ...	Dasai ...	Town ...	Bheel Agency.
दातावंदीछोड़ ...	Dátá Bandíchhor	Dáta Bandichhor	Place of Pilgrimage.	Ditto.
दताना ...	Datáná ...	Datána ...	Guaranteed Thákurat.	Western Malwa Agency.
दतिया ...	Datiá ...	Datia ...	Town and State...	Bundelkhand.
दत्तीगांव ...	Dattígáon ...	Dattigaon ...	Town ...	Bheel Agency.
दतवारा ...	Datwárá ...	Dawára ...	Ditto ...	Deputy Bheel Agency, Barwáni.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES —*continued.*			
डेहरी ...	Dehrí ...	Dehri ...	Town ...	Bheel Agency.
डेंड ...	Dend ...	Dend ...	Great Trigonometrical Survey Station.	Gwalior.
देवगढ़ ...	Deogarh ...	Deogarh ...	Town ...	Ditto.
देवगुराड़ीया ...	Deogurárïá ...	Deogurária ...	Village, place of Pilgrimage.	Indore.
देवझीरी ...	Deojhírí ...	Deojhíri ...	Place of Pilgrimage.	Bheel Agency.
देवला ...	Deolá ...	Deola ...	Ditto ...	Ditto.
देवराजनगर ...	Deorájnagar ...	Deorájnagar ...	Town ...	Baghelkhand.
देवरी ...	Deorí ...	Deori ...	Town and Pergunnah.	Bhopal.
देपालपुर ...	Depálpur ...	Depálpur ...	Ditto ...	Indore.
देवीपुरा ...	Devípurá ...	Devipura ...	Ditto ...	Bhopal.
देवीसागर ...	Devíságar ...	Deviságar ...	Lake ...	Bheel Agency.
देवास ...	Dewás ...	Dewás ...	Town, State, and Pergunnah.	Dewás, Indore Central Agency
ढाबलाढोर ...	Dhábla Dhír ...	Dhábla Dhír ...	Guaranteed Thákurat.	Bhopal Political Agency.
ढाबलाघोसी ...	Dhábla Ghosí ...	Dhábla Ghosi ...	Ditto ...	Ditto.
धमनार ...	Dhamnár ...	Dhamnár ...	Town ...	Indore.
धामनोद ...	Dhámnod ...	Dhámnod ...	Village ...	Deputy Bheel Agency, Dhár.
धनेला ...	Dhanelá ...	Dhanela ...	Town ...	Gwalior.
धनगांव ...	Dhangáon ...	Dhangaon ...	Guaranteed Thákurat.	Central India Agency.
धरगांव ...	Dhargáon ...	Dhargaon ...	Town and Pergunnah.	Deputy Bheel Agency, Indore.
धावड़ागंजारा ...	Dháwara Ganjárá	Dháora Ganjára	Guaranteed Bheel Tarwee.	Holkar Central India Agency.
धार ...	Dhár ...	Dhár ...	State, Town, and Pergunnah.	Bheel Agency.
धरमराय ...	Dharam Rái ...	Dharam Rai ...	Thákurat ...	Ditto.
धोत्रा ...	Dhotra ...	Dhotra ...	Guaranteed Thákurat.	Ditto.
धरमपुरी ...	Dharmpurí ...	Dharmpuri ...	District and Town	Dhár Bheel Agency.
धरनावदा ...	Dharnáodá ...	Dharnáoda ...	Town ...	Goona Agency, Gwalior.
धौरहरा ...	Dhaurahrá ...	Dhaurahra ...	Ditto ...	Baghelkhand.
धवां ...	Dhawán ...	Dhawán ...	Ditto ...	Gwalior.
धोढर ...	Dhodhar ...	Dhodhar ...	Ditto ...	Ditto.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES —*continued.*			
धोवी ...	Dhoví ...	Dhowi ...	Great Trigonometrical Survey Station.	Gwalior.
धुरवई ...	Dhurwaí ...	Dhurwai ...	Jágír and Town ...	Bundelkhand.
डिकठान ...	Díkthán ...	Dikthán ...	District and Town	Bheel Agency, Gwalior.
डिलौद ...	Dilaud ...	Dilaud ...	Town and Pergunnah.	Bhopal.
डिलरा ...	Dilrá ...	Dilra ...	Town ...	Baghelkhand.
दीप ...	Díp ...	Díp ...	Ditto ...	Bhopal.
डोंडरी ...	Dondrí ...	Dondri ...	Ditto ...	Gwalior.
डोरा ...	Dorá ...	Dora ...	Ditto ...	Baghelkhand.
दुलेटा ...	Duletá ...	Duleta ...	Guaranteed Thákurat.	Bhopal Political Agency.
दुपाड़ा ...	Dupárá ...	Dupára ...	Town ...	Western Malwa, Gwalior.
दुरायहा ...	Duraihá ...	Duraiha ...	Town and Pergunnah.	Bhopal.
फरह ...	Farah ...	Farah ...	Town ...	Gwalior.
फतेहाबाद ...	Fatehábád ...	Fatehabad ...	Town and Railway Station.	Ditto.
फतेगढ ...	Fatehgarh ...	Fatehgarh ...	Town ...	Goona Agency.
फीरोजपुर ...	Fírozpur ...	Fírozpur ...	Topes ...	Bhopal.
गंगापुर ...	Gangápur ...	Gangapur ...	Town and Post Office.	Gwalior.
गंगराड ...	Gangrár ...	Gangrár ...	Town ...	Western Malwa Agency, Jhalawar.
गंगवरीया ...	Gangwariya ...	Gangwaria ...	Ditto ...	Baghelkhand.
गाढाघाट ...	Gárághát ...	Gáraghát ...	Staging Bungalow	Gwalior.
गरौट ...	Garaut ...	Garaut ...	Town and Pergunnah.	Holkar.
गरगजा ...	Gargajá ...	Gargaja ...	Great Trigonometrical Survey Station.	Gwalior.
गडगुच्छा ...	Garhguchhá ...	Garhguchha ...	Town and Pergunnah.	Dewás.
गढी ...	Garhí ...	Garhi ...	Bhúmiat and Village.	Deputy Bheel Agency.
गढीअंबापानी ...	Garhí Ambápání	Garhi Ambapáni	Town and Pergunnah.	Bhopal.
गरौली ...	Garraulí ...	Garrauli ...	Jágír and Town ...	Bundelkhand.
गौरिहार ...	Gaurihár ...	Gaurihár ...	Town and Jágír ...	Ditto.
घैरतगंज ...	Ghairatganj ...	Ghairatganj ...	Town and Pergunnah.	Bhopal.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
घाटीगांव ...	Ghátígáon ...	Ghátigaon ...	Staging Bungalow	Gwalior.
घोरकाट ...	Ghorkát ...	Ghorkát ...	Town ...	Baghelkhand.
घुनवाड़ा ...	Ghunwárá ...	Ghunwára ...	Ditto ...	Ditto.
गिरवाई ...	Girwáí ...	Girwai ...	Ditto ...	Gwalior.
गोगावा ...	Gogáwa ...	Gogáwa ...	Ditto ...	Deputy Bheel Agency, Holkar.
गोहद ...	Gohad ...	Gohad ...	Town and Fort ...	Gwalior.
गोंडवाना ...	Gondwáná ...	Gondwána ...	Division ...	Holkar.
गुना ...	Guná ...	Goona ...	Cantonment ...	Goona Political Agency.
गोपालपुर ...	Gopálpur ...	Gopálpur ...	Town ...	Gwalior.
गोपालपुरा ...	Gopálpurá ...	Gopálpura ...	Great Trigonometrical Survey Station.	Ditto.
गोरमी ...	Gormín ...	Gormín ...	Town and Fort ...	Ditto.
गोतरा ...	Gotrá ...	Gotra ...	Town ...	Ditto.
गोविंदगढ़ ...	Gobindgarh ...	Govindgarh ...	Town and Fort ...	Baghelkhand.
गुगोर ...	Gugor ...	Gugor ...	Town ...	Goona Political Agency, Tonk.
गुगुपाड़ा ...	Gugupárá ...	Gugupára ...	Great Trigonometrical Survey Station.	Gwalior.
गुजरी ...	Gujrí ...	Gujri ...	Village ...	Deputy Bheel Agency, Dhár.
गुलगांव ...	Gulgáon ...	Gulgaon ...	Town and Pergunnah.	Bhopal.
गुमानपुर ...	Gumánpur ...	Gumánpur ...	Great Trigonometrical Survey Station.	Gwalior.
गुंगौर ...	Gungaur ...	Gungaur ...	Town ...	Baghelkhand.
गुढ़ा ...	Gurhá ...	Gurha ...	Ditto ...	Ditto.
ग्वालीयार ...	Gwáliár ...	Gwalior ...	State, Town, and Fort.	Gwalior.
ग्यारसपुर ...	Gyáraspur ...	Gyáraspur ...	Town and Pergunnah.	Bhopal Political Agency, Gwalior.
हंडियापुर ...	Handiápur ...	Handiapur ...	Great Trigonometrical Survey Station.	Gwalior.
हनुमना ...	Hanumaná ...	Hanumana ...	Town ...	Baghelkhand.
हरकिया ...	Harkiá ...	Harkia ...	Lake ...	Western Malwa Agency.
हासिलपुर ...	Hásilpur ...	Hásilpur ...	Town and Pergunnah.	Holkar.
हतीयापहाड़ ...	Hatiápahár ...	Hatiapahár ...	Great Trigonometrical Survey Station.	Gwalior.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
हतनी ...	Hatní ...	Hatni ...	Town ...	Gwalior.
हिमालगढ़ ...	Himálgarh ...	Himálgarh ...	Town and Fort ...	Ditto.
हिनौती ...	Hinautí ...	Hinauti ...	Town ...	Baghelkhand.
हींगलाजगढ़ ...	Hínglájgarh ...	Hinglájgarh ...	Fort ...	Holkar.
हिंगोना ...	Hingoná ...	Hingona ...	Town ...	Gwalior.
हिरनगांव ...	Hirangáon ...	Hirangaon ...	Town and Pergunnah.	Holkar.
हिरनफाल ...	Hiran Phál ...	Hiran Phál ...	Rapid in the Nerbudda.	Ditto.
हीरापुर ...	Hírápur ...	Hírapur ...	Guaranteed Thákurat.	Bhopal Political Agency.
इछावर ...	Ichháwar ...	Ichháwar ...	Town and Pergunnah.	Bhopal.
इंदौर ...	Indaur ...	Indore ...	Town and State ...	Holkar.
इंदुरखी ...	Indurkhí ...	Indurkhi ...	Town ...	Gwalior.
ईसागढ़ ...	Íságarh ...	Ísagarh ...	District, Town, and Fort.	Ditto.
इतिमादपुर ...	Itimádpur ...	Itimádpur ...	Great Trigonometrical Survey Station.	Ditto.
जबरियाभील ...	Jabriá Bhíl ...	Jabria Bhíl ...	Guaranteed Thákurat.	Bhopal Political Agency.
जगापुर ...	Jagápur ...	Jagapur ...	Great Trigonometrical Survey Station.	Gwalior.
जगीपुरा ...	Jagípurá ...	Jagipura ...	Ditto ...	Ditto.
जगनहट ...	Jagnahat ...	Jagnahat ...	Town ...	Baghelkhand.
जहांगीरपुर ...	Jahángírpur ...	Jahángirpur ...	Ditto ...	Gwalior.
जहांखेड़ी ...	Jahánkherí ...	Jahánkheri ...	Great Trigonometrical Survey Station.	Ditto.
जैतवार ...	Jaitwár ...	Jaitwár ...	Railway Station...	Baghelkhand.
जलगुन ...	Jalgun ...	Jalgun ...	Fort ...	Deputy Bheel Agency, Barwáni.
जामगोद ...	Jámgod ...	Jámgod ...	Village and Fair...	Dewás.
जामली ...	Jámlí ...	Jámli ...	Town ...	Bheel Agency.
जामनेर ...	Jámner ...	Jámner ...	Ditto ...	Goona Political Agency.
जामनिया ...	Jámniá ...	Jámnia ...	Bhúmiat and Village.	Deputy Bheel Agency.
जामूनीया ...	Jámúníá ...	Jámúnia ...	Town and Pergunnah.	Holkar.
जरियारी ...	Jariyárí ...	Jariári ...	Town ...	Baghelkhand.
जावरा ...	Jáora ...	Jaora ...	Town and State ...	Western Malwa Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
जारड़ा ...	Járrá ...	Járra ...	Town and Pergunnah.	Holkar.
जसो ...	Jaso ...	Jaso ...	Town and Jágír ...	Bundelkhand.
जाट ...	Ját ...	Ját ...	Great Trigonometrical Survey Station.	Gwalior.
जौंरा ...	Jaunrá ...	Jaunra ...	Town ...	Ditto.
जावद ...	Jáwad ...	Jáwad ...	Town and Fort ...	Ditto.
जावर ...	Jáwar ...	Jáwar ...	Town and Pergunnah.	Bhopal.
जवासिया ...	Jawásiá ...	Jawásia ...	Guaranteed Thákurat.	Western Malwa Agency.
जेथारी ...	Jethárí ...	Jethári ...	Town and Pergunnah.	Bhopal.
झाबुआ ...	Jhábuá ...	Jhábua ...	State and Town ...	Bheel Agency.
झकड़ावदा ...	Jhakráodá ...	Jhakráoda ...	Town ...	Ditto.
झलेरा ...	Jhalerá ...	Jhalera ...	Guaranteed Thákurat.	Bhopal Political Agency.
झाली ...	Jhálí ...	Jháli ...	Town ...	Baghelkhand.
झांसी ...	Jhánsí ...	Jhánsi ...	District, Fort and Town.	Gwalior.
झीरी ...	Jhírí ...	Jhíri ...	Town ..	Ditto.
जिगनी ...	Jigní ...	Jigni ...	Town and Jágír ...	Bundelkhand.
जीगनी ...	Jígní ...	Jígni ...	Town ...	Gwalior.
जीरन ...	Jíran ...	Jíran ...	Ditto ...	Ditto.
जोबट ...	Jobat ...	Jobat ...	Town and State ...	Bheel Agency.
जोंकर ...	Jonkar ...	Jonkar ...	Town ...	Gwalior.
जुकेही ...	Jukehí ...	Jukehi ...	Railway Station ...	Baghelkhand.
जुलवाना ...	Julwáná ...	Julwána ...	Village ...	Deputy Bheel Agency, Barwáni.
कचावदा ...	Kacháwadá ...	Kacháoda ...	Town ...	Gwalior.
काछीबड़ोदा ...	Káchhí Barodá...	Káchhi Baroda...	Town and Thákurat.	Bheel Agency.
कचनेर सराय ...	Kachner Saráí ...	Kachner Sarai ...	Town ...	Gwalior.
कदौरा ...	Kadaurá ...	Kadaura ...	Ditto ...	Bundelkhand.
कलीखेड़ी ...	Kaliá Kherí ...	Kalia Kheri ...	Town and Pergunnah.	Bhopal.
कालीबावड़ी ...	Kálí Báorí ...	Káli Báori ...	Bhúmiat ...	Bheel Agency.
कालीपीत ...	Kálípít ...	Kálipít ...	Town and Pergunnah.	Rájgarh State.
कलियानपुरा ...	Kalyánpurá ...	Kalyánpura ...	Town ...	Bheel Agency.
काकड़खेड़ी ...	Kákar Kherí ...	Kákar Kheri ...	Guaranteed Thákurat.	Bhopal Political Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
कालूहेड़ा ...	Kálúherá ...	Káluhera ...	Guaranteed Thákurat.	Western Malwa Agency.
कमाल मौला ...	Kamál Maulá ...	Kamál Maula ...	Ruins ...	Bheel Agency.
कमालपुर ...	Kamálpur ...	Kamálpur ...	Guaranteed Thákurat.	Bhopal Political Agency.
कामतारजौला ...	Kámtá Rajaulá...	Kámta Rajaula...	Jágír and Town	Bundelkhand.
कनहरा ...	Kanahrá ...	Kanahra ...	Town and Fort ...	Gwalior.
कानड़ ...	Kánar ...	Kánar ...	Town ...	Ditto.
कंचनपुर ...	Kanchanpur ...	Kanchanpur ...	Ditto ...	Baghelkhand.
कंजारड़ा ...	Kanjárrá ...	Kanjárra ...	Town and Pergunnah.	Holkar.
कांकड़ाखो ...	Kánkrákho ...	Kánkrakho ...	Deep ravine ...	Bheel Agency.
कंकरेज ...	Kankrej ...	Kankrej ...	Place of Pilgrimage.	Ditto.
कांटाफो ...	Kántáphor ...	Kántaphor ...	Town and Pergunnah.	Holkar.
कानवन ...	Kánvan ...	Kánwan ...	Town ...	Bheel Agency.
करही ...	Karahí ...	Karahi ...	Ditto ...	Baghelkhand.
कड़ौदिया ...	Karaudiá ...	Karaudia ...	Guaranteed Thákurat.	Indore, Central India Agency.
करहीया ...	Karhiá ...	Karhia ...	Town ...	Gwalior.
करसरा ...	Karsará ...	Karsara ...	Ditto ...	Baghelkhand.
करसोद ...	Karsod ...	Karsod ...	Ditto ...	Gwalior.
करवड़ ...	Karwar ...	Karwar ...	Ditto ...	Bheel Agency.
कसारी ...	Kasárí ...	Kasári ...	Ditto ...	Dewás.
कसेरी ...	Kaserí ...	Kaseri ...	Great Trigonometrical Survey Station.	Gwalior.
कठीवाड़ा ...	Kathíwárá ...	Kathiwára ...	Thákurat ...	Bheel Agency.
कटकोन ...	Katkon ...	Katkon ...	Town ...	Baghelkhand.
काटकूट ...	Kátkút ...	Kátkút ...	Town and Pergunnah.	Holkar.
कायथा ...	Káyathá ...	Káyatha ...	Ditto ...	Ditto.
केदारनाथ ...	Kedárnáth ...	Kedárnáth ...	Fair ...	Goona Political Agency.
केसूर ...	Kesúr ...	Kesúr ...	Town ...	Bheel Agency, Dhár.
केथरी ...	Kethrí ...	Kethri ...	Fort ...	Gwalior.
खाचरौद ...	Kháchrand ...	Kháchrand ...	Town and Post Office.	Ditto.
खल ...	Khal ...	Khal ...	Village ...	Deputy Bheel Agency, Dhár.
खालथौन ...	Khálthaun ...	Khálthaun ...	Guaranteed Thákurat.	Goona Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
खंड़रौधी ...	Khanrraudhí ...	Khanrraudhi ...	Town ...	Baghelkhand.
खड़ाडिही ...	Kharádihí ...	Kharadihi ...	Ditto ...	Ditto.
खड़ावदा ...	Kharáodá ...	Kharáoda ...	Town and Pergunnah.	Holkar.
खरगोन ...	Khargon ...	Khargon ...	Ditto ...	Deputy Bheel Agency, Holkar.
खरसौद ...	Kharsaud ...	Kharsaud ...	Village and Police Station.	Gwalior.
खनियाधाना ...	Khaniyádháná	Khaniadhána ...	Jágír and Town ...	Bundelkhand.
खरसिया ...	Kharsiá ...	Kharsia ...	Guaranteed Thákurat.	Bhopal Political Agency.
खरसौझलारिया ...	Kharsí Jhaláriá	Kharsi Jhalária	Ditto ...	Indore, Central India.
खटखरी ...	Khatkharí ...	Khatkhari ...	Town ...	Baghelkhand.
खवासा ...	Khawásá	Khawása ...	Ditto ...	Bheel Agency.
खीयावदा ...	Khiyáodá ...	Khiáoda ...	Ditto ...	Goona Political Agency, Sindhia.
खिलचीपुर ...	Khilchípur ...	Khilchipur ...	Town and State ...	Tributary to Gwalior, Bhopal Agency.
खुजनेर ...	Khujner ...	Khujner ...	Town and Pergunnah.	Narsinghgarh State.
खुर्दी ...	Khurdí ...	Khurdi ...	Village ...	Deputy Bheel Agency, Mánpur.
खुररमपुर ...	Khurrampur ...	Khurrampur ...	Ditto ...	Deputy Bheel Agency, Holkar.
खुठहा ...	Khuthá ...	Khutha ...	Town ...	Baghelkhand.
किटहा ...	Kithá ...	Kitha ...	Ditto ...	Ditto.
कोद ...	Kod ...	Kod ...	Ditto ...	Bheel Agency.
कोलारस ...	Koláras ...	Koláras ...	Ditto ...	Gwalior.
कोटेकीसराय ...	Kote-kí Sarái ...	Kote-ki-Sarai ...	Ditto ...	Ditto.
कोटेश्वर ...	Koteshvar ...	Koteshwar ...	Place of Pilgrimage.	Bheel Agency.
कोंठीदे ...	Kothíde ...	Kothide ...	Bhúmiat and Village.	Deputy Bheel Agency.
कोठी ...	Kothí ...	Kothi ...	Town and State ...	Baghelkhand.
कोठरी ...	Kothrí ...	Kothri ...	Town and Pergunnah.	Holkar, Western Malwa Agency.
कोटरा ...	Kotrá ...	Kotra ...	Ditto ...	Rájgarh.
कोतवाल ...	Kotwál ...	Kotwál ...	Town ...	Gwalior.
कुबजासंगम ...	Kubjá Sangam...	Kubja Sangam...	Place of Pilgrimage.	Bheel Agency.
कुकड़ेश्वर ...	Kukreshar ...	Kukreshar ...	Town and Pergunnah.	Holkar.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
कूकसी ...	Kúksí ...	Kúksi ...	Town and Pergunnah.	Bheel Agency, Dhár.
कुमराज ...	Kumráj ...	Kumráj ...	Town ...	Goona Political Agency, Sindhia.
कुंजरोद ...	Kunjrod ...	Kunjrod ...	Ditto ...	Deputy Bheel Agency, Jámnia.
कुरैल ...	Kurail ...	Kurail ...	Lake ...	Western Malwa Agency.
कुरवाई ...	Kurwáí ...	Kurwai ...	State and Town ...	Bhopal Agency.
लदारा ...	Ladárá ...	Ladára ...	Town ...	Gwalior.
लधोरा ...	Ladhorá ...	Ladhora ...	Ditto ...	Ditto.
लदूनीया ...	Ladúniá ...	Ladúnia ...	Lake ...	Western Malwa Agency.
लहार ...	Lahár ...	Lahár ...	Town and Fort ...	Gwalior.
लखनवाह ...	Lakhanwáh ...	Lakhanwáh ...	Town ...	Baghelkhand.
लाकोली ...	Lákolí ...	Lákoli ...	Great Trigonometrical Survey Station.	Gwalior.
लालगढ ...	Lálgarh ...	Lálgarh ...	Guaranteed Thákurat.	Western Malwa Agency.
लड़ावद ...	Laráwad ...	Laráwad ...	Guaranteed State	Bhopal Political Agency.
लष्कर ...	Lashkar ...	Lashkar ...	Capital Town ...	Gwalior.
लाटमसजिद ...	Lát Masjid ...	Lát Masjid ...	Ruins ...	Bheel Agency.
लौर ...	Laur ...	Laur ...	Town ...	Baghelkhand.
लिवानी ...	Liwání ...	Liwáni ...	Town and Pergunnah.	Holkar.
लोहरौरा ...	Lohraurá ...	Lohraura ...	Town ...	Baghelkhand.
लुहारा ...	Luhárá ...	Luhára ...	Great Trigonometrical Survey Station.	Gwalior.
लुघासी ...	Lughási ...	Lughási ...	Jágír and Town ...	Bundelkhand.
माचलपुर ...	Máchalpur ...	Máchalpur ...	Town and Pergunnah.	Holkar.
मछेर ...	Machher ...	Machher ...	Great Trigonometrical Survey Station.	Gwalior.
माधोगठ ...	Mádhogarh ...	Mádhogarh ...	Town ...	Baghelkhand.
मदरानी ...	Madráni ...	Madráni ...	Fair ...	Bheel Agency.
मगर्दहा ...	Magardahá ...	Magardaha ...	Town ...	Baghelkhand.
मगरावली ...	Magráwalí ...	Magráoli ...	Ditto ...	Gwalior.
मगरोनी ...	Magroní ...	Magroni ...	Town and Fort ...	Ditto.
मगसी ...	Magsí ...	Magsi ...	Town ...	Ditto.
महाराजपुर ...	Maháráipur ...	Maharáipur ...	Ditto ...	Ditto.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
महिसर ...	Mahesar ...	Mahesar ...	Town, Pergunnah and Fort.	Holkar.
मही ...	Mahí ...	Mahi ...	Town ...	Gwalior.
महोना ...	Mahoná ...	Mahona ...	Ditto ...	Ditto.
महु ...	Mahu ...	Mahu ...	Town and Pergunnah.	Narsinghgarh.
मैहर ...	Maihar ...	Maihar ...	State, Town and Railway Station.	Baghelkhand.
मेन ...	Men ...	Men ...	Guaranteed Bheel Turwee.	Central India Agency.
मैरा ...	Mairá ...	Maira ...	Town ...	Baghelkhand.
मझगवां ...	Majhgawán ...	Majhgawán ...	Ditto ...	Ditto.
मझूली ...	Majhúlí ...	Majhúli ...	Ditto ...	Ditto.
मकसूदनगड़ ...	Maksúdangarh...	Maksúdangarh...	Town and State ...	Bhopal Agency.
मलावर ...	Maláwar ...	Maláwar ...	Town and Pergunnah.	Rájgarh.
मलहारगढ़ ...	Malhárgarh ...	Malhárgarh ...	Ditto ...	Western Malwa Agency, Jaora.
मलहारगढ़ ...	Malhárgarh ...	Malhárgarh ...	Town ...	Gwalior.
मालवा ...	Málwa ...	Malwa ...	Province ...	Holkar, Bhopal, &c.
ममोनी ...	Mamoní ...	Mamoni ...	Great Trigonometrical Survey Station.	Gwalior.
मनासा ...	Manásá ...	Manása ...	Town and Pergunnah.	Holkar.
मनावर ...	Manáwar ...	Manáwar ...	Ditto ...	Bheel Agency, Gwalior.
मंडावल ...	Mandáwal ...	Mandáwal ...	Ditto ...	Western Malwa Agency, Jaora.
मंडलेसर ...	Mandalesar ...	Mandlesar ...	Fort, Town and Pergunnah.	Holkar.
मांडोगढ़ ...	Mándogarh ...	Mándogarh ...	Ruins ...	Bheel Agency, Dhár.
मन्दसौर ...	Mandsaur ...	Mandsaur ...	District and Town	Gwalior.
मनगवां ...	Mangawán ...	Mangawán ...	Town ...	Baghelkhand.
मंगोड ...	Mangor ...	Mangor ...	Fort ...	Gwalior.
मनकहरी ...	Mankahrí ...	Mankahri ...	Town ...	Baghelkhand.
मानपुर ...	Mánpur ...	Mánpur ...	District (British)	Deputy Bheel Agency.
मरदानपुर ...	Mardánpur ...	Mardánpur ...	Town and Pergunnah.	Bhopal.
मड़वास ...	Marwás ...	Marwás ...	Town ...	Baghelkhand.
माताकापुरा ...	Mátákápurá ...	Máta-ka-pura ...	Great Trigonometrical Survey Station.	Gwalior.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
मथवार ...	Mathwár ...	Mathwár ...	Thákurat ...	Bheel Agency.
मऊ ...	Maú ...	Mau ...	Great Trigonometrical Survey Station.	Gwalior.
मौगंज ...	Mauganj ...	Mauganj ...	Pergunnah ...	Baghelkhand.
मेहगवां ...	Mehgawán ...	Mehgawán ...	Town ...	Gwalior.
मैहदपुर ...	Maihadpur ...	Mehidpur ...	Cantonment, Town and Pergunnah.	Holkar.
मह्व				
मह्व ...	Mahu ...	Mhow ...	Cantonment ...	Ditto.
मीर्गनाथ ...	Mirgnáth ...	Mirgnáth ...	Great Trigonometrical Survey Station.	Gwalior.
मो ...	Mo ...	Mo ...	Town ...	Ditto.
मोहनपुर ...	Mohanpur ...	Mohanpur ...	Ditto ...	Ditto.
मोहीपुरा ...	Mohípurá ...	Mohipura ...	Ditto ...	Deputy Bheel Agency, Barwáni.
मुहम्मदगढ ...	Muhammadgarh	Muhammadgarh	State and Town ...	Bhopal Agency.
मुरार ...	Murár ...	Morar ...	Cantonment ...	Gwalior.
मुलथान ...	Multhán ...	Multhán ...	Town ...	Bheel Agency.
मुंडीयागढ़ ...	Mundiyágarh ...	Mundiagarh ...	Village ...	Goona Political Agency.
मूंडरा ...	Múndrá ...	Múndra ...	Fair ...	Ditto.
मुंजसागर ...	Munj Ságar ...	Munj Ságar ...	Lake ...	Bheel Agency.
नागलवाड़ी ...	Nágalwárí ...	Nágalwári ...	Town and Pergunnah.	Holkar.
नागेश्वर ...	Nágeshvar ...	Nágeshwar ...	Place of Pilgrimage.	Bheel Agency.
नागोद ...	Nágod ...	Nagode ...	Town and State ...	Baghelkhand.
नगरी ...	Nagrí ...	Nagri ...	Village ...	Western Malwa Agency, Sindhia.
नाहरगढ़ ...	Náhargarh ...	Náhargarh ...	Town ...	Gwalior.
नैगावांरिबई ...	Naigawán Ribaí	Naigawán Ribai	Jágír and Town ...	Bundelkhand.
नईसराय ...	Naí Saráe ...	Nai Sarai ...	Town ...	Goona Political Agency, Sindhia.
नाल ...	Nál ...	Nál ...	Ditto ...	Gwalior.
नालछा ...	Nálchhá ...	Nálchha ...	Pergunnah ...	Bheel Agency, Dhár.
नलखेड़ा ...	Nalkherá ...	Nalkhera ...	Town ...	Gwalior.
नंदना ...	Nandná ...	Nandna ...	Ditto ...	Ditto.
नंदवाई ...	Nandwáí ...	Nandwai ...	Town and Pergunnah.	Holkar.
नारायनगढ़ ...	Náráyangarh ...	Náráyangarh ...	Ditto ...	Ditto.
नरसिंघगढ़ ...	Narsinghgarh ...	Narsinghgarh ...	State and Town ...	Bhopal Political Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
नरवर ...	Narwar ...	Narwar ...	District, Town and Fort.	Gwalior.
नरवर ...	Narwar ...	Narwar ...	Guaranteed Thákurat.	Western Malwa Agency.
नौगांव ...	Naugáon ...	Naugaon ...	Ditto ...	Ditto.
नौलाना ...	Naulánú ...	Naulána ...	Ditto ...	Ditto.
नयागांव ...	Nayágáon ...	Nayagaon ...	Town ...	Bundelkhand.
नायल ...	Náyal ...	Náyal ...	Ditto ...	Gwalior.
नजीराबाद ...	Nazírábád ...	Nazírabad ...	Town and Pergunnah.	Bhopal.
नीमच ...	Nímach ...	Neemuch ...	District, Town and Cantonment.	Gwalior.
निहकलिंग ...	Nihkaling ...	Nihkaling ...	Town and Fair ...	Dewás.
निमनपुर ...	Nimanpur ...	Nimanpur ...	Pergunnah ...	Bheel Agency, Dhár.
निमाड़ ...	Nimár ...	Nimár ...	Division ...	Holkar.
निमावड़ ...	Nimáwar ...	Nimáwar ...	Town and Pergunnah.	Ditto.
निमावड़पचमहाल ...	Nimáwar Pachmahál.	Nimáwar Pachmahál.	Division ...	Ditto.
नीमदांत ...	Nímdánt ...	Nímdánt ...	Great Trigonometrical Survey Station.	Gwalior.
नीमखेड़ा ...	Nímkherá ...	Nímkhera ...	Bhúmiat ...	Bheel Agency.
नीमखेड़ी ...	Nímkherí ...	Nímkheri ...	Camping ground, Agra and Bombay Road.	Goona Political Agency.
नौगांव ...	Naugáon ...	Nowgong ...	Cantonment ...	Bundelkhand.
नूराबाद ...	Núrábád ...	Núrabad ...	Town ...	Gwalior.
ओरछा ...	Orchhá ...	Orchha ...	Town and State ...	Bundelkhand.
पछार ...	Pachhár ...	Pachhár ...	Town ...	Goona Political Agency, Sindhia.
पचोर ...	Pachor ...	Pachor ...	Town and Pergunnah.	Narsinghgarh.
पचोर ...	Pachor ...	Pachor ...	Town ...	Gwalior.
पचपाहाड़ ...	Pach Pahár ...	Pach Pahár ...	Town and Pergunnah.	Western Malwa Agency, Jhalawar.
पाडलिया ...	Pádliá ...	Pádlia ...	Town ...	Deputy Bheel Agency, Dewás.
पगार ...	Pagár ...	Pagár ...	Ditto ...	Baghelkhand.
पगारो ...	Pagáro ...	Pagáro ...	Great Trigonometrical Survey Station.	Gwalior.
पहारगढ़ ...	Pahárgarh ...	Pahárgarh ...	Town ...	Ditto.
पहाड़ीबंका ...	Pahárí Banká ...	Pahári Banka ...	Town and Jágír ...	Bundelkhand.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
पहरा ...	Pahrá ...	Pahra ...	Town and Jágír ...	Bundelkhand.
पाखरीयापुरा ...	Pákhariyápurá ...	Pákhariapura ...	Village ...	Goona Political Agency, Sindhia.
पाला ...	Pálá ...	Pála ...	Town ...	Baghelkhand.
पालदेव ...	Páldeo ...	Páldeo ...	Jágír and Town ...	Bundelkhand.
पालपुर ...	Pálpur ...	Pálpur ...	Town ...	Gwalior.
पानबिहार ...	Pánbihár ...	Pánbihár ...	Lake and Town ...	Western Malwa Agency.
पांडवोंकी गुफा ...	Pándavonkí Guphá.	Pánch Pándu ...	Caves ...	Bheel Agency.
पानीबिजवार ...	Páni Bijwár ...	Páni Bijwár ...	Town and Pergunnah.	Holkar.
पन्ना ...	Panná ...	Panna ...	State and Town ...	Bundelkhand.
पंथपीपलौदा ...	Panth Píplaudá	Panth Píplauda	Guaranteed Estate	Western Malwa Agency.
पारा ...	Párá ...	Pára ...	Pergunnah ...	Bheel Agency.
परदा ...	Pardá ...	Parda ...	Town and Pergunnah.	Holkar.
पाड़ोन ...	Páron ...	Páron ...	State and Town ...	Goona Political Agency.
पाटन ...	Pátan ...	Pátan ...	Town and Pergunnah.	Narsinghgarh.
पतौरा ...	Pataurá ...	Pataura ...	Town ...	Baghelkhand.
पाथरकछार ...	Páthar Kachhár	Páthar Kachhár	Town and Jágír ...	Bundelkhand.
पथरौधा ...	Pathraudhá ...	Pathraudha ...	Town ...	Baghelkhand.
पाटी ...	Pátí ...	Páti ...	Ditto ...	Deputy Bheel Agency, Barwáni.
पठारी ...	Patháří ...	Patháři ...	State and Town ...	Bhopal Agency.
पठारो ...	Patháří ...	Patháři ...	Guaranteed Thákurat.	Indore, Central India Agency, Dewás.
पठारिया ...	Pathériá ...	Pathéria ...	Ditto ...	Ditto.
पतरहट ...	Patrahat ...	Patrahat ...	Town ...	Baghelkhand.
पौंडी ...	Paundí ...	Paundi ...	Ditto ...	Ditto.
पवैया ...	Pawaiyá ...	Pawaiya ...	Ditto ...	Ditto.
पिछोर ...	Pichhor ...	Pichhor ...	Ditto ...	Gwalior.
पिकलोन ...	Piklon ...	Piklon ...	Town and Pergunnah.	Bhopal.
पीलियाखाल ...	Piliá Khál ...	Pília Khál ...	Lake ...	Western Malwa Agency.
पीपलौदा ...	Píplaudá ...	Píplauda ...	Town and Guaranteed Thákurat.	Ditto.
पीपलौन ...	Píplaun ...	Píplaun ...	Village and Police Station.	Ditto.
पीपलीया ...	Píplíá ...	Píplia ...	Pergunnah ...	Bheel Agency.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
पीपलिया ...	Pípliá ...	Píplia ...	Guaranteed Thákurat.	Western Malwa Agency.
पीपलीयाबिजोलि ...	Píplia Bijolí ...	Píplia Bijoli ...	Topes ...	Bhopal.
पिपरौंद ...	Pipraund ...	Pipraund ...	Town ...	Baghelkhand.
पिड़ावा ...	Piráwá ...	Piráwa ...	Town and Pergunnah.	Western Malwa Agency, Tonk.
पिटलावद ...	Pitláwad ...	Pitláwad ...	Ditto ...	Holkar.
पोपावतीगढ़ ...	Popáwatígarh ...	Popáwatigarh ...	Place of Pilgrimage.	Bheel Agency.
पोरी ...	Porí ...	Pori ...	Town ...	Gwalior.
पन्यार ...	Panyár ...	Punniar ...	Battle field ...	Ditto.
पुरनीया ...	Purniá ...	Purnia ...	Lake ...	Bheel Agency.
पुरवा ...	Purwá ...	Purwa ...	Town ...	Baghelkhand.
राघोगढ़ ...	Rághogarh ...	Rághogarh ...	State, Town and Fort.	Goona Political Agency.
राघोगढ़ ...	Rághogarh ...	Rághogarh ...	Town and Fort ...	Dewás.
रघुनाथपुर ...	Raghunáthpur ...	Raghunáthpur ...	Town ...	Gwalior.
रायपुर ...	Ráepur ...	Raepur ...	Town and Great Trigonometrical Survey Station.	Ditto.
रायपुर ...	Ráepur ...	Raepur ...	Town and Pergunnah.	Holkar.
रायपुरिया ...	Ráipuriá ...	Raepuria ...	Fair ...	Bheel Agency.
रायसेन ...	Ráisen ...	Raesen ...	Town ...	Bhopal.
रैगांव ...	Raigáon ...	Raigaon ...	Ditto ...	Baghelkhand.
रैकवार ...	Raikwár ...	Raikwár ...	Ditto ...	Ditto.
राजौर ...	Rájaur ...	Rájaur ...	Town and Pergunnah.	Holkar.
राजगढ़ ...	Rájgarh ...	Rájgarh ...	Town ...	Gwalior Bheel Agency.
राजगढ़ ...	Rájgarh ...	Rájgarh ...	State and Town ...	Bhopal Agency.
राजगढ़ ...	Rájgarh ...	Rájgarh ...	Bhúmiat ...	Deputy Bheel Agency.
राजपुर ...	Rájpur ...	Rájpur ...	Town ...	Deputy Bheel Agency, Barwáni.
राजपुरअली ...	Rájpur Alí ...	Rájpur Ali ...	State and Town ...	Bheel Agency.
रम्भापुर ...	Rambháp ur ...	Rámbhapur ...	Pergunnah ...	Ditto.
रामबिहार ...	Rámbihár ...	Rámbihár ...	Town and Pergunnah.	Narsinghgarh.
रामगढ़ ...	Rámgarh ...	Rámgarh ...	Fort ...	Deputy Bheel Agency, Barwáni.
रामगढ़ ...	Rámgarh ...	Rámgarh ...	Guaranteed Thákurat.	Bhopal Political Agency.
रामगढ़ ...	Rámgarh ...	Rámgarh ...	Town ...	Gwalior.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
रामनगर ...	Rámnagar ...	Rámnagar ...	Pergunnah ...	Baghelkhand.
रामनगर ...	Rámnagar ...	Rámnagar ...	Town ...	Goona Political Agency, Sindhia.
रामपुर ...	Rámpur ...	Rámpur ...	Ditto ...	Ditto.
रामपुर ...	Rámpur ...	Rámpur ...	Ditto ...	Baghelkhand.
रामपुरा ...	Rámpurá ...	Rámpura ...	Division, Town and Pergunnah.	Holkar.
रामपुरा ...	Rámpurá ...	Rámpura ...	Town ...	Gwalior.
रानापुर ...	Ránápur ...	Ránapur ...	Pergunnah ...	Bheel Agency.
रंजीया ...	Ranjiá ...	Ranjia ...	Town ...	Gwalior.
रनोद ...	Ranod ...	Ranod ...	Ditto ...	Goona Political Agency, Sindhia.
रतनगढ़ ...	Ratangarh ...	Ratangarh ...	Ditto ...	Gwalior.
रतनागर ...	Ratnágar ...	Ratnágar ...	Lake ...	Bheel Agency.
रतनमाल ...	Ratanmál ...	Ratanmál ...	Thákurat ...	Ditto.
रतवा ...	Ratwá ...	Ratwa ...	Town ...	Gwalior.
रावा ...	Ráwá ...	Ráwa ...	Ditto ...	Ditto.
रीवां ...	Ríwán ...	Rewah ...	State and Town ...	Baghelkhand.
रिगरा ...	Rigrá ...	Rigra ...	Town ...	Ditto.
रिंगनौद ...	Ringnaud ...	Ringnaud ...	Pergunnah ...	Dewás.
रिंगनोद ...	Ringnod ...	Ringnod ...	Town ...	Gwalior Bheel Agency.
रुनिजा ...	Runijá ...	Runija ...	Ditto ...	Western Malwa Agency, Sindhia.
रूठयाई ...	Rúthayái ...	Rúthiai ...	Ditto ...	Goona Political Agency.
रतलाम ...	Ratlam ...	Rutlam ...	Town and State ...	Western Malwa Agency.
सबलगढ़ ...	Sabalgarh ...	Sabalgarh ...	District, Fort and Town.	Gwalior.
सभागंज ...	Sabháganj ...	Sabhaganj ...	Town ...	Baghelkhand.
सभापुर ...	Sabháp ur ...	Sabhapur ...	Ditto ...	Ditto.
सागरतलाव ...	Ságar Taláo ...	Ságar Taláo ...	Lake ...	Bheel Agency.
सागोर ...	Ságor ...	Ságor ...	Pergunnah ...	Ditto, Gwalior.
सहसराम ...	Sahasrám ...	Sahasrám ...	Town ...	Gwalior.
सैलाना ...	Sailáná ...	Sailána ...	State and Town ...	Western Malwa Agency.
सलैया ...	Salaiyá ...	Salaiya ...	Town ...	Baghelkhand.
सालबई ...	Sálbai ...	Sálbai ...	Ditto ...	Gwalior.
सामेर ...	Sámer ...	Sámer ...	Town and Pergunnah.	Holkar.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
समथर ...	Samthar ...	Samthar ...	State and Town ...	Bundelkhand Agency.
सनावद ...	Sanáwad ...	Sanáwad ...	Town ...	Deputy Bheel Agency, Holkar.
सांची ...	Sánchí ...	Sánchi ...	Topes ...	Bhopal.
सनीचरी ...	Sanichari ...	Sanichari ...	Great Trigonometrical Survey Station.	Gwalior.
सनजीत ...	Sanjít ...	Sanjit ...	Town and Pergunnah.	Western Malwa Agency, Jaora.
सानका ...	Sánká ...	Sánka ...	Fair ...	Narsinghgarh.
सांवत ...	Sánwat ...	Sánwat ...	Great Trigonometrical Survey Station.	Gwalior.
सारंगी ...	Sárangí ...	Sárangi ...	Town ...	Bheel Agency.
सारंगपुर ...	Sárangpur ...	Sárangpur ...	Town and Pergunnah.	Dewás.
सरभंगा ...	Sarbhangá ...	Sarbhanga ...	Town ...	Baghelkhand.
सरिया ...	Sariyá ...	Saria ...	Ditto ...	Ditto.
सरीला ...	Sarílá ...	Sarila ...	Jágír and Town ...	Bundelkhand.
सतवास ...	Satwás ...	Satwás ...	Town and Pergunnah.	Holkar.
सावन ...	Sáwan ...	Sáwan ...	Town ...	Gwalior.
सीहोर ...	Síhor ...	Sehore ...	Town, Cantonment, and Pergunnah.	Bhopal.
सेमरिया ...	Semariyá ...	Semaria ...	Town ...	Baghelkhand.
सेंधवा ...	Sendhwá ...	Sendhwa ...	Fort, Town and Pergunnah.	Deputy Bheel Agency, Holkar.
शाहदौरा ...	Sháhdaurá ...	Sháhdaura ...	Town ...	Goona Political Agency, Sindhia.
शाहजहांपुर ...	Sháhjahánpur ...	Sháhjahánpur ...	District, Town, and Staging Bungalow.	Gwalior.
शाहपुर ...	Sháhpur ...	Sháhpur ...	Town ...	Baghelkhand.
शमसाबाद ...	Shamsábád ...	Shamsabad ...	Ditto ...	Gwalior.
शंकरगढ़ ...	Shankargarh ...	Shankargarh ...	Town ...	Baghelkhand.
शंकोधार ...	Shankodhár ...	Shankodhár ...	Ditto ...	Holkar.
शेरगढ़ ...	Shergarh ...	Shergarh ...	Town and Great Trigonometrical Survey Station.	Gwalior.
शिवगढ़ ...	Shiugarh ...	Shiugarh ...	Guaranteed Thákurat.	Western Malwa Agency.
शिवपुर ...	Shiupur ...	Shiupur ...	Town ...	Gwalior.
शुजाउलपुर ...	Shujáulpur ...	Shujáulpur ...	Town and Fort ...	Ditto.
सिहावल ...	Siháwal ...	Siháwal ...	Town ...	Baghelkhand.
सिकारपुर ...	Sikárpur ...	Sikárpur ...	Railway Station ...	Gwalior.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES—*continued.*			
सिकरवार ...	Sikarwár ...	Sikarwár ...	Town ...	Gwalior.
सिकरवारी ...	Sikarwárí ...	Sikarwárí ...	District ...	Ditto
सिलावद ...	Siláwad ...	Siláwad ...	Town ...	Deputy Bheel Agency, Barwáni.
सिलवानी ...	Silwáni ...	Silwáni ...	Town and Pergunnah.	Bhopal.
सिन्धारा ...	Sindhárá ...	Sindhára ...	Ditto ...	Holkar.
सिंघाना ...	Singháná ...	Singhána ...	Guaranteed Thákurat.	Indore Central Agency.
सिंगौली ...	Singolí ...	Singoli ...	Town ...	Gwalior.
सिंगरौली ...	Singraulí ...	Singraulí ...	Ditto ...	Baghelkhand.
सिपरी ...	Sipri ...	Sipri ...	Cantonment ...	Gwalior.
सरदारपुर ...	Sardárpur ...	Sirdarpore ...	Town and Cantonment.	Ditto.
सिरमौर ...	Sirmaur ...	Sirmaur ...	Town ...	Baghelkhand.
सीरपुर ...	Sírpur ...	Sírpur ...	Ditto ...	Deputy Bheel Agency, Mánpur.
सिरसी ...	Sirsí ...	Sirsi ...	Ditto ...	Goona Political Agency, Sindhia.
सीतामऊ ...	Sítámau ...	Sitamau ...	Town and State ...	Western Malwa Agency.
सितलहा ...	Sitlahá ...	Sitlaha ...	Pergunnah ...	Baghelkhand.
सितपुरा ...	Sitpurá ...	Sitpura ...	Town ...	Ditto.
सीवास ...	Síwás ...	Síwás ...	Town and Pergunnah.	Bhopal.
सोहागी ...	Sohágí ...	Sohági ...	Pergunnah ...	Baghelkhand.
सोहागपुर ...	Sohágpur ...	Sohágpur ...	Town ...	Ditto.
सोहावल ...	Soháwal ...	Soháwal ...	State and Town ...	Ditto.
सोनारी ...	Sonárí ...	Sonari ...	Topes ...	Bhopal.
सोनबरसा ...	Sonbarsá ...	Sonbarsa ...	Town ...	Baghelkhand.
सोनकच ...	Sonkach ...	Sonkach ...	Ditto ...	Western Malwa Agency, Sindhia.
सोयेत ...	Soyet ...	Soyet ...	Town and Police Office.	Ditto.
सुमावली ...	Sumáwali ...	Sumáoli ...	Town ...	Gwalior.
सुन्दरसी ...	Sundarsi ...	Sundarsi ...	Town and Pergunnah.	Holkar.
सुनेल ...	Sunel ...	Sunel ...	Ditto ...	Ditto.
सुनेरा ...	Sunerá ...	Sunera ...	Town ...	Gwalior.
सुराना ...	Suráná ...	Surána ...	Ditto ...	Deputy Bheel Agency, Barwáni.
सुरदहा ...	Surdahá ...	Surdaha ...	Ditto ...	Baghelkhand.
सुसारी ...	Susárí ...	Susári ...	Town and Fort ...	Holkar.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES —*continued.*			
सुसनेर ...	Susner ...	Susner ...	Town ...	Gwalior.
सुतालिया ...	Sutáliá ...	Sutália ...	Guaranteed Thákurat.	Bhopal Political Agency.
सतना ...	Satná ...	Sutna ...	Town ...	Baghelkhand.
ताजपुर ...	Tájpur ...	Tájpur ...	Ditto ...	Gwalior.
ताल ...	Tál ...	Tál ...	Town and Pergunnah.	Western Malwa Agency, Jaora.
तालभोपाल ...	Tál Bhopál ...	Tál Bhopál ...	Lake ...	Bhopal.
तलेन ...	Talen ...	Talen ...	Town and Pergunnah.	Rájgarh.
तलेनलाटाहेड़ी ...	Talen Látáherí ...	Talen Látaherí...	Ditto. ...	Holkar.
तनसेया ...	Tanseyá ...	Tanseya ...	Great Trigonometrical Survey Station.	Gwalior.
टप्पा ...	Tappá ...	Tappa ...	Town and Guaranteed Thákurat.	Bhopal Political Agency.
तराना ...	Taráná ...	Tarána ...	Town and Pergunnah.	Holkar.
तरावली ...	Taráolí ...	Taráoli ...	Fair ...	Bhopal.
तरांव ...	Taránw ...	Taráon ...	Jágír and Town ...	Bundelkhand.
तरौठा ...	Tarauthá ...	Tarautha ...	Town ...	Goona Political Agency, Sindhia.
टेहरी ...	Tehrí(Tíkamgarh)	Tehri ...	Town and State ...	Bundelkhand.
तेंदुन ...	Tendun ...	Tendun ...	Town ...	Baghelkhand.
थांदला ...	Thándlá ...	Thándla ...	Town and Pergunnah.	Holkar.
ठीकरी ...	Thíkrí ...	Thíkri ...	Village ...	Deputy Bheel Agency, Dhár.
टीकमगढ़ ...	Tíkamgarh ...	Tíkamgarh ...	Town ...	Bundelkhand.
टोंक ...	Tonk ...	Tonk ...	Ditto ...	Gwalior.
टोंक ...	Tonk ...	Tonk ...	Guaranteed Thákurat.	Indore, Central Agency.
तोंवरघार ...	Tonwargárh ...	Tonwarghár ...	District and Town	Gwalior.
टोड़ीफतेहपुर ...	Torí Fatehpur ...	Tori Fatehpur ...	Jágír and Town ...	Bundelkhand.
त्योंथर ...	Tyonthar ...	Tyonthar ...	Town ...	Baghelkhand.
उदेपुर ...	Udepur ...	Udepur ...	Town and Fort ...	Gwalior.
उदेपुरा ...	Udepurá ...	Udepura ...	Town and Pergunnah.	Bhopal.
उज्जैन ...	Ujjain ...	Ujjain ...	District and Town	Gwalior.
उमरकोट ...	Umarkot ...	Umarkot ...	Place of Pilgrimage	Bheel Agency.
उमरहट ...	Umrahat ...	Umrahat ...	Town ...	Baghelkhand.
उमरी ...	Umrí ...	Umri ...	Ditto ...	Goona Political Agency, Sindhia.
उमरी ...	Umrí ...	Umri ...	Ditto ...	Baghelkhand.

Vernacular.	Correct Spelling.	Spelling proposed to be adopted.	Description.	In what Territory or Agency.
	OTHER NAMES —*concluded.*			
उंचौद ...	Unchaud ...	Unchaud ...	Town ...	Gwalior.
उंचेहरा ...	Unchehrá ...	Unchehra ...	State, Town and Railway Station.	Baghelkhand.
उनेल या उनहल ...	Unel or Unhal...	Unel or Unhal...	Town ...	Gwalior.
जीरापुर ...	Zírapur ...	Zírapur ...	Town and Pergunnah.	Hkar.

By order,
T. H. MAITLAND,
2nd Asst. Agent to the Govr. Genl. for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 16th April 1877.

No. $\frac{1062}{793}$ *G.*—ERRATA, ADDENDA, AND CORRIGENDA.—Page 61, Part II of the *Gazette of India*, dated 3rd February 1877, after Ulwur, in the list of names of places there published, insert the heading "Other Names."

Page 63 for Bándikoi in column 3, read Bándikui.

Page 63, for Bari-ká-laláh, read Bari-ka-laláh.

Page 64, for Biggah, read Bigga, in column 3.

Page 65, for Chátsú, read Chátsu, in column 3.

Page 66, in column 5, opposite Deoli, add Ajmere.

Page 66, for Dwárkádhísh, in column 2, read Dwárakádhísh.

Page 67, for Dwárkánáthjí, in column 2, read Dwárakánáthjí.

Page 67, for एकलकूजी in column 1, read एकलिङ्गजी, and for Eklinji, in column 3, read Eklingji.

Page 67, for Esardah, in column 3, read Esarda.

Page 68, for Gúyahala, in column 3, read Gúyahála.

Page 68, for Himmitsar, in column 2, read Himmatsar.

Page 69, for Kapaldhárákund, in column 3, read Kapaldhárakund.

Page 70, for Kharja Bijpura, in column 3, read Kharja Bíjpura.

Page 70, for Khinwsar, in column 3, read Khínwsar.

Page 70, for Kot Kasim, in column 3, read Kot Kásim.

Page 70, for Kumalgarh, in column 3, read Kúmalgarh.

Page 71, for Luni, in column 3, read Lúni.

Page 71, for Malárna Dungar, in column 3, read Malárna Dúngar.

Page 73, for Naráyanpur, in column 2, read Náráyanpur.

Page 74, for Pílandá, in column 2, read Pílandá, and for Pilanda, in column 3, read Pilanda.

Page 74, for Raisar, in column 3, read Raesar.

Page 75, for Rámdwárá, in column 3, read Rámdwára.

Page 75, for Ráni Dúngrí, in column 3, read Rani Dúngri.

Page 75, for Rátadeyi, in column 3, read Rátadevi.

Page 78, for Mdaí (1), in column 3, read Mdai.

Page 78, for Wazirpur, in column 3, read Wazírpur.

A. C. LYALL,
Offg. Agent, Govr. Genl., for Rajputana.

The 17th April 1877.

No. $\frac{1073}{798}$ *G.*—Surgeon T. H. Hendley, Agency Surgeon, Jeypore, is granted privilege leave for two months and fourteen days, with effect from the 1st May 1877.

By Order,
H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, P. W. D., RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 19th April 1877.

No. 944*S.*—Lalla Sohun Lall, a Clerk in the Mhairwarra Division, is appointed to officiate as Accountant, 4th Grade, in the Mayo College Division, during Mr. J. C. Collins' absence on privilege leave.

By order,
A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 19th April 1877.

Privilege leave for two months is granted to Mr. John Vanderputt, Surveyor, 2nd Grade, attached to No. 4, or North-Eastern Division, Central Provinces Topographical Survey, under Supplement F, Section 12, of the Civil Leave Code, from such date as he may avail himself of the same.

The 23rd April 1877.

Privilege leave for three months is granted to Mr. F. Kitchen, Assistant Surveyor, under Section 12, Supplement F of the Civil Leave Code, from the 1st May 1877, or such date as he may avail himself of it.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

COMPTROLLER GENERAL'S OFFICE.

No. 99.—*Account of the Revenues and Expenditure of the Government of India for the ninth month of the year 1876-77, as compared with the corresponding period of 1875-76.*

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April to Dec. 1875.	April to Dec. 1876.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	12,144,896	11,810,709	...	334,187
II.—Tributes ...	700,000	483,745	459,175	...	24,570
III.—Forest ...	600,000	339,643	318,411	...	21,232
IV.—Excise on Spirits and Drugs ...	2,525,000	1,810,743	1,836,138	25,395	...
V.—Assessed Taxes ...	...	296	278	...	18
VI.—Customs ...	2,620,000	1,885,901	1,640,898	...	245,003
VII.—Salt ...	6,300,000	4,537,069	4,673,265	136,196	...
VIII.—Opium ...	8,200,000	6,186,125	6,858,537	672,412	...
IX.—Stamps ...	2,837,000	2,098,840	2,124,672	25,832	...
X.—Mint ...	124,000	77,018	167,612	90,594	...
XI.—Post Office ...	778,000	577,722	597,073	19,351	...
XII.—Telegraph* ...	281,500	126,030	153,939	27,909	...
XIII.—Law and Justice ...	316,000	238,055	247,699	9,644	...
XIV.—Marine ...	198,000	131,940	137,509	5,569	...
XV.—Interest ...	488,000	406,557	389,101	...	17,456
XVI.—Pensions ...	504,400	149,572	138,508	...	11,064
XVII.—Gain by Exchange ...	347,000	222,776	304,690	81,914	...
XVIII.—Miscellaneous ...	238,400	175,723	158,411	...	17,312
TOTAL ...	48,438,300	31,892,651	31,986,625	93,974	...
Army Receipts ...	840,800	690,976	581,558	...	79,418
Public Works, Ordinary ...	...	...	...	...	...
Ditto, Extraordinary ...	65,000	35,020	38,333	3,313	...
Canals ...	527,000	297,493	316,687	19,194	...
State Railways ...	415,000	194,320	255,724	61,404	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	5,119,925	6,069,706	949,781	...
TOTAL ...	58,174,100	38,230,685	39,248,633	1,017,948	...
England, including Army and Public Works ...	193,900	239,067	160,965	...	78,102
GRAND TOTAL ...	58,368,000	38,469,772	39,409,618	939,846	...

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 20th April 1877.*

E. W. KELLNER, *Actg. Comptroller General.*

* Telegraph accounts received up to October 1876.

E. W. WATERFIELD, *Offg. Comptroller General.*

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 179.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 28th March 1877.*

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.			IRRIGATION.			STATE RAILWAYS (CAPITAL).		
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Simla Imperial Circle.	Jan. 1877	Mar. 2, 1877	1	Rajputana ...	Jan 1877	Mar. 8, 1877	1	Wurdah Valley ...	Jan. 1877	Feb. 21, 1877
2	Central Provinces	Ditto ...	Do. 5 „	2	Madras ...	Ditto ...	Do. 26 „	2	Nagpur and Chatisgurh.	Ditto ...	Mar. 5 „
3	Assam ...	Ditto ...	Do. 8 „	3	Bengal ... Punjab ...	Ditto ...	Do. 27 „	3	Tirhoot Survey ...	Ditto ...	Do. 9 „
4	Rajputana ...	Ditto ...	Do. 14 „	5	Mysore ...	Ditto ...	Do. 28 „	4	Northern Bengal ...	Ditto ...	Do. 12 „
5	Port Blair ... Indo-European Telegraph.	Ditto ...	Do. 21 „	6	North-Western Provinces.	Dec. 1876	Feb. 28 „	5	Calcutta & South-Eastern.	Ditto ...	Do. 13 „
7	Madras ... Punjab ... Hyderabad ... Coorg ...	Ditto ...	Do. 26 „	7	Bombay ... British Burmah ...	Ditto ...	Mar. 9 „	6	Assam Extension Scebsagur Coal Line.	Ditto ...	Do. 14 „
9	Central India ... Mysore ... Hyderabad Assigned Districts.	Ditto ...	Do. 28 „		GUARANTEED RAILWAYS.			8	Sindia ...	Ditto ...	Do. 17 „
14	Oudh ...	Dec. 1876	Feb. 21 „	1	Madras ... Punjab ...	Jan. 1877	Mar. 26, 1877	9	Rajputana ...	Ditto ...	Do. 19 „
15	North-Western Provinces.	Ditto ...	Do. 26 „	3	Oudh ...	Dec. 1876	Feb. 26 „	10	Tirhoot ...	Ditto ...	Do. 22 „
16	Grand Trunk Road	Ditto ...	Mar. 2 „	4	Bengal ...	Ditto ...	Mar. 1 „	11	Rangoon and Sittang.	Ditto ...	Do. 23 „
17	Bengal ...	Ditto ...	Do. 3 „	5	Bombay ...	Ditto ...	Do. 9 „	12	Western Rajputana	Ditto ...	Do. 24 „
18	Indian Telegraph...	Ditto ...	Do. 8 „					13	Indus Valley ... Holkar ... Neemuch ...	Ditto ...	Do. 26 „
19	Military Works ...	Ditto ...	Do. 9 „					16	Nizam's ...	Ditto ...	Do. 28 „
20	British Burmah ...	Ditto ...	Do. 10 „					17	Dhond and Munmar.	Dec. 1876	Feb. 9 „
21	Bombay ...							18	Rangoon and Irrawaddy.	Ditto ...	Do. 23 „
								19	Punjab Northern...	Ditto ...	Do. 27 „
								20	Store-keeper, Calcutta.	Ditto ...	Mar. 8 „
								21	Hubli and Karwar	Ditto ...	Do. 9 „
									STATE RAILWAYS (REVENUE).		
								1	Oomraotee ... Khamgaum ...	Jan. 1877	Mar. 8, 1877
								3	Calcutta and South-Eastern.	Ditto ...	Do. 13 „
								4	Tirhoot ...	Ditto ...	Do. 22 „
								5	Nalhatee ...	Ditto ...	Do. 24 „
								6	Rajputana ...	Ditto ...	Do. 27 „
								7	Nizam's ...	Ditto ...	Do. 28 „
								8	Punjab Northern ...	Dec. 1876	Feb. 27 „
								9	Wurdah Valley ...	Ditto ...	Mar. 6 „
								10	Holkar ...	Ditto ...	Do. 26 „
								11	Neemuch ...	Ditto ...	Do. 28 „

J. J. McLEOD INNES, *Lieut.-Colonel.*,
Accountant General, P. W. Dept.

Dated 21st April 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 24th April 1877.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid-up ...	2,00,00,000	0	0	Government Securities ...	95,83,874	6	3
Reserve Fund ...	16,70,939	2	5	Loans on Government Securities, &c., at Head Office and Branches ...	55,63,222	12	5
Public Deposits at Head Office ... 1,12,17,827 4 2	2,45,82,549	0	6	Accounts of Credit on Government Securities, &c., at Head Office and Branches	57,31,684	10	8
Public Deposits at Branches ... 1,33,64,721 12 4				Bills discounted and purchased at Head Office and Branches	2,15,89,266	6	2
Other Deposits at Head Office and Branches	1,64,43,280	2	2	Balances with other Banks ...	9,35,229	4	3
Bank Post Bills, &c. ...	3,09,058	3	6	Bullion	5,93,124	1	11
Sundries	10,32,084	13	2	Dead Stock	10,23,547	14	6
				Stamps	9,923	3	11
				Sundries	1,81,382	7	10
					4,52,11,255	3	11
	Rs.	A.	P.				
Cash and Currency Notes at Head Office...	89,83,586	14	3		1,88,26,656	1	10
Cash and Currency Notes at Branches ...	98,43,069	3	7				
TOTAL ...	6,40,37,911	5	9	TOTAL ...	6,40,37,911	5	9

BANK OF BENGAL:
Calcutta, 26th April 1877.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

By order of the Directors,
W. B. CRUICKSHANK,
Offg. Secy. & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The following is the list of subjects appointed for the Examinations of 1879-80 :—

ENTRANCE EXAMINATION, 1879.

Greek.

Xenophon ... Anabasis, Book I.
Homer ... Odyssey, Book II.

Latin.

Cicero ... De Amicitiâ.
Ovid ... Fastorum Narrationes. Epistolæ de Ponto.

Sanskrit.

Extracts from Hitopadesha, Vishnupurána, and Mahábhárat in Rijupat, Part III.
Upakramaniká.

Arabic.

Selections* by Major Fuller.

Persian.

Iqd-i-gul, pages 1—105.
Iqd-i-Manzum.

Hebrew.

The Book of Genesis.

Bengali.

Selections* by the Revd. K. M. Banerjee.

Urdu.

Selections* in Prose by Raja Sivaprasad, C.S.I.
Selections* in Poetry by Mr. Browning.

Hindi.

Rámáyana ... Bálkánda.
Rájniti ... The first two chapters.

Uriya.

Rámáyana ... Sundra Kánda.
Jeebun Charita ... Translation from Iswara Chandra Vidyasagara by Fakeer Chand Sinapati.
Batris Singhasan ... The whole.

Armenian.

History of Armenia ... Books I—III.

Burmese.

Zaneka.
Dammapada ga-hta ... Selections (Rangoon Mission Press, 1873).

FIRST EXAMINATION IN ARTS, 1879.

English.

Cowper* ... Table Talk.
Goldsmith* ... The Deserted Village.
Macaulay* ... Lay of Horatius.
Pope* ... Essay on Criticism.
Johnson* ... Life of Milton.
Prescott* ... Essays on Sir W. Scott, Cervantes, and Molière.
Helps* ... Spanish Conquest of America, Vol. I, Book II.
Macaulay* ... History of England, Chap. I.

Greek.

Herodotus ... Book IV (Melpomene).
Euripides ... Hecuba.

Latin.

Catullus ... Selections.*
Ovid ... Miscellanea.*
Cicero ... Orations against Catiline, Chaps. I & II.

Sanskrit.

Raghuvansa ... Books I—VII.
Bhattikavya ... Books I—V.

* Thacker, Spink & Co.

Arabic.

Selections* by Mr. Kempson. ...

Hebrew.

Genesis.
Ruth.
Psalms, 1—72.
Job, Chapters 1—5.

Persian.

Sih nasr-i-zahuri ... First 25 pages.
Rúquat-i-Mirza Bedil ... Ditto.
Qasaid-i-Urfi ... Ditto.
Sekandar Namah ... Ditto.

B. A. EXAMINATION, 1880.

English.

Shakspeare ... Hamlet.
Milton * ... Paradise Lost, Books XI and XII.
Trench ... Household Book of English Poetry, pp. 194 to end.
Helps * ... Realmah (the story only, excluding the conversations).
Burke * ... Speech on Economical Reform.
Macaulay ... Essay on Hallam's Constitutional History (Rivingtons' English School Classics).
Lamb * ... Essays of Elia, the following only :— Oxford in the Vacation. The Two Races of Men. Mrs. Battle's Opinions on Whist. All Fools' Day. A Quakers' Meeting. The Old Benchers of the Inner Temple. A Dissertation upon Roast Pig. Sanity of True Genius. Captain Jackson. The Superannuated Man.

Greek.

Sophocles ... Antigone.
Thucydides ... Book VII.

Latin.

Horace ... Odes, Books I & II.
Sallust ... Jugurtha.
Juvenal and Persius ... Selections.*

Sanskrit.

Kúmar Sambhava ... Books I—VII.
Meghaduta ...
Sakuntalá ...

Hebrew.

Deuteronomy
Psalms, I—XLI.
Isaiah, I—XXXIX.
Daniel, I—VII.
Proverbs.

*Arabic.**

Tarikh-i-Yamani ... } As contained in Selections by Col. Lees.
Hamasah, first 31 pages ... }
Mutanabbi ... }

*Persian.**

Veqai Neamat Khan Ali ... The first half.
Durra-i-Nádiri ... 50 pages, from page 181.
Qasaid Kháqáni ... First 50 pages.
Qasaid Badar Chachi ... Ditto.

The following Text-book in General Geography has been appointed for the Entrance Examination of 1878 and following years :—

C. B. Clarke's Geographical Reader and Companion to the Atlas.

SENATE HOUSE,
The 19th April 1877.

A. W. CROFT,
Offg. Registrar.

* Thacker, Spink & Co.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possesison, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
2	... B 49—31349	10	J. A. Fox, Esq., Sub-Engineer, Tanjore District, Combaconum.
	„ —36428	10	
	„ —64072	10	
	„ —64168	10	
	„ —65451	10	
	„ —78516	10	
	„ —90038	10	
	„ —92705	10	
	„ —93375	10	
	„ —94945	10	
	„ —95369	10	
	B 52—03596	10	
	„ —05744	10	
	„ —06034	10	
	„ —23289	10	
	„ —33314	10	
	B 42—80879	20	
	„ —80880	20	
	„ —80881	20	
	„ —80882	20	
	B 43—88347	50	
3	... B 50—81726	100	V. P. Loganatha Moodelliar, Bangalore.
	„ —81727	100	
	„ —81728	100	
	„ —81729	100	
	„ —81730	100	
	„ —81731	100	
	„ —81732	100	
	„ —81733	100	
	„ —81734	100	
	„ —81735	100	
	„ —81736	100	
	„ —81737	100	
	„ —81738	100	
	„ —81739	100	
	„ —81740	100	
	„ —81741	100	
	„ —81742	100	
	„ —81743	100	
	„ —81744	100	
	„ —81745	100	
4	... B 39—73779	5	Mr. S. A. Brenger, Kadiri.
6	... B 43—42943	50	A. V. Murugasum Moodelliar, Colar.
	„ —57657	50	
	„ —53142	50	
	B 38—22091	100	
	B 44—76676	100	
	B 50—12776	100	

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
7	... B 34—69212		10	Sergeant-Major Jeffery, XIV Hussars, Bangalore.
	B 49—45474		10	
	B 52—25003		10	
8	... B 49—54818		10	M. Jagannath Chetty, Madras.
	B 52—00645		10	
	„ —00156		10	
	B 42—51699		20	
9	... B 49—90102		10	A. Vencatachellum Moodelliar, Mysore.
10	... B 50—82791		100	Revd. A. J. Wilkins, Kurnool.
	„ —82792		100	
4	... B 40—19207	wrongly joined.	5	G. Sathammah, Madras.
	„ —28207			
5	... B 36—99681	ditto	5	P. Narayanasawmy Naidu, Madras.
	„ —99682			
6	... B 49—75427	ditto	10	Agent, Chartered Mercantile Bank, Madras.
	„ —75429			
	... B 49—63974	ditto	10	Lieutenant C. L. Casey, Ranipett.
	„ —63976			
8	... B 49—85509	ditto	10	Thiagasundarum Pillay, Tanjore.
	„ —85506			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 16th April 1877.

G. W. CLINE, LL.D.,
Asstt. Acctt. Genl., in charge of Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
29	... L 71—51943	10	The Officiating Post Master General, Bengal.
30	... L 84—09019	100	Babu Rojoneelal Bysack.
31	... L 86—14287	10	Babu Shib Nath Banerjee.
32	... L 66—18143	50	Babu Mohendra Lal Sein.
33	... L 89—15219	20	The Officiating Post Master General, Bengal.
35	... L 68—79628	100	The Engineer-in-Chief, N. B. S. Railway, Darjeeling.
	„ —79651	100	
	L 67—19200	50	
	„ —04807	50	
	„ —04810	50	
	„ —04823	50	
	„ —04857	50	
	„ —04859	50	
37	... N 6—05373	500	Babu Rajani Nath Chatterjee.
38	... N 6—14725	500	Babu Raj Coomar Bhuttacharjee.
	L 84—11830	100	
	L 81—82289	50	
39	... L 83—92252	100	Babu Aukhoy Coomar Bose.
	„ —92253	100	
	L 84—12661	100	
40	... L 86—59809	10	The Officiating Post Master General, Bengal.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
15	... L 74—65094 / L 88—55125		10	Babu Kunjo Behari Ghose.
16	... L 87—70659 / „ —70658		10	Umane Sing.
17	... L 64—41436 / L 77—84823		20	Babu Khettra Mohun Dass.
18	... L 60—31501 / „ —31510		10	Babu Sashibhusan Mukerjee.
19	... L 90—90246 / „ —90245		20	Babu Mohendra Nath Sen.
20	... L 20—23720 / D 10—55954		5	Babu Bepin Chandra Audhicary.
21	... L 24—36200 / D 10—69754		5	Babu Bhuggoban Chander Das.
23	... L 9—63197 / „ —63196		5	Babu Ram Chunder Mitter.
33	... L 62—90227		10	Babu Sree Nath Mozoomdar.
	L 87—84382		10	
	L 89—24076		20	
	L 80—21970		20	
	L 79—87275		20	
	L 90—87162		20	
	L 91—41697		20	
	L 90—27494		20	
	L 77—39787		20	
	L 80—36138		20	
34	... L 6—35997		10	Babu Kali Coomar Roodra.
	L 34—58055		10	
	L 11—72482		5	
35	... L 81—21707		50	Captain J. R. Marett.
	L 71—24666		10	
36	... L 21—25633		5	Babu Kristo Chunder Naik.
37	... L 79—19271		20	Babu Gunga Ram Dutt.
38	... L 91—64958		20	Babu Wooma Kant Goon.
	„ —64959		20	
39	... L 74—13832		10	Babu Hriday Nath Mozoomdar.

CALCUTTA,—Paper Currency Dept.;
The 27th April 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
3	... D 4—53438	50	Bunwari Lall, Agra.
4	... D 4—62803	50	Lieutenant-Colonel H. M. G. Purvis, Peshawar.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
5	... D 10—21874		5	Nathu Sokhoram Sett, Nassarabad, Khandesh.
6	... D 5—93632		20	Ati Kulla, Almorah.
4	... D 5—92561 / „ —92562	wrongly joined.	20	Jaintee Pershad, Rai Bareilly.
5	... L 49—91871 / D 4—54085	ditto	50	Ram Dyal Singh, Agra.
6	... D 10—18230 / „ —14343	ditto	5	Mutty Lall Bose, Calcutta.

ALLAHABAD,—Paper Currency Office;
The 19th April 1877.

T. H. S. BIDDULPH,
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877.		Rs.	
W21	C 90—93014	1,000	Thakersi Soonderdas, Harman Gulli, Baherkote, Bombay.
	C 70—97241	500	

NOTES PARTIALLY LOST OR DESTROYED.

1877.		Rs.	
H64	M 20—29583	10	Mrs. Laura Betham, Dapoolie.
	M 4—85268	5	
H65	M 27—51361	10	Hemraj Coorsey, Mandvi.
55	M 27—78055	10	Sergeant J. White, R.E., Surat.
	„ —78056		
66	M 4—51327	5	Colonel J. M. Cripps, Rawul Pindi.
M32	M 20—71991	10	William Brandhall, Chinchpoogly.
	M 27—11778		
1876.			
H129	C 99—53385	20	Jehangeer Edulji Davur, Bombay.
	„ —84320	20	
	M 4—59794	5	

BOMBAY,—Paper Currency Dept.; *The 17th April 1877.*

G. WELLS, LL.D., *Offg. Assistant Commissioner.*

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
22	E 15—07756	50	Kanchand, Amritsar.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
33	E 3—83602	100	Mahanand Roy, Bebrool Zilla, Burdwan.
34	E 6—84348	10	Dr. J. Duke, Dera Ismail Khan.
	E 10—38929	10	
35	E 12—32985	20	C. Aldridge, Esq., Jhung.
43	E 4—86443	50	Hydaet Ali, Cawnpur.
44	E 12—48423	20	J. W. Barns, Esq., Bhawulpur.
	„ —48424	20	

LAHORE,—Paper Currency Office; *The 21st April 1877.*

I. C. BOSE, *Asstt. to Accts. Genl., in charge of Currency Office.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for Rupees.		Balance of Bullion		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
April 16	...	...	...	...	66,43,145	14,32,091
„ 17	6,13,623	7,05,430	...	6,13,623	72,63,136	7,21,657
„ 18	...	...	...	6,13,623	72,65,470	7,21,657
„ 19	...	7,27,644	...	6,13,623	79,46,482	...
„ 20	...	...	...	6,13,623	78,46,672	...
„ 21	...	...	...	6,13,623	77,47,089	...

CALCUTTA MINT. *The 23rd April 1877.*

J. F. TENNANT, *Offg. Mint Master.*

Report of a Deserter from the 1-12th Regiment of Foot, dated at Umballa, this 24th day of April 1877.

Number, Rank, and Name,—32B.D.—72. Private Joseph Henry Balls.
Age,—21 years and 1 month.
Size,—5 feet 7¼ inches.
Color of—
Complexion, fresh; hair, brown; eyes, blue.
Date of Desertion,—20th April 1877.
Place of Desertion,—Umballa.
Date of Enlistment,—22nd June 1874.
At what place enlisted,—Ipswich.
Parish and County in which born,—Woolpit near Stowmarket, Suffolk.
Marks,—Brown patch on right thigh.
Trade,—Butcher.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } Regimentals White Clothing.
REMARKS—None.

E. H. FOSTER, *Lieut.-Colonel, Comdg. 1-12th Regiment.*

Report of a Deserter from the 2-22nd Regiment of Foot, dated at Shahjahanpur, this 23rd day of April 1877.

Number, Rank, and Name,—136, Private George Holland.
Age,—38 years and 5 months.
Size,—5 feet 4½ inches.
Color of—
Complexion, fresh; hair, light brown; eyes, hazel.
Date of Desertion,—21st April 1877.
Place of Desertion,—Shahjahanpur.
Date of Enlistment,—13th November 1857.
At what place enlisted,—Aldershot Camp.
Parish and County in which born,—Crookham, Odiham, Hants.
Marks,—None.
Trade,—Sawyer.
Coat or Jacket,—White tunic.
Waistcoat,—None.
Breeches or Trowsers,—White trowsers.
REMARKS,—None.

C. BLUETT, *Major, Comdg. Half Battalion 2-22nd Regiment.*

Report of a Deserter from the 2-12th Regiment of Foot, dated at Calcutta, this 20th day of April 1877.

Number, Rank, and Name,—Private Henry Syrett.
Age,—20 years and 10 months.
Size,—5 feet 5¾ inches.
Color of—
Complexion, fair; hair, light brown; eyes, grey.
Date of Desertion,—19th April 1877.
Place of Desertion,—Fort William.
Date of Enlistment,—10th January 1877.
At what Place enlisted,—Fort William.
Parish and County in which born,—Westminster, London, Middlesex.
Marks,—Nil.
Trade,—Cook.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } White uniform.
REMARKS,—None.

JOHN McKAY, *Colonel, Comdg. 2-12th Regiment.*

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

26th April 1877 ... Rs. 14,81,528-0-11

W. WATERFIELD, *Treasurer to the Govt. of India.*

CALCUTTA, *27th April 1877.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 27th April 1877.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 29th April 1877, at 7 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer *Penang*, will be closed at the General Post Office on Sunday, the 29th April 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 30th April 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Indus*, will be closed at the General Post Office on Monday, the 30th April 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Africa*, will be closed at the General Post Office on Wednesday, the 2nd May 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 4th May 1877, by which mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 3rd May 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M

List of Unclaimed Letters lying in the Calcutta Post Office on the 27th April 1877.

Anderson, R. T.
Anthony, J.
Balford, H. W.
Ballard, G.
Baptist, C.
Barnes, J.
Bartlett, J. H.
Bavary, R.
Bawl, R.
Blackquiere, J.
Blackwood, H.
Bradwell, R.
Bragga, W.
Breen, W.
Brooks, G.
Brudenell, Mrs. T.
Buckly, C. W.
Bull, J.
Burnes, W.
Cales, G. F.
Cannon, G.
Cardozo, R. J.
Carr, J.
Caser, J. N.
Churcher, D.
Clark, Miss Annie.
Cresswell, Doyne & Co.
Daly, J.
Davies, H.
Davison, T. M.
Day, Mrs.
Dodgson, Chas. H.
Douglas, Fraser & Co.
Ducachi, Allesadro.
Falmon, B.
Fan, Mrs. E. M.
Freeman, T.
Garson, Mrs. C. E. M.
Gaspar, A.
Gordon, James.
Goulbin, Miss P. E.
Granger, John H.
Healy, Mrs. J.
Hendrix, Rev. E. R.
Jackson, Mrs. H. W.
Jones, Mrs. A.
Jones, Mrs. S.
Lepage and Nephew, Messrs.
Lowrie, Mrs. C.
Mackenzie, G. R.
Mackintosh, D. S.
McNeil, G.
McNevin, F.
Miller, Jas.
Morris, Edward.
Nicolas, J.
O'Bmoore, Daniel.
Osman, H. (Private).
Payter, G. R.
Percy, Hugh L. H.
Peters, S.
Pickance, Capt.
Reardon, J. P.
Reid, Louis D.
Smart, W. A.
Smith, Mrs. Eliza.
Steward, R. C.
Stewart, S.
Thomas, T.
Thompson, Mrs. C. L.
Wallace, Alex. (C. Engr.)
Walls, Henry.
Wane, Innes B.
Wiley, C. J.
Woodford, Mrs. A.
Woods, Miss.
Wurzer, J. C.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Arthur, Geo.
Battye, Major H. D.
Beale, William.
Biggs, Robert O. C.
Bogie, James.
Bonerjee, Dr. S. A.
Boxall, C. A.
Brownfield, M.
Bromehead, Revd.
Caddy, D. G.
Carrington & Wigley.
Chill, Mr.
Clarkson, Mr.
Cranbourn, Mrs.
Crossly, R.
Dalgetty, Capt.
Donegan, N.
Eaton, Mrs. G. W.
E. F. W.
Elderton, Mrs.
Emilie, Melle.
Frawley, M. A.
Friedwald, Madam F.
Glukman, Lione.
Graham, Mrs.
Gray, William.
Head, Mrs. Charlotte.
Horn, Peter.
Hudson, Thos.
Hughes, J. W.
Jackson, J. W.
J. E. M.
Jenkinson, Mrs.
Jordon, F. J.
Kaikhosru Nowrosj Kabraj.
King, H. W.
Lawrie, G. W.
MacIntyre, A.
Macnamara, G. I.
Meyer, H. G.
Middleton, Lewis.
Mirza Bazhoal Hossein.
Moran, Frank Conyngham.
Murison, Jas. S.
Nichols, W. J.
Pillot, Eugene, Monsieur.
Reed, J.
Rein, G.
Richardson, Geo.
Schapira, D.
Simpson, W.
Stone, B. J.
Storey, William.
Terlecki, Miss.
Thomas, S. B.
Watson, J. B.
Willard, J. C.
Williams, C. A.
Young, Capt. Alex.
Zacharias, A. H.

Papers.

Battye, Major H. D.
Bellany, Jas.
Bogie, J.
Caddy, D.
Holland, Capt.
Ryder, A.
Seemington, M. J.
Storey, W.
Willard, J. C.
Williams, C. A.

Registered Letters.

Cosing, H.
Fagan, L. S.
Francis, Marples.

W. ALPIN, *Offg. Post Master of Calcutta.*

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any

High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

Subscribers to the Bengal Law Reports, who have already paid their subscriptions to the end of June 1876, will be supplied with the complete set of Reports for the first half of 1876 in lieu of the volume of the Bengal Law Reports which they would otherwise have received.

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Chart showing the approaches to the Sandheads from False Point to the Mutlah River, from the latest Government Surveys, compiled in the Marine Survey Department, 1877.—*Price Re. 1.*

Selections from the Records of the Government of India, Foreign Department, No. CXXIX, Report on the Political Administration of the Rajpootana States, 1875-76. *Price Rs. 3; packing and postage 8 annas.*

Selections from the Records of the Government of India, Foreign Department, No. CXXX, Report on the Administration of the Ajmere and Mairwarra Districts for 1875-76. *Price Rs. 2; packing and postage 6 annas.*

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st April 1877. *Price, Rs. 4; packing and postage, 8 annas.*

Also

The Medical and Subordinate Medical portion of the Army List, published separately. *Price 8 annas.*

Moore's Manual of Family Medicine for India, Revised Edition. *Price—*
To Government officers (except those mentioned below) and to the public at large. *Rs. 4.*
To all officers employed in Government Departments, who are in receipt of salaries under Rs. 500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer. *Rs. 3.*
Packing and postage, 10 annas.

Just published—Super royal 8vo., cloth.

The Oudh Code: consisting of the Bengal Regulations and the Local Acts of the Governor General in Council in force in Oudh. *Price, Rs. 4-8; packing and postage, 10 annas.*

Note on Lac, by J. E. O'Conor. Third and enlarged edition. *Price, Re. 1; packing and postage 4 annas.*

Revised edition.

Vanilla: its cultivation in India; by J. E. O'Connor. *Price, 8 annas; postage, 1 anna.*

The Indian Appendix to the British Musketry Regulations, 1876. *Price, Re. 1; packing and postage, 4 annas; interleaved copies, Re. 1-4; packing and postage, 4 annas.*

Just published.

Pay, Pension, and Promotion Code for the Military Services in India, corrected up to 1st May 1876.

Vol. I.—British Troops. *Price, Rs. 4; packing and postage, 12 annas; interleaved copies, Rs. 5; packing and postage, Re. 1-4.*

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The Madras Code: consisting of the unrepealed Madras Regulations, Acts of the Supreme Council relating solely to Madras, and Acts of the Governor of Fort St. George in Council; with Chronological Table. *Price, Rs 8; packing and postage, Re. 1-4.*

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☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta, where also a detailed priced Catalogue of Books and Military Forms can be had on application.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 5, 1877. Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
Subscription for *Gazette* and Supplement per annum	15	0	0
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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 3rd May 1877.

No. 70.—Mr. E. A. Leach, Cable Clerk, Acting 2nd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave for three months, under Section 12 of Supplement F of the Civil Leave Code, with effect from 23rd January to 19th February 1877, and from 1st April to 2nd June 1877. For the period from 20th February to 31st March 1877 Mr. Leach was on duty, having been re-called from leave in the interest of the public service.

W. PALMER,
Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 23rd April 1877.

No. $\frac{1119}{828}$ *G.*—Surgeon-Major F. W. A. DeFabeck, in Medical Charge of the Deolie Irregular Force, availed himself on the 9th April 1877 of the leave granted him by this Office Notification No. 876—637G., dated 31st March 1877.

By Order,

H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATION.—ESTABLISHMENT.

Indore, the 30th April 1877.

No. 27.—Colonel A. Cadell, R.E., Chief Engineer and Secretary to Agent, Governor General, for Central India, is granted three months' privilege leave from such date as he may avail himself of it.

A. CADELL, *Colonel, R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 27th April 1877.

No. 13.—With reference to Notification No. 159, dated 10th March 1877, granting three months' privilege leave to Captain F. W. Grant, Assistant Commissioner, Hyderabad Assigned Districts, and Judge, Small Cause Court, Akola, the following temporary promotion is made in the Berar Commission, with effect from the 8th April 1877:—

Captain R. S. Thompson, Assistant Commissioner, 3rd Class, to officiate in the 2nd Class.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 25th April 1877.

No. 55.—With reference to Inspector General's Notification No. 31, dated 21st March 1877, Captain W. H. Beckett, Executive Engineer, joined the Office of Inspector General of Military Works on the 21st April 1877 before noon.

The 27th April 1877.

No. 56.—Lieutenant M. Laugharne, R.E., Assistant Engineer, 2nd Grade, has passed the Departmental Standard Examination, as required by Public Works Code II. iv. 22.

C. W. HUTCHINSON, *Colonel, R. E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 25th April 1877.

No. 12.—Captain G. D. A. Jackson, Assistant Engineer, 1st Grade, is transferred from Mooltan to Dalhousie Division, Military Works.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Oudh Division of Superintendence.

Lucknow, the 26th April 1877.

No. 34.—With reference to this Office Notification No. 30 of 14th instant, Lieutenant J. A. Ferreir, R. E., Assistant Engineer, joined the Allahabad Division, Military Works, on the morning of the 22nd instant.

The 2nd May 1877.

No. 35.—With reference to Inspector General, Military Works, Notification No. 27, dated the 19th March last, Mr. W. Eckstein, Temporary Executive Engineer, 4th Grade, availed himself of the preparatory leave on the forenoon of the 26th ultimo, in order to avail himself of the furlough granted him in the same notification.

No. 36.—Mr. J. H. Reid, Assistant Engineer, attached to the Saugor Division, Military Works, availed himself of the furlough granted in Inspector General, Military Works, Notification No. 49, dated the 11th April 1877, with usual subsidiary leave, as per that Officer's Notification No. 54 of 21st idem, on the forenoon of 21st ultimo. Mr. Reid made over charge of the Nowgong Sub-Division to Mr. T. H. Jewett, Assistant Engineer, on afternoon of 20th idem.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Rawul Pindi Division.

The 27th April 1877.

No. 701.—Captain W. G. Nicholson, R. E., Executive Engineer, 4th Grade, made over charge of the 2nd Peshawur Division, Military Works, to Lieutenant Thurburn, R. E., Assistant Engineer, 1st Grade, on the 19th instant, before noon, and received over charge of the 2nd Rawul Pindee Division, Military Works, from Lieutenant E. H. Cameron, R. E., on the 24th idem.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawul Pindi Divn., Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 26th April 1877.

No. 76.—The services of Mr. E. P. Woods, Temporary Sub-Engineer, 2nd Grade, Northern Bengal Railway, were, on reduction of establishment, dispensed with from the afternoon of the 30th September 1876.

No. 77.—Mr. J. M. Luff, Executive Engineer, 2nd Grade, is transferred from the Northern Bengal to the Indus Valley Railway.

The 27th April 1877.

No. 78.—With reference to Public Works Department Notification No. 176 of the 5th April 1877, the under-mentioned Officers are posted to the Indus Valley Railway:—

Mr. J. E. N. Boydell, Assistant Engineer, 2nd Grade.
Mr. H. E. Haddon, Assistant Engineer, 2nd Grade.
Mr. E. Leycester, Assistant Engineer, 2nd Grade.
Mr. F. Lang, Assistant Engineer, 2nd Grade.
Mr. R. Sivewright, Assistant Engineer, 2nd Grade.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

The 25th April 1877.

No. 429.—Corporal J. Tudball, R.E., Overseer, 1st Grade, posted to this project in Director's Notification No. 68, dated 11th April 1877, reported his arrival at Ajmere on the forenoon of the 12th instant.

The 28th April 1877.

No. 444.—Lieutenant W. V. Constable, R.E., Assistant Engineer, 2nd Grade, is granted three months' special leave for the purpose of studying Native Languages with effect from 14th May 1877, or such subsequent date as he can be spared.

JAMES COLLET,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 24th April 1877.

No. 76.—Mr. P. J. Bruff, Executive Engineer, 3rd Grade, is granted three months' privilege leave from 20th May 1877, or such subsequent date as he may avail himself of it.

No. 77.—Mr. S. W. Vardon, Store-keeper, 2nd Grade, is granted three months' privilege leave from 1st June 1877, or such subsequent date as he may be permitted to avail himself of it.

The 27th April 1877.

No. 78.—With reference to Government of India, Public Works Department, Notification No. 168, dated 4th April 1877, Mr. H. Lambert, Temporary Superintending Engineer, 3rd Grade, reported his arrival at Mooltan on the forenoon of the 26th instant.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawul Pindi, the 28th April 1877.

No. 57.—With reference to Director of State Railways' Notification No. 68, dated 11th April 1877, Corporal J. M. Browne, R.E., Overseer, 1st Grade, reported his arrival at Rawul Pindi on the forenoon of 4th April 1877, and is posted to the Soan Division, which division he joined on the forenoon of 6th idem.

No. 58.—With reference to Public Works Department Notification No. 168, dated 4th April 1877, transferring Mr. H. Lambert, Temporary Superintending Engineer, 3rd Grade, from the Punjab Northern State Railway to the Indus Valley State Railway, this officer handed over charge, as a temporary arrangement, of the office of the Jhelum Section to Mr. W. Nethersole, Superintending Engineer, 2nd Grade, on the afternoon of the 20th instant.

ALEX. GRANT,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY, Open Line.

NOTIFICATION.

Lahore, the 27th April 1877.

No. 1.—With reference to Director's Notification No. 63, dated 4th April 1877, transferring Lieutenant C. R. Hoskyn, R.E., Assistant Engineer, 2nd Grade, that officer joined the open line of the Punjab Northern State Railway on the forenoon of the 27th April 1877 for temporary employment.

T. B. B. SAVI, *Captain, R. E.,*
Manager.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATIONS.

Dehra Dún, the 12th April 1877.

No. 17.—Captain W. M. Campbell, R.E., Officiating Superintendent, 2nd Grade, is granted three months' privilege leave from the 30th of June next, or from such subsequent date as he may avail himself of it, under Section 29 of the Civil Leave Code.

Mussooree, the 30th April 1877.

No. 18.—Mr. W. G. Beverley, Assistant Superintendent, is granted the usual subsidiary leave preparatory to availing himself of the furlough granted in the Department of Revenue, Agriculture, and Commerce Notification No. 243, dated 18th April 1877.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

Mr. C. H. Tawney has been appointed Registrar of the University, *vice* Mr. A. W. Croft, who has resigned.

SENATE HOUSE, *The 30th April 1877.* A. W. CROFT, *Offg. Registrar.*

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 3rd May 1877.

No. 172.—The rate of conversion of Indian into sterling money for overland money orders has been changed to 1*s.* 8½*d.* per rupee. Schedule 15 of the Tariff Table is therefore in force until further notice.

W. WATERFIELD,
Offg. Comptroller General.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 3rd May 1877 ... Rs. 13,47,295-0-11

W. WATERFIELD,
Treasurer to the Govt. of India.

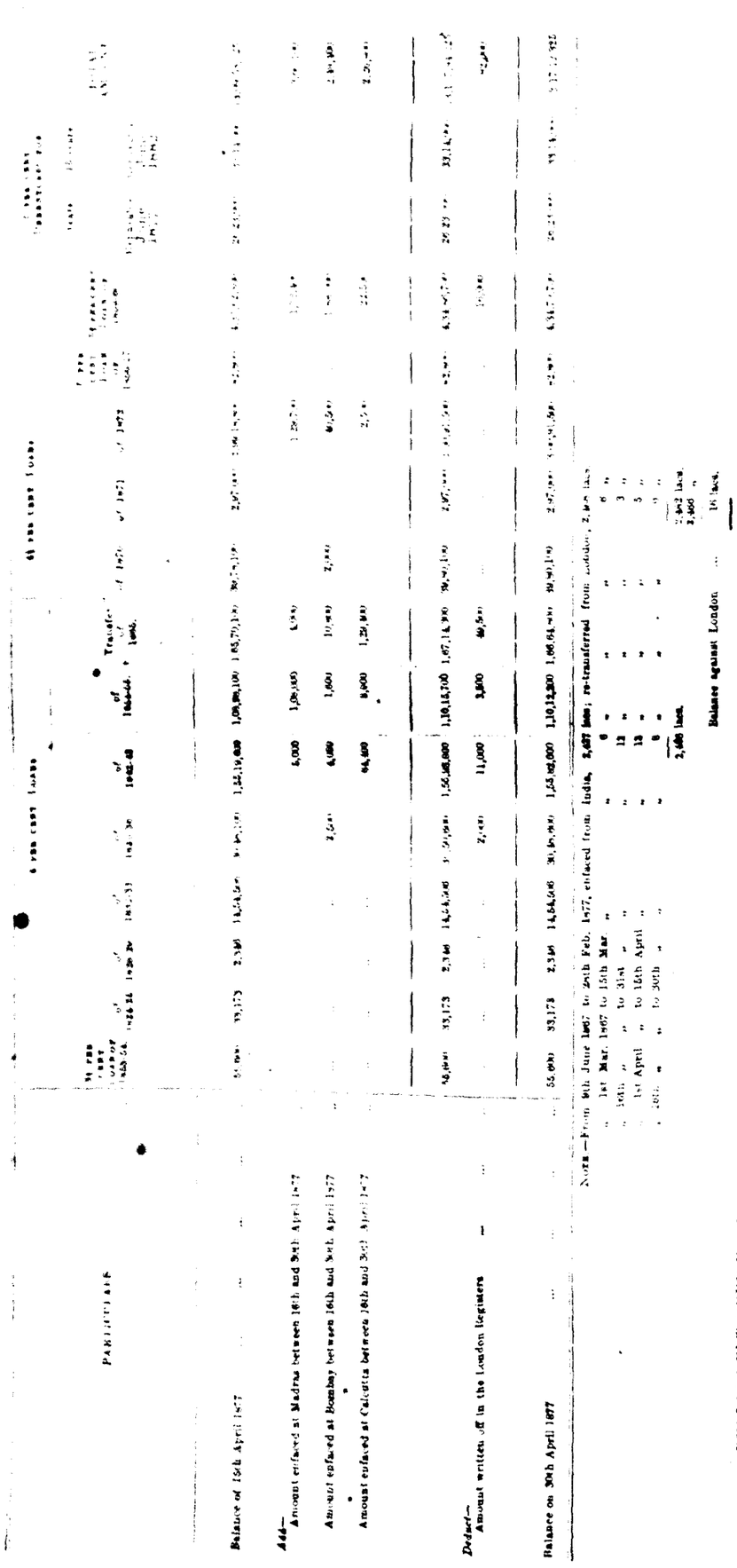
CALCUTTA, *4th May 1877.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
April 23	...	...	1,79,048	4,27,760	76,28,179	1,85,863
" 24	...	...	1,95,337	2,25,039	74,28,372	3,88,649
" 25	...	...	2,06,023	23,124	72,28,986	5,90,689
" 26	...	...	23,881	623	70,29,100	6,13,065
" 27	...	5,81,001	630	...	75,02,422	23,124
" 28	...	...	...	...	74,02,465	23,124

CALCUTTA MINT, *The 30th April 1877.* J. F. TENNANT, *Offg. Mint Master.*

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding on the Books of the Bank of Bengal on the 30th April 1877.



PUBLIC DEBT OFFICE,
BANK OF BENGAL,
Calcutta, 3rd May 1877.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 1st May 1877.

LIABILITIES.		Rs.	A.	P.	ASSETS.		Rs.	A.	P.
Capital paid up		2,00,00,000	0	0	Government Securities		95,65,711	8	0
Reserve Fund		16,70,919	2	5	Loans on Government Securities, &c., at Head Office and Branches		55,11,691	12	3
Public Deposits at Head Office	32,12,257 10 5				Accounts of Credit on Government Securities, &c., at Head Office and Branches		57,63,140	9	8
Public Deposits at Branches	1,33,54,792 5 4	2,25,66,049	15	9	Bills discounted and purchased at Head Office and Branches		2,14,72,588	9	1
Other Deposits at Head Office and Branches		1,64,99,486	14	1	Balances with other Banks		8,48,689	9	8
Bank Post Bills, &c.		2,92,314	0	1	Bullion		10,49,961	10	7
Sundries		10,58,655	5	8	Dead Stock		10,22,115	5	7
					Stamps		40,883	11	0
					Sundries		1,85,496	2	4
							4,54,28,288	14	2
					Cash and Currency Notes at Head Office	Rs. A. P. 71,43,863 8 10	1,66,59,166	7	10
					Cash and Currency Notes at Branches	95,15,302 15 0			
TOTAL		6,20,87,455	6	0	TOTAL		6,20,87,455	6	0

By order of the Directors,
W. D. CRUICKSHANK.
Offg. Secy & Treasurer.

BANK OF BENGAL;
Calcutta, 3rd May 1877.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
7	B 43—77096	50	Mahomed Hussain, Madras.
	—89041	50	
8	B 29—70314	1,000	Kallanjee Soondarjee, Calicut.
9	B 52—45929	10	Postmaster General, Punjab, Lahore.
10	B 50—48342	100	Soobba Reddy, Tindivanum.
11	B 49—07419	10	Postmaster General, Madras.
12	B 43—38528	50	Soondajee Poonja and Co., Madras.
	—39008	50	
	B 50—68065	100	
	—72574	100	
	—72626	100	
	—86152	100	
	—86601	100	
	—89361	100	
	—89362	100	
	—89363	100	
	—89830	100	

NOTES PARTIALLY LOST OR DESTROYED.

11	B 49—53524	10	A. C. Soobba Row, Poloor.
12	B 39—62200	5	Mysore Krishnama Char, Bangalore.
13	B 40—07228	5	Hafiz Syed Mohamed, Bangalore.
14	B 52—43046	10	C. Vurtha Rajeeloo Moodelier, Madras.
15	B 49—48308	10	Krishnappa, Mysore.
9	B 50—34379 wrongly joined. —32576	100	A. L. S. P. P. L. Moothappa Chetty, Madras.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 23rd April 1877.

G. W. CLINE, LL.D.,
Assts. to the Acctt. Genl., in charge of Paper Currency Dept.

Akola Circle.

NOTES WHOLLY LOST OR STOLEN.

No. of Notes.	Value. Rs.	Name of Claimant.
K 7—24236	5	Ameer Singh Baldeo Singh of Akola.
C 91—07870	10	The Treasury Officer at Surat.
C 56—01147	10	Raghoonath Mahadew, Clerk, G. I. P. Railway, Bombay.

AKOLA.—Paper Currency Dept.;
The 26th April 1877.

C. W. A. DAVIES,
Assistant Commissioner.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
23	... E 15—05401 ...	50	... Jai Jai Ram, Station Master, P. N. S. Railway, Lalamosa, Zilla Gujrat
24	... E 7—87850 ...	5	... Mohan Lal, Peshawar.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
29	... E 4—92131 ...	50	... Sergeant W. Grindal, Kurnal.
45	... E 13—00294 ...	100	... Ram Lal, Cloth Merchant, Ferozepur.
47	... E 7—79495 ...	5	... Baboo Amrito Lal Chatterji, Lahore.

LAHORE.—Paper Currency Office; *The 27th April 1877.*

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877.		Rs.	
W25	... M 21—11576 ...	10	...
	„ —79234 ...	10	...
	C 98—89715 ...	10	...
	M 18—13010 ...	10	...
	M 20—57790 ...	10	...
	M 27—98621 ...	10	...
	„ —26504 ...	10	...
	„ —70045 ...	10	...
	M 28—07092 ...	10	...
	„ —03090 ...	10	...
	M 27—66294 ...	10	...
	„ —38494 ...	10	...
	M 20—90421 ...	10	...
	„ —54600 ...	10	...
	M 21—73962 ...	10	...
	M 16—01187 ...	10	...
	M 20—24064 ...	10	...
	M 16—87051 ...	10	...
	M 28—00638 ...	10	...
	M 21—09236 ...	10	...
	M 27—84899 ...	10	... The Collector of Surat.
	„ —61124 ...	10	...
	„ —66811 ...	10	...
	M 19—66756 ...	10	...
	„ —91092 ...	10	...
	M 21—85159 ...	10	...
	M 27—84898 ...	10	...
	M 21—81722 ...	10	...
	„ —04112 ...	10	...
	„ —26421 ...	10	...
	C 21—20283 ...	10	...
	C 96—84976 ...	10	...
	M 21—03741 ...	10	...
	M 28—26246 ...	10	...
	M 22—20795 ...	20	...
	„ —36684 ...	20	...
	„ —30935 ...	20	...
	C 84—67340 ...	20	...
	C 99—61751 ...	20	...
	C 84—04226 ...	20	...
	M 22—36984 ...	20	...

NOTES PARTIALLY LOST OR DESTROYED.

1877.		Rs.	
H67	... C 63—71634 ...	10	... Mahadeo Seetaram, Bombay.
H68	... C 98—33197 ...	10	... W. Sterling, Grand Arsenal, Bombay.
H69	... M 28—40706 ...	10	... G. K. Watts, Amraoti, East Berar.
H70	... „ —27358 ...	10	... R. B. Jacobs, Monpani Coal Mines, Central Provinces.
H71	... M 21—66087 ...	10	... Waman Rao, Amraoti, East Berar.
H73	... M 4—43286 ...	5	... Private B. Elijah, A Company, 11th Regt., N. I., Cutch-Bhuj.
	M 19—01359 ...	10	...
	M 21—71658 ...	10	...
H74	... M 24—94881 ...	100	... Major R. C. B. Pemberton, Simla.
M33	... M 5—63592 ...	50	... Goculdas Nensy, Holi Chakla, Fort Bombay.
	„ —63297		
M34	... M 24—64289 ...	100	... Apaji Pandurang, 66, Kalkadevi Road, Bombay.
	„ —94419		
M35	... C 99—19715 ...	20	... Morarji Goculdas, Messrs. Lyon & Co., Bombay.
	„ —19815		
M36	... M 20—30213 ...	10	... Dorabji Byramji, Bank of Bombay, Bombay.
	F 7—74153		

BOMBAY,—Paper Currency Dept.; *The 1st May 1877.*

G. WELLS, LL.D.,
Offg. Assistant Commissioner.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
42	... L 98—67868 ...	10	... The District Superintendent of Police, Burdwan.
	L 91—69547 ...	20	...
	„ —77345 ...	20	...
43	... L 81—47408 ...	50	... Colonel Purvis, R. A.
44	... L 52—94882 ...	500	... Ismail Hajee Moosa.
	„ —94883 ...	500	...
	„ —94884 ...	500	...
45	... L 81—72571 ...	50	... Babu Poresh Chunder Mukerjee.
	„ —72572 ...	50	...
47	... L 90—65403 ...	20	... The Assistant Conservator of Forests, Sunderbuns Division, Khoolna.
	„ —61386 ...	20	...
	L 95—89220 ...	10	...
48	... L 89—91578 ...	20	... The Officiating Post Master, Calcutta.
49	... O 2—01213 ...	20	... Babu Biprodas Bhaduri.
50	... L 81—78954 ...	50	... Lalla Shibrathu.
53	... „ —70871 ...	50	... Babu Mohanund Mukerjee.
54	... O 2—03771 to —03780	20 each	... Mr. R. Wilson.
55	... L 84—00579 ...	100	... Babu Behari Lal Dhur.
56	... L 83—49350 ...	100	... Babu Kashi Nath Shaha.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
25	... L 57—01430 ...	10	... Messrs. Ambler & Co.
	L 59—52457		
26	... L 75—86915 ...	10	... Babu Kannyelal Mullick.
	... L 76—86915		
40	... L 72—52950 ...	10	... Fakeer Mohamed Azim.
41	... L 27—12254 ...	5	... Babu Khetter Mohun Mookerjee.
42	... L 65—58738 ...	20	... Syed Mehdi Hasan.
	L 64—77764 ...	20	...
	L 97—42408 ...	10	...
43	... L 83—04366 ...	100	... Ram Lal.
44	... L 95—44088 ...	10	... Babu Roop Chand Dutt.
	„ —44087 ...	10	...
45	... L 81—81107 ...	50	... Lalla Shibrathu.
	„ —81104 ...	50	...
	„ —81103 ...	50	...
	„ —81102 ...	50	...
46	... L 87—89022 ...	10	... Babu Preo Nath Mukerjee.
47	... L 51—55913 ...	100	... Babu Probhas Chunder Chakrabutty.
48	... L 67—44978 ...	50	... Babu Radharomun Shaw.
49	... L 76—36750 ...	10	... Haffez Abdool Wahap.
	„ —36751 ...	10	...
50	... L 89—46326 ...	20	... Babu Hridoy Nath Majumdar.

CALCUTTA,—Paper Currency Dept.; *The 4th May 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 9—13719 ...	50	... Charles Cheyne, Esq., Engineer-in-Chief, Holkar and Neemuch State Railways.
G 8—37797 ...	20	... Mr. Harising Santsing, Clerk, Sind Railway Company's Office, Kurrachee.
M 5—61627 ...	50	...
G 10—28726 ...	100	...
„ —30412 ...	100	...

KURRACHEE,—Paper Currency Dept.; *The 26th April 1877.*

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Calicut Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 6—79245 ...	10	... J. A. Fox, Esq., Sub-Engineer, Tanjore District, Coombaconum.
J 5—63582 ...	20	...

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
J 6—99572	...	10	... Koolimootam Gramon Shamoo Patter, son of Karootha Rama Nanoo Patter, Palghat.

CALICUT.—Paper Currency Office; *The 26th April 1877.*

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 30th April 1877.

No. 44S.—Appointments in the Post Office Department made by the Director General:—

POSTAL CIRCLE OF BENGAL.

Babu Anund Gopal Sen has been appointed to officiate as Inspector of Post Office, Burdwan Division.

Mr. W. M. Mackenzie has been appointed to be Inspector of Post Office, Patna Division.

Mr. Vansomeren has been appointed to be Inspector of Post Office, Chittagong Division.

Babu Sarat Chundra Mookerjee has been appointed to be Inspector of Post Office, Dacca Division.

Babu Surjo Kumar Gangoolie has been appointed to be Inspector of Post Office, Hazáribágh Division.

Mr. C. H. Lane has been appointed, to be Inspector of Post Office, Cuttack Division.

Mr. T. Owens has been appointed to be 1st Supernumerary Inspector of Post Office attached to the Post Master General's Office.

No. 45S.—Appointments in the Post Office Department made by the Director General:—

POSTAL CIRCLE OF MADRAS.

Mr. G. E. Walker, Post Master, Hyderabad, to officiate as Inspector of Post Office, Hyderabad Division, from 5th August to 4th September 1876.

Mr. M. Kinsley has been appointed, from 25th January 1877, to be Inspector of Post Office, Mount Division.

Mr. T. Rhenius has been appointed, from 15th January 1877, to be Inspector of Post Office, Bangalore Division.

Mr. J. Bower has been appointed, from 22nd January 1877, to be Inspector of Post Office, Coimbatore Division.

Mr. C. S. Bonifacio has been appointed, from 22nd January 1877, to be Inspector of Post Office, Cuddalore Division.

Mr. G. W. Cresswell has been appointed, from 9th January 1877, to be Inspector of Post Office, Cocanada Division.

JOHN DILLON,
for *Dir. Genl. of the Post Office of India.*

The 4th May 1877.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 5th May 1877, at 7 P. M.

The Overland Mail is expected to arrive in Calcutta by morning train on Sunday, the 6th May 1877.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Commilla*, will be closed at the General Post Office on Sunday, the 6th May 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Himalaya*, will be closed at the General Post Office on Sunday, the 6th May 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 7th May 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Malda*, will be closed at the General Post Office on Wednesday, the 9th May 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 11th May 1877, by which mails for Mauritius and Zanzibar can be forwarded.

2. Book-post and pattern packets must be posted on the 10th May 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *vid* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 11th May 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 4th May 1877.

Allan, W. H.
Allen W. G.
Anderson, James.
Aviet, M.
Barker, Fred. A.
Barnes, J.
Blackquiere, J.
Blackwood, H.
Blair, Robert.
Boon, Corporal S.
Bradwell, R.
Bragga, W.
Brooks, F. G.
Bratt, Mrs. S.
Brown, Dr. Edward.
Buckly C. W.
Bull, J.
Burnes, W.
Chapman, W. J.
Churcher, D.
Dodgson, Chas. H.
Ducachi, Allesadro.
Dundas, Col. C. S.
Eastwood, Capt. P.
Fahmon, B.
Fan, Mrs. E. M.
Forster, Geo.
Freeman, T.
Gordon, James.
Granger, John H.
Haslam, Mrs.
Hastings, & Co., Messrs.
Healy, Mrs. J.
Hendrix, Rev. E. R.
Jackson, Mrs. H. W.
Jones, J. D.
Jones, Mrs. S.
Leatham, W. H.
Lowrie, Mrs. C.
Machell, H. R.
Mackintosh, D. S.
McNeil, G.
McNevin, F.
Miller, Jas.
Moucheye, Monsieur H. M.
Morgan, Edward.
Morris, Edward.
Nangooley, N.
Nicolas, J.
Osman, H. (Private).
Payter, G. R.
Percy, Hugh L. H.
Pickance, Capt.
Pinto, Mrs. Anna.
Pott, Genl. S.
Pritchard, Mrs. R.
Reid, J. R.
Russell, William.
Seymour, Jas.
Smart, W. A.
Smith, Mrs. Eliza.
Smith, R. B.
Steward, R. C.
Stewart, S.
Stoddard & Co., Messrs.
Thomas, T.
Thompson, W. H.
Vardon, Miss. H.
Wane, Innes B.
Wilcox, E. C.
Wiley, C. J.
Woodford, Mrs. A.
Woods, Miss.
Wurzer, J. C.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Arthur, Geo.
Battye, Major H. D.
Beale, William.
Biggs, Robert O. C.
Boxall, C. A.
Bromehead, Revd.
Brownfield, M.
Burrows, H.
Buzlool Hossein.
Caddy, D. G.
Carr, J. H. W.
Carrington & Wigley.
Carter, Mrs. H.
Chill, Mr.
Clarkson, Mr.
Cranbourn, Mrs.
Crossly, R.
Davidson, John E.
E. F. W.
Eaton, Mrs. G. W.
Elderton, Mrs.

Emilie, Melle.
Frawley, M. A.
Friedwald, Madam F.
Gladwell, T.
Glukman, Lione.
Graham, Mrs.
Gray, William.
Hudson, Thos.
Hughes, J. W.
Jackson, J. W.
J. E. M.
Jenkinson, Mrs.
Jones, W.
Jordon, F. J.
Kaikhosru Nowrosj Kabraj.
King, H. W.
Lawrie, G. W.
MacIntyre, A.
Macnamara, G. I.
Magrey, R. W.
Meyer, H. G.
Middleton, Lewis.
Mirza Bazhoal Hossein.
Moran, Frank Conyngham.
Nichols, W. J.
Pillot, Monsieur Eugene.
Reed, J.
Rein, G.
Schapira, D.
Simpson, W.
Stone, B. J.
Storey, William.
Street, Capt. H. A.
Terlecki, Miss.
Thomas, S. B.
Watson, J. B.
Willard, J. C.
Williams, C. A.
Woods, R. L.
Young, Capt. Alex.
Zacharias, A. H.

Papers.

Battye, Major H. D.
Bellany, Jas.
Caddy, D.
Holland, Capt.
Ryder, A.
Storey, W.
Willard, J. C.
Williams, C. A.

Registered Letters.

Baildon, S. P.
Cosing, H.
Fagan, L. S.
Francis, Marples.

Parcels.

Hankey, H.
Lane, M.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The publication of the Bengal Law Reports and the Madras, Bombay, and N. W. P. High Court Reports will cease on the completion of the volumes now in course of publication.

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☛ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Chart showing the approaches to the Sandheads from False Point to the Mutlah River, from the latest Government Surveys, compiled in the Marine Survey Department, 1877.—*Price Re. 1.*

Selections from the Records of the Government of India, Foreign Department, No. CXXIX, Report on the Political Administration of the Rajpootana States, 1875-76. *Price Rs. 3; packing and postage 8 annas.*

Selections from the Records of the Government of India, Foreign Department, No. CXXX, Report on the Administration of the Ajmere and Mairwarra Districts for 1875-76. *Price Rs. 2; packing and postage 6 annas.*

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st April 1877. *Price, Rs. 4; packing and postage, 8 annas.*

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The Medical and Subordinate Medical portion of the Army List, published separately. *Price 8 annas.*

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To Government officers (except those mentioned below) and to the public at large. *Rs. 4.*
To all officers employed in Government Departments, who are in receipt of salaries under Rs. 500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer. *Rs. 3.*
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Publications for sale at the Bengal Secretariat Press.

Rules for the Superintendence and Management of Jails in the Lower Provinces of Bengal, prescribed by the Lieutenant-Governor of Bengal on the 20th day of June 1876. With a copious Index. *Price, Rs. 7; by post, Rs. 7-10.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director General of Statistics to the Government of India:

Vol. I. 24-Pergunnahs and Sundarbans.
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Price, per volume, Rs. 2-8; postage, 10 annas.

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

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The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 14 annas.*

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A Report on the District of Jessore: its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

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Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st April 1877. *Price, Rs. 3; postage, 8 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 4 annas.*

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Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

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The Books named below having been declared a part of the obligatory equipment of emigrant vessels, are now obtainable at the Bengal Secretariat Press at the price noted opposite each:—

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 12, 1877. {Registered No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By a recent order of Government, all subscriptions must be paid *in advance*.

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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 23rd April 1877.

The Honourable the Chief Justice has granted Mr. C. T. Davis, Chief Clerk of the Court, privilege leave of absence for fifteen days from this day.

By Order,
R. BELCHAMBERS,
Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 7th May 1877.

Offices opened and closed during the month of April 1877.

Name of Station.	Where situated.	Date.	REMARKS.
Akot ...	West Berars ...	30th ...	Closed.
Chakrata ...	N. W. Provinces ..	17th ...	Opened.
Coimbatore ...	Madras Presidency	23rd ...	Ditto.
Erode ...	Ditto ...	30th ...	Ditto.
Kalka (re-opened)	Punjaub ...	5th ...	Ditto.
Salem ...	Madras Presidency	30th ...	Ditto.
Shegaon ...	West Berars ...	30th ...	Closed.
Wurdha ...	Ditto ...	15th ...	Ditto.

No. 3.—Mr. L. V. Fraser, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months, under Section 29 of the Civil Leave Code, with effect from the afternoon of the 11th April 1877.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 10th May 1877.

No. 71.—Mr. E. A. Floyer, Clerk, [illegible] has been granted by the Deputy Director, Persian Gulf Telegraph, leave on medical certificate for one year, under Section 3 of Supplement I to the

Civil Leave Code, with effect from 11th October 1876, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

This cancels Notification No. 51, dated 12th October 1876.

W. PALMER,
Examiner of Telegraph Accounts.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 7th May 1877.

Captain J. R. McCullagh, R.E., Assistant Superintendent, Officiating 1st Grade, received charge of No. 8 Topographical Party, Mysore Survey, from Captain G. Strahan, R.E., Deputy Superintendent, proceeding on furlough, on the afternoon of the 26th April 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

GREAT TRIGONOMETRICAL SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 8th May 1877.

No. 20.—Mr. W. C. Price, Surveyor, 4th Grade, is granted two months' privilege leave, under Section 12, Supplement F of the Civil Leave Code, with effect from 28th instant, or such date as his services can be spared.

Mr. D. J. Collins, Assistant Surveyor, 4th Grade, has been granted three months' privilege leave, as above, with effect from the 13th ultimo.

J. T. WALKER, *Colonel, R.E.,*
Supdt., G. T. Survey of India.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 7th May 1877.

No. 565.—Major H. M. B. Burlton, Political Assistant, 3rd Class, Assistant Cantonment Magistrate, Morar, is granted three months' privilege leave, with effect from the date of availing himself thereof.

By Order,

T. H. MAITLAND,
2nd Asstt. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 3rd May 1877.

No. $\frac{1243}{918}$ *G.*—Lieutenant O'Moore Creagh, Adjutant, Mhairwara Battalion, availed himself of leave granted him by this Office Notification No. 1020—766G, dated 12th April 1877, on the 20th idem.

The 4th May 1877.

No. $\frac{1252}{925}$ *G.*—Surgeon-Major W. J. Moore, Rajputana Agency Surgeon, held medical charge of the Mhairwarra Battalion from the 11th to the 18th February 1876, both days inclusive, in addition to his other duties.

By Order,

H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, P. W. D., RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 4th May 1877.

No. 1079*S.*—The Officiating Agent, Governor General and Chief Commissioner, is pleased to make the following promotions in the Upper and Lower Subordinate Establishments of the Public Works Department of this Province, with effect from the 1st March 1877:—

From Overseers, 2nd Grade, to Overseers, 1st Grade.

Mr. J. S. Spurgeon, attached to the Nusseerabad Division.
Mr. Gunnesh Bhiccajee, attached to the Mhairwarra Irrigation Division.

From Sub-Overseers, 2nd Grade, to Sub-Overseers, 1st Grade.

Mr. J. Hunt, attached to the Nusseerabad Division.
Mr. Bahaleeram, attached to the Nusseerabad Division.
Mr. Bankee Lall, attached to the Mhairwarra Irrigation Division.

By order,

A. G. CROMMELIN,
Secy. to Agent, Governor General, and Chief Commr., in the P. W. D., Rajputana.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 3rd May 1877.

No. 17.—Mr. F. Wright, District Superintendent of Police, Hyderabad Assigned Districts, has been granted privilege leave for one month and fifteen days, with effect from the 16th April 1877, or from such date as he may avail himself of it.

No. 18.—Mr. Abdul Hukk Karnal Kur, Extra Assistant Commissioner, Hyderabad Assigned Districts, has been granted privilege leave for one month, with effect from the 17th ultimo, or from such date as he may avail himself of it.

By Order,

G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Rawul Pindi Division.

The 30th April 1877.

No. 748.—Captain Alves, R.E., Executive Engineer, 3rd Grade, made over charge of the Sialkot Division, Military Works, to Captain Oliver, Assistant Engineer, 1st Grade, on the 27th instant, and availed himself of the leave granted him per *Gazette of India* Notification No. 355, dated 20th April 1877, on that date.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawul Pindi Divn., Mily. Works.

Sirhind Division of Superintendence.

Umballa, the 7th May 1877.

No. 10.—Mr. J. D. Davies, Assistant Engineer, 2nd Grade, availed himself on the afternoon of the 2nd May 1877 of the three months' privilege leave granted to him in this Office Notification No. 8 of the 12th April 1877.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 9th May 1877.

With reference to Government of India, Public Works Notification No. 184, dated 25th April 1877, Mr. G. O. Smith, Auditor and Examiner of Railway Accounts, Oudh, availed himself of the two months' privilege leave from the forenoon of the 30th ultimo, having previously made over charge to Mr. J. B. Braddon, on the afternoon of the 27th April.

DOUGLAS A. SCOTT, *Lieut., R.E.,*
Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 27th April 1877.

No. 79.—Mr. A. J. Bell, Executive Engineer, 3rd Grade, Northern Bengal Railway, returned on the 22nd December 1876 from the leave granted him in Director's Notification No. 135 of the 21st August 1876, and is granted the necessary subsidiary leave.

No. 80.—Mr. C. Thomson, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer of the Delhi Division, Rajputana Railway, during the absence on privilege leave of Mr. C. H. Croudace, or until further orders.

The 2nd May 1877.

No. 81.—Corporal J. Martin, R.E., Overseer, 1st Grade, is transferred from the Rajputana to the Indus Valley Railway.

The 3rd May 1877.

No. 82.—CORRIGENDUM.—In Director's Notification No. 65 of the 6th April 1877, for "Mr. T. W. Grant, Assistant Engineer, 2nd Grade," read "Mr. T. W. Grant, Assistant Engineer, 1st Grade."

The 7th May 1877.

No. 83.—The under-mentioned Officers of the Northern Bengal Railway passed, on the 30th March 1877, the examination prescribed in Public Works Code, II IV 18:—

Mr. W. W. Shanks, Executive Engineer, temporary, 4th Grade.
Mr. W. de W. Peel, Assistant Engineer, 2nd Grade.
Mr. S. Finney, Assistant Engineer, 2nd Grade.

No. 84.—The under-mentioned Officers of the Indus Valley Railway passed, on the 3rd February 1877, the examination prescribed in Public Works Code, II IV 18:—

Mr. J. Tait, Assistant Engineer, 2nd Grade.
Mr. G. Moyle, Assistant Engineer, 2nd Grade.

No. 85.—Mr. T. W. Bartlett, Assistant Engineer, 1st Grade, officiated as Executive Engineer of the Ajmere Division, Rajputana Railway, from the forenoon of the 16th March to the 14th April 1877.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 2nd May 1877.

No. 38.—Mr. E. A. Coello, Accountant, 4th Grade, Southern Division, is granted one month's privilege leave in extension of the leave given in Notification No. 32 of 1877.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Ajmere, the 7th May 1877.

No. 477.—Mr. C. D. Hawes, Accountant, 3rd Grade, attached to the Office of Examiner of Accounts, Western Rajputana State Railway, is granted 30 days' privilege leave, of which he availed himself on the forenoon of the 4th instant.

JAMES COLLET,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 5th May 1877.

No. 25.—With the approval of the Director of State Railways, Nerbudda Division is amalgamated with the Ghat Division, Holkar State Railway, with effect from 1st April 1877.

No. 26.—Mr. T. Burrell, Sub-Engineer, 3rd Grade, attached to Ghat Division, availed himself of the three months' privilege leave granted him in Notification No. 12, dated 14th March 1877, from the forenoon of 30th April 1877.

No. 27.—Mr. G. Cowper, Assistant Engineer, 2nd Grade, attached to Ghat Division, availed himself of the three months' leave to study the Native languages, granted him in Notification No. 15, dated 3rd April 1877, from the forenoon of 1st May 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 30th April 1877.

No. 80.—With reference to this Office Notification No. 19, dated 4th May 1876, Mr. E. Behrmann, Assistant Engineer, 2nd Grade, returned from the privilege leave therein granted to him on the forenoon of 13th November 1876.

No. 81.—With reference to Director of State Railways' Notification No. 63, dated 4th April 1877, Lieutenant C. R. Hoskyn, R.E., Assistant Engineer, 2nd Grade, was relieved of his duties on this line on the forenoon of 26th April 1877.

The 2nd May 1877.

No. 85.—The following postings and transfers have been made by Superintending Engineers and Examiner of Accounts:—

Mr. J. A. D. Lloyd, Assistant Engineer, 1st Grade, to the Ghotki Division.

Mr. J. Elston, Assistant Engineer, 1st Grade (temporary rank), from the Bahawulpur Division to Locomotive and Transport, Northern Section.

Baboo Lall Behari Gungooly, Accountant, 4th Grade, from the Central Office of Accounts to the Ghotki Division.

Pundit Kishen Lall, Accountant, 3rd Grade, from the Ghotki to the Reti Division.

Baboo Hurry Mohan Singha, Accountant, 4th Grade, from the Reti to the Sehwan Division.

Baboo Jadu Nath Singha, Accountant, 4th Grade, from the Sehwan Division to the Central Office of Accounts.

M. RAYNE,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 26th April 1877.

No. 14.—Mr. J. T. Fernandez, Sub-Engineer, 3rd Grade, attached to the Somastipore Division, Tirhoot State Railway, is granted leave without allowances for six months from the 1st May 1877.

The 8th May 1877.

No. 15.—Babu Chandee Ram, Overseer, 1st Grade, attached to the Somastipore Division, Tirhoot State Railway, reported his return from the privilege leave granted to him in this Office Notification No. 10 of the 10th ultimo, on the forenoon of the 27th April 1877.

No. 16.—Privilege leave for one month is granted to Mr. J. P. O'Sullivan, Accountant, 3rd Grade, attached to the Office of the Examiner of Accounts, Tirhoot State Railway, from the 16th April 1877.

E. J. MARTIN,
Offg. Engineer-in-Chief.

Report of a Deserter from the 2-12th Regiment of Foot, dated at Fort William, this 8th day of May 1877.

Number, Rank, and Name,—Private Joseph Hughes.
Age,—18 years and 11 months.
Size,—5 feet 6 inches.
Color of—
Complexion, fresh; hair, light brown; eyes, hazel.
Date of Desertion,—5th May 1877.
Place of Desertion,—Fort William.
Date of Enlistment,—8th January 1877.
At what Place enlisted,—Fort William.
Parish and County in which born,—At Sea.
Marks,—Tattoo mark between thumb and forefinger of right hand.
Trade,—Seaman.
Coat or Jacket, Waistcoat, Breeches or Trowsers. } White uniform.
REMARKS,—None.

JOHN McKAY, *Colonel,*
Comdg. 2-12th Regiment.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 10th May 1877 ... Rs. 9,77,222-8-11

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA, *11th May 1877.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
April 30	...	...	...	...	73,00,221	23,124
May 1	5,75,000	24,537	...	5,75,000	72,03,280	...
„ 2	...	...	...	5,75,000	70,03,188	...
„ 3	...	...	...	5,75,000	69,03,120	...
„ 4	...	...	...	5,75,000	68,03,079	...
„ 5	...	...	...	5,88,126	67,03,034	...

CALCUTTA MINT, *The 7th May 1877.*

J. F. TENNANT,
Offg. Mint Master.

ACCOUNTANT GENERAL'S OFFICE.
PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 201.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 30th April 1877.*

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.			IRRIGATION.			STATE RAILWAYS (CAPITAL).		
Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajpootana ...	Feb. 1877	Apl. 4, 1877	1	Rajpootana ...	Feb. 1877	Apl. 9, 1877	1	Nagpur and Chhatisgurh.	Feb. 1877	Apl. 10, 1877
2	Simla Imperial Circle.	Ditto ...	Do. 5 „	2	British Burmah ...	Ditto ...	Do. 16 „	2	Wurdah Valley ...	Ditto ...	Do. 14 „
3	Assam ...	Ditto ...	Do. 9 „	3	Punjab ...	Ditto ...	Do. 24 „	3	Tirhoot Surveys ...	Ditto ...	Do. 17 „
4	Central Provinces	Ditto ...	Do. 16 „	4	Madras ...	Ditto ...	Do. 26 „	4	Calcutta & South-Eastern.	Ditto ...	Do. 18 „
5	British Burmah ...	Ditto ...	Do. 24 „	5	Mysore ...	Ditto ...	Do. 27 „		Northern Bengal Sindia		
6	Port Blair ...	Ditto ...	Do. 25 „	6	North-Western Provinces.	Ditto ...	Do. 30 „	7	Rajpootana ...	Ditto ...	Do. 19 „
7	Madras ... Coorg ... Central India ... GrandTrunk Road	Ditto ...	Do. 26 „	7	Bengal ...	Jan. 1877	Mar. 27 „	8	Nulhatee Western Rajpootana.	Ditto ...	Do. 23 „
11	Punjab ... Mysore ... Hyderabad Assigned Districts.	Ditto ...	Do. 27 „	8	Bombay ...	Ditto ...	Apl. 4 „	10	Tirhoot ...	Ditto ...	Do. 24 „
14	Oudh ... Hyderabad ...	Ditto ...	Do. 30 „		GUARANTEED RAILWAYS.			11	Holkar ... Punjab Northern ... Neemuch ...	Ditto ...	Do. 26 „
16	Indo-European Telegraph.	Jan. 1877	Mar. 21 „	1	Madras ...	Feb. 1877	Apl. 26, 1877	14	Nizam's ...	Ditto ...	Do. 27 „
17	Bombay ...	Ditto ...	Apl. 4 „	2	Punjab ...	Ditto ...	Do. 27 „	15	Indus Valley ... Store-keeper, Calcutta. Assam Extension Seebsagur Coal Line.	Ditto ...	Do. 30 „
18	Bengal ... North-Western Provinces. Indian Telegraph	Ditto ...	Do. 5 „	3	Bombay ... Bengal ...	Jan. 1877	Do. 5 „				
21	Military Works ...	Ditto ...	Do. 13 „	5	Oudh ...	Ditto ...	Do. 16 „	19	Rangoon and Sittang.	Jan. 1877	Mar. 23, „
								20	Hubli and Karwar Dhond and Munnar.	Ditto ...	Apl. 5 „
								22	Rangoon and Irrawaddy.	Ditto ...	Do. 22 „
									STATE RAILWAYS (REVENUE).		
								1	Wurdah Valley ...	Mar. 1877	Apl. 30, 1877
								2	Goomautee ... Khangaum ...	Feb. 1877	Do. 10 „
								4	Calcutta and South-Eastern.	Ditto ...	Do. 18 „
								5	Nulhatee ...	Ditto ...	Do. 23 „
								6	Tirhoot ...	Ditto ...	Do. 24 „
								7	Rajpootana ...	Ditto ...	Do. 26 „
								8	Nizam's ...	Ditto ...	Do. 27 „
								9	Punjab Northern ...	Ditto ...	Do. 30 „
								10	Neemuch ...	Jan. 1877	Do. 17 „
								11	Holkar ...	Ditto ...	Do. 23 „

Dated 4th May 1877.

J. J. McLEOD INNES, *Lieut.-Colonel.,*
Accountant General, P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 8th May 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up ...		...	2,00,00,000	0	0
Reserve Fund ...		...	16,70,919	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	1,05,95,729	1 1	2,58,00,479	6	5
Public Deposits at Branches ...	1,52,04,750	5 4			
Other Deposits at Head Office and Branches		...	1,55,60,792	2	8
Bank Post Bills, &c. ...		...	3,08,156	0	1
Sundries		...	11,11,830	0	11
TOTAL		...	6,44,52,176	12	6

ASSETS.			Rs.	A.	P.
Government Securities ...			94,80,966	8	0
Loans on Government Securities, &c., at Head Office and Branches ...			56,18,539	9	6
Accounts of Credit on Government Securities, &c., at Head Office and Branches			71,97,606	13	6
Bills discounted and purchased at Head Office and Branches			2,13,94,165	12	6
Balances with other Banks ...			5,30,415	10	4
Bullion			9,27,390	3	1
Dead Stock			10,22,743	10	5
Stamps			9,878	13	11
Sundries			1,58,498	4	5
			4,63,40,205	5	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	75,89,936	9 9	1,81,11,971	6	10
Cash and Currency Notes at Branches ...	1,05,22,034	13 1			
TOTAL		...	6,44,52,176	12	6

BANK OF BENGAL; *Calcutta, 10th May 1877.*

W. WESTLAND,
Offg. Chief Accit. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

2 b

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
13	B 43—76803		50	Abdool Lateef Mohager, Madras.
14	B 52—40041		10	Mr. T. L. Roan, Negapatam.
16	B 40—34258		5	Kausim Jung Bahadur, Madras.
	„ —43485		5	
17	B 40—56688		5	Mr. H. C. Poole, Madakasirah.
	„ —56689		5	
	B 52—37056		10	
	B 42—75734		20	
	„ —75735		20	

NOTES PARTIALLY LOST OR DESTROYED.

16	B 52—54566		10	M. T. Ramanuja Charriar, Kurnool.
	B 43—95145		50	
17	B 40—40435		5	R. Narrainsawmy Naidu, Vaniembady.
18	B 50—68809		100	Ayetha Soobbiah, Rajampett.
19	B 43—73832		50	Patri Sreenivassa Row, Guntoor.
20	B 42—81385		20	G. Krishnasawmy Iyer, Conjeveram.
10	B 49—75861	wrongly joined.	10	R. Vencoba Row, Bangalore.
	„ —90591			

FORT ST. GEORGE,
Accott. Genl.'s Office, Paper Currency Dept.;
The 30th April 1877.

G. W. CLINE, LL.D.,
Asstt. to the Accott. Genl., in charge of Paper Currency Dept.

Akola Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
K 3—16032		50	E. A. Hobson, Esq., Assistant Superintendent of Police, Booldana.

AKOLA,—Paper Currency Dept.;
The 5th May 1877.

C. W. A. DAVIES,
Assistant Commissioner.

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
5	D 4—65042		50	Baboo Saroda Pershad Bose, Balasore.

NOTES PARTIALLY LOST OR DESTROYED.

7	D 10—12880		5	Bhogo Horee Chor, Agra.
8	D 7—98044		100	Motty Ram Hazaree, Morar.
	„ —94781		100	
9	D 10—82264		5	Messrs. Balmer, Lawrie & Co., Calcutta.
10	D 18—02996		100	Lalla Jwalla Pershad, Allahabad.
11	D 7—97310		100	Baboo Dwarka Pershad, Lucknow.
	„ —97303		100	
12	L 49—89419		50	Aga Raza Beg, Delhi.
13	D 10—29629		5	Mr. James Robert Harvey, Calcutta.
14	D 11—12041*		10	Gayasoodeen Moozaffer Ali, Bombay.
7	D 11—23985	wrongly joined.	10	W. C. Capper, Esq., Faizabad.
	„ —23984			
8	L 47—32630	ditto	20	G. W. Olliver, Esq., Lucknow.
	„ —32629			
9	D 11—51024	ditto	10	Messrs. Ranken & Co., Calcutta.
	„ —51025			

ALLAHABAD,—Paper Currency Office;
The 3rd May 1877.

T. H. S. BIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

* MUTILATED NOTE.

Coconada Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.		Value. Rs.	Name of Claimant.
I 5—12244		20	Seshadri Ramanujum Chetty of Venecatagiri.
„ —12266			
I 4—12963		50	H. W. Lushington, Esq., of Narsipatam, Vizagapatam Dist.
„ —12967			
„ —12968			
I 4—11478	wrongly joined.	50	R. J. Melville, Esq., Madras Civil Service.
„ —11479			

COCONADA,—Paper Currency Office;
The 25th April 1877.

H. RICHARDSON,
Depy. Collr., in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
56	L 83—49350	100	Rajmohun Kashinath Shaha.
58	L 81—64933	50	Babu Haridas Ghose.
59	L 81—77196	50	Alibux Khan.
60	L 84—03989	100	Mr. John G. Gordon.
7	„ —03990	100	
	„ —03991	100	
62	L 67—74903	50	Moti Ram Das.
64	L 84—05157	100	Babu Ram Gopal Bose.
	L 82—34508	100	
66	L 81—84816	50	Messrs Cohen Brothers & Co.
67	L 81—83576	50	Babu Madhub Chunder Ghose.
	„ —84529	50	
68	O 27—00834	500	Grish Chunder Mukerjee & Brothers.
	L 81—92333 to „ —92339	50 each	
69	L 66—32508	50	The District Superintendent of Police, Faridpur.

NOTES PARTIALLY LOST OR DESTROYED.

28	L 78—61952 „ 63—87968	20	Captain H. Paterson.
29	L 74—63 51 „ 87—33442	10	Babu Gogun Chund Paul.
31	L 16— 8596 „ —88666	5	Budree Das.
	L 10—64525 „ —06184	5	
35	D 5—18940 L 7—77903	20	Soonun Ram, Poddar.
	L 35—87918 „ —87917	10	
	L 22—63756 „ —63757	5	
51	L 62—90906	10	Captain H. Boileau, B. S. C.
	„ —90907	10	
	„ —90908	10	
52	L 83 01637	100	Ramgopal Marwari.
53	L 20—49173	5	Mr Daniel Peters.
54	A 81—29476	20	Babu Radha Madhub Chatterjee.
55	L 52 55867	500	Babu Nobin Chunder Bhattacharjee.
56	L 96—37481	10	H. H. The Maharaja of Burdwan.
57	L 67—54050	50	Hurruck Chand Rakhecha.
	L 83—51764	100	
58	L 23—18068	5	Rakhal Chunder Sadkhan.
59	A 98—65499	10	Babu Radha Kant Ghuttuck.
	„ —65500	10	
60	L 80—59090	20	Fakeerooddeen.
	L 77—37444	20	

CALCUTTA,—Paper Currency Dept.;
The 11th May 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Nagpur Circle.

HALF NOTES.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
2	F 7—75487	10	Lieutenant-Colonel G. C. Depree, Deputy Superintendent Topographical Survey, Camp *vid* Mandla.
36	A 8—52679	20	Mohomed Ahmed, Judicial Tahsildar, Gadarwara.
	„ —52691	20	
1	F 10—53419	100	J. A. Gaurin, Esq, District Deputy Collector and Magistrate, Belgaum, in the Athni Talook.
	C 93—98229	100	
37	F 8 22058	20	Nathu Sakharam Shett, Nassorabad, Khandesh.
	F 9—53883	50	

NAGPUR.—Paper Currency Office;
The 4th May 1877.

H. KEENE,
Asstt. to Depy. Accts. Genl., C. P., in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
25	E 3—50267	100	Kunhia Lal, Accountant, *Delhi Gazette* Press, Agra.
Sa	E 13—06498	100	
26	E 13—09068	100	Chadee Chuprasee, Jullundur.

NOTES PARTIALLY LOST OR DESTROYED.

9	E 12—18030	20	Lieut. R. J. Beech, through Dr. C. C. H. Smyth, Madras.
	E 4—88809	50	
	„ —97073	50	
39	E 10—49854	10	Revd. A. H. Etty, on behalf of Capt. H. Stewart, Allahabad.
	E 12—29912	20	
49	E 10—49657	10	Seikh Habeebullah, Lahore.

LAHORE.—Paper Currency Office;
The 5th May 1877.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877.		Rs.	
W26	M 24—54041	50	B. Read, Turret Ship *Abyssinia*.
	C 99—16393	20	
	M 28—33215	10	
27	M 27—21492	10	The Collector of Surat.
28	M 23—07710	50	Apana Chivlay, Kurnudwad.

NOTES PARTIALLY LOST OR DESTROYED.

1877.		Rs.	
H75	M 20—05483	10	J. H. Wilson, Kampti.
76	C 98—85273	10	Vasudeo Ramchandon Shévagé, Mandvi Bunder.
	„ —20509	10	
	M 21—05854	10	
M37	C 88—90338, C 98—10359	10	Raghunath Sakharam Patakali, Loharchal.
M38	M 2 —69661, „ —69924	5	Kaderbhoy Mahaji, Bhosari Mowla.

BOMBAY,—Paper Currency Dept.; *The 8th May 1877.*

G. WELLS, LL.D.,
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 11th May 1877.

Mails for Rangoon, Moulmein, and Straits, for transmission per Steamer *Arabia*, will be closed at the General Post Office on Sunday, the 13th May 1877, at 7 P. M.

Mails for Chittagong, Akyab, Kyouk-Phyoo and Sandoway, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Sunday, the 13th May 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 14th May 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Khedive*, will be closed at the General Post Office on Monday, the 14th May 1877, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Tuesday, the 15th May 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Rajpootana*, will be closed at the General Post Office on Wednesday, the 16th May 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Friday, the 18th May 1877.

2. Book-post and pattern packets must be posted on the 17th May 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Japan* and *Argyll*, will be closed at the General Post Office on Saturday, the 19th May 1877, at 7 P. M.

After Friday, the 25th May 1877, the Overland mail, *viâ* Bombay, will, until further notice, be closed at the General Post Office on Tuesday.

The first Tuesday mail will be on the 29th May 1877.

List of Unclaimed Letters lying in the Calcutta Post Office on the 11th May 1877.

Allan, W. H.	Jackson, Mrs. H. W.
Allen, W. G.	Johnson, J. W.
Aviet, G. A.	Joseph, S.
Barclay, Mrs. L.	Leatham, W. H.
Barker, Fred. A.	Logan, R. S.
Bartlett, W. H.	Lushman, Mrs.
Bearcy, J.	Macbeth, C.
Brae, T.	Mackintosh, D. S.
Bratt, Mrs. S.	Martin, Mrs. E.
Carleton, W. G.	Martin, J.
Chesterman, Mrs.	McNevin, F.
Clarke, Mrs. J. M.	Moore, C.
Clements, T. O. F.	Moucheye, Monsieur H. M.
Cornelius, Mrs. J. A.	Morgan, Edward.
Coonnolly, J.	Muller, J.
Cox, W. H.	Nangooley, N.
Cruevant, Mrs.	Nicolas, J.
D'Cruz, Miss M. A.	Oakes & Co., Messrs.
Debrew, Miss.	Ogbourne, Henry.
Edmonds, Mr. & Mrs.	Percy, Hugh L. H.
Fabnon, B.	Pinto, Mrs. Anna.
Fan, Mrs. E. M.	Powell, Mrs. W. H.
Fernandez, M. M. D.	Reid, J. R.
Flynn, D.	Reid, Louis D.
Forster, Geo.	Robinson, J.
Fox, Mrs. F.	Rose, Col. W.
Gayon, J.	Russell, William.
Gonsalves, Mrs. M.	Seymour, Jas.
Gordon, James.	Stevens, Mrs. A.
Granger, John H.	Vaugulin, Misses.
Gray, Mrs.	Vardon, Miss. H.
Harion, W. H.	Watkins, Mrs. J.
Hepworth, R. C.	Wane, Innes B.
Hewitt, Miss E.	Wilcox, E. C.
Hodgkinson, G.	Williams, Mr.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.	Davidson, John E.
Arthur, Geo.	Durham, John.
Atkinson, H. M.	E. F. W.
Baker, W.	Eaton, Mrs. G. W.
Battye, Major H. D.	Elderton, Mrs.
Beale, William.	Emilie, Melle.
Biggs, Robert O. C.	Fiorelli, Madame.
Boxall, C. A.	George, Guld Weben.
Bring, Miss.	Gladwell, T.
Bromehead, Revd.	Glukman, Lione.
Brewafield, M.	Graham, Mrs.
Burrows, L.	Gray, William.
Buz. ol Hossein.	Hudson, Thos.
Caddy, D. G.	Hughes, J. W.
Carr, J. H. W.	Jackson, J. W.
Carrington & Wigley.	Jenkinson, Mrs.
Carter, Mrs. H.	Jones, W.
Cassidy, J. J.	Jordon, F. J.
Chill, Mr.	Kaikhosru Nowrosj Kabraj.
Clarkson, Mr.	King, H. W.
Cranbourn, Mrs.	Lawrie, G. W.
Crossly, R.	Lloyd, Trevor.

MacIntyre, A.	Schapira, D.
Mackenzie, H.	Scott, W. C.
Macnamara, G. I.	Simpson, W.
Magrey, R. W.	Stone, B. J.
Meyer, H. G.	Storey, William.
Middleton, Lewis.	Street, Capt. H. A.
Mirza Bazhoal Hossein.	Terlecki, Miss.
Moran, Frank Conyngham.	Thomas, S. B.
Nichols, W. J.	Watson, J. B.
Pillot, Monsieur Eugene.	Willard, J. C.
Rein, G.	Wylly, E. E.
Rhoades, A. H.	Young, Capt. Alex.
Ryan, P. S.	Zacharias, A. H.

Papers.

Battye, Major H. D.	Storey, W.
Caddy, D.	Willard, J. C.
Holland, Capt.	Williams, C. A.
Ryder, A.	

Registered Letters.

Baildon, S. R.	Fagan, L. S.
Cosing, H.	Francis, Marples.
Elley & Co.	Lilley, H.

Parcels.

Hankey, H.	Lane, M.

W. ALPIN,
Offg. Post Master of Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 19, 1877. Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 17th May 1877.

No. 244.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1*s.* 9*d.* per rupee. Schedule 13 of the Tariff Table is therefore in force until further notice.

W. WATERFIELD,
Offg. Comptroller General.

BANK OF BENGAL.

Calcutta, the 17th May 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Saturday, the 2nd June, in celebration of Her Majesty's Birthday.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 11th May 1877.

No. 15.—Mr. William Sinclair, Surveyor, 3rd Grade, availed himself on the forenoon of the 19th April 1877 of the furlough for one year granted to him in Notification No. 11, dated 16th March last.

The 15th May 1877.

No. 16.—LEAVE OF ABSENCE.—Mr. Percival Edwin Heberlett, Probationary Assistant Surveyor, 4th Grade, for one month, under Section 3, Supplement F, of the Civil Leave Code, in extension of the leave granted in Notification No. 12, dated 2nd ultimo.

D. C. VANRENEN, *Colonel, R.A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 9th May 1877.

No. 580.—Colonel H. Forbes, Commandant, Bhopal Battalion, is granted sixty days' privilege leave, with effect from the 13th instant.

By Order,
F. H. MAITLAND,
2nd Asstt. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 10th May 1877.

No. $\frac{1329}{968}$ *G.*—ADDENDUM.—After 1st May 1877, in this Office Notification No. $\frac{1075}{798}$G, dated 17th April 1877, add the words "or from such subsequent date as he may avail himself of the same."

By Order,
H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 12th May 1877.

No. 28.—Colonel A. Cadell, R.E., Chief Engineer, Central India, availed himself, on the forenoon of the 7th instant, of the three months' privilege leave granted in Notification No. 27, dated 30th April 1877.

No. 29.—Major E. Swetenham, Executive Engineer, 1st Grade, returned on the afternoon of the 5th instant from three months' privilege leave granted him in Notification No. 16, dated 22nd March 1877.

The unexpired portion of Major Swetenham's leave, *viz.*, one month and twenty-seven days, is cancelled.

No. 30.—Baboo Umbica Churn Chowdry, Assistant Engineer, 1st Grade (Temporary Executive Engineer, 4th Grade), has passed the higher standard examination in Hindoostani.

E. SWETENHAM, *Major, S.C.,*
Offg. Secy. to Agent, Govr. Genl., for Central India.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 7th May 1877.

No. 19.—Major J. G. Bell, Judicial Commissioner, officiated as Commissioner, Hyderabad Assigned Districts, from the 1st to the 26th April 1877, both days inclusive, in addition to his own duties.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 8th May 1877.

No. 57.—Captain J. E. Toller, R.E., Executive Engineer, is transferred from the Sirhind Division to the Meerut Division of Superintendence, Military Works.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 3rd May 1877.

No. 13.—Captain A. Hill, R.E., Executive Engineer, 4th Grade, having rejoined on the afternoon of 10th April 1877 from the privilege leave granted him in this Office Notification No. 11 of 9th idem, the remainder of that leave, *viz.*, seventeen days, is hereby cancelled.

The 8th May 1877.

No. 14.—Lieutenant J. Cargin, Barrack Master, posted to this Division of Superintendence in Inspector General's Notification No. 43 of 3rd April 1877, is posted to the Mooltan Division, Military Works, which he joined on the 2nd May 1877.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Meerut Division of Superintendence.

Meerut, the 8th May 1877.

No. 23.—Mr. W. Phillips, Supervisor, 1st Grade, is transferred from the Bareilly to the Ranikhet Division, Military Works, which he joined on the afternoon of the 2nd instant.

No. 24.—Mr. G. F. Lamb, Assistant Engineer, 2nd Grade, is transferred from the Meerut to the Agra Division, Military Works, which he joined on the forenoon of the 27th April 1877.

No. 25.—Sergeant W. Heywood, Overseer, 1st Grade, is transferred from the Morar to the Bareilly Division, Military Works, which he joined on the 27th April 1877.

No. 26.—With reference to Inspector General, Military Works' Notification No. 47 of 7th April 1877, Lieutenant N. Arnott, R.E., Assistant Engineer, 1st Grade, is posted to the Chakrata Division, Military Works, which he joined on the forenoon of the 28th idem.

No. 27.—Mr. G. Reid, Overseer, 1st Grade, is transferred from the Agra to the Morar Division, Military Works, which he joined on the afternoon of the 26th April 1877.

No. 28.—Mr. J. Calver, Overseer, 1st Grade, joined the Agra Division Military Works, on the forenoon of the 18th April 1877.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Oudh Division of Superintendence.

Lucknow, the 16th May 1877.

No. 38.—Privilege leave of absence for a period of 30 days is granted to Lieutenant F. B. Grant D'Aguilar, R.E., Assistant Engineer, attached to Allahabad Division, Military Works, from such date as he may avail himself of the same.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 11th May 1877.

No. 86.—With reference to Public Works Department Notification No. 209 of 10th May 1877, Mr. N. A. R. Chambers, Assistant Engineer, 2nd Grade, is posted to the Indus Valley Railway.

The 14th May 1877.

No. 87.—Mr. J. C. Porter, Sub-Engineer, 3rd Grade, Sindia Railway, is transferred to the Indus Valley Railway.

No. 88.—With reference to Director's Notification No. 14 of the 29th January 1877, and Government of India, Public Works Department, Notification No. 214 of the 11th May 1877, Captain W. S. S. Bisset, R.E., resumed charge of the office and duties of Manager, Open Line, Holkar and Neemuch Railways, from Mr. F. N. Gutersloh on the afternoon of the 7th idem.

No. 89.—Mr. J. E. N. Boydell, Assistant Engineer, 2nd Grade, is granted six months' leave on medical certificate with the usual subsidiary leave.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 10th May 1877.

No. 514.—With reference to this Office Notification No. 444, dated 28th April 1877, in which Lieutenant Constable, R.E., was granted leave to study Native Languages, this leave has been cancelled at his own request.

JAMES COLLET,
Engineer-in-Chief.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATIONS.—ESTABLISHMENT.

Darjeeling, the 11th May 1877.

No. 39.—Baboo Bhoobun Mohun Chatterjee, Accountant, 3rd Grade, Principal Store-keeper's Office, Kooshtea, is granted one month's privilege leave from the forenoon of 2nd May 1877.

No. 40.—With reference to Director's Notification No. 38 of 1877, granting furlough to Mr. R. Reynolds, Executive Engineer, 2nd Grade, that officer reported his departure from this Railway on the afternoon of the 20th April 1877.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 9th May 1877.

No. 86.—With reference to Director of State Railways' Notification No. 48 of 6th March 1877, Mr. W. H. Parker, Temporary Superintending Engineer, 3rd Grade, Lower Scinde District, availed himself of the six months' furlough on the afternoon of 4th May 1877, making over charge of the current duties of the office to Mr. F. L. Dibblee, Executive Engineer, 2nd Grade.

The 11th May 1877.

No. 87.—Mr. F. S. Homfray, Store-keeper, 2nd Grade, is transferred from the Humdee Depôt to the Ooch Depôt.

No. 88.—The following transfers have been made by Superintending Engineers:—

Mr. V. E. DeBroe, Assistant Engineer, 3rd Grade, from the Sehwan to the Mehur Division.

Mr. A. Brereton, Assistant Engineer, 1st Grade, from the Office of Superintending Engineer, Mooltan District, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 11th May 1877.

No. 28.—Pundit Girdharee Lall, Accountant, 4th Grade, of the late Nerbudda Division, is granted privilege leave for thirty-five days from 1st June 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawul Pindi, the 12th May 1877.

No. 59.—Baboo Keshub Chunder Chatterjee, Supervisor, 2nd Grade, late Chenab Division, is allowed privilege leave for two months and twenty-six days, with effect from the forenoon of the 4th May 1877.

No. 60.—Lieutenant J. Roberts, Assistant Engineer, 2nd Grade, is transferred from the Jhelum to the Ravi Division, which division he joined on the forenoon of 4th May 1877.

No. 61.—Lieutenant B. Scott, R.E., Assistant Engineer, 2nd Grade, is transferred from the Soan to the Indus Division, which division he joined on the 9th February 1877.

This cancels Notification No. 54, dated 21st April 1877.

ALEX. GRANT,
Engineer-in-Chief.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th May 1877.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans							4½ per cent. Loans			5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	5 per cent. Debentures for		TOTAL AMOUNT.
		of 1824-25.	of 1828-29.	of 1832-33.	of 1835-36.	of 1842-43.	of 1854-55.	Transfer of 1865.	of 1870.	of 1871.	of 1872.			10 years. Repayable June 1877.	15 years. Repayable June 1882.	
Balance of 30th April 1877	55,600	33,173	2,346	14,54,506	30,48,600	1,55,82,000	1,10,12,200	1,66,64,800	39,80,100	2,97,000	3,00,91,500	82,800	4,34,70,700	26,23,000	33,14,000	13,17,12,325
Add—																
Amount enfaced at Madras between 1st and 15th May 1877 ...	...	...	...	...	...	...	1,000	10,500	33,500	...	4,500	...	5,000	...	...	54,500
Amount enfaced at Bombay between 1st and 15th May 1877 ...	...	...	...	...	...	1,000	51,000	4,000	...	...	9,500	...	26,500	...	...	92,000
Amount enfaced at Calcutta between 1st and 15th May 1877 ...	...	...	...	...	3,000	91,200	7,700	22,600	...	...	29,300	...	26,700	...	...	1,80,500
	55,600	33,173	2,346	14,54,506	30,51,600	1,56,74,200	1,10,71,900	1,67,01,900	40,13,600	2,97,000	3,01,34,800	82,800	4,35,28,900	26,23,000	33,14,000	13,20,39,325
Deduct—																
Amount written off in the London Registers	...	...	...	...	2,600	1,03,200	8,000	1,16,900	...	...	2,500	...	10,500	4,53,000	20,000	7,16,700
Balance on 15th May 1877	55,600	33,173	2,346	14,54,506	30,49,000	1,55,71,000	1,10,63,900	1,65,85,000	40,13,600	2,97,000	3,01,32,300	82,800	4,35,18,400	21,70,000	32,94,000	13,13,22,625

NOTE.—From 9th June 1867 to 15th Mar. 1877, enfaced from India, 2,433 lacs; re-transferred from London, 2,474 lacs.
„ 16th Mar. 1877 to 31st „ „ „ 12 „ „ „ 3 „
„ 1st April „ to 15th April „ „ 13 „ „ „ 5 „
„ 16th „ „ to 30th „ „ „ 8 „ „ „ ...
„ 1st May „ to 15th May „ „ 3 „ „ „ 7 „
2,469 lacs. 2,489 lacs.
2,469 „
Balance against London ... 20 lacs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 17th May 1877.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 15th May 1877.

LIABILITIES.			Rs.	A.	P.
Capital paid-up			2,00,00,000	0	0
Reserve Fund			16,70,904	2	5
	Rs.	A. P.			
Public Deposits at Head Office	92,94,394	0 7	2,21,34,252	15	0
Public Deposits at Branches	1,28,39,858	14 5			
Other Deposits at Head Office and Branches			1,68,50,906	4	1
Bank Post Bills, &c.			2,92,060	8	1
Sundries			11,50,200	15	1
TOTAL			6,20,98,324	12	8

ASSETS.			Rs.	A.	P.
Government Securities			95,07,564	4	9
Loans on Government Securities, &c., at Head Office and Branches			52,79,677	10	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches			68,30,352	11	10
Bills discounted and purchased at Head Office and Branches			2,04,97,643	8	11
Balances with other Banks			4,03,672	3	5
Bullion			8,36,828	13	6
Dead Stock			10,20,105	1	3
Stamps			9,904	5	11
Sundries			1,57,567	1	5
			4,45,43,315	13	5
	Rs.	A. P.			
Cash and Currency Notes at Head Office	80,67,735	15 5	1,75,55,008	15	3
Cash and Currency Notes at Branches	94,87,272	15 10			
TOTAL			6,20,98,324	12	8

By order of the Directors,

BANK OF BENGAL:
Calcutta, 17th May 1877.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

W. D. CRUICKSHANK.
Offg. Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
18	B 40—21908		5	A. Ruthna Moodelly, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

21	B 49—52973		10	T. Hoochapa, Hoovinahadagaly.
22	B 50—88815		100	Mankum Appoodoo Chetty, Palacode.
23	B 43—92148		50	Kandy Iyyanna, Ellore.
	„ —92149		50	
24	B 39—79420		5	Mr. J. R. Jeffreys, Madras.
	„ —81360		5	
	B 35—78956		20	
26	B 50—55017		100	Soorjee Prayjee Sett, Calicut.
11	B 40—29113	wrongly joined.	5	M. Pattabiramiah, Madras.
	„ —29114			
	B 49—75234	ditto	10	
	„ —75235			
12	B 40—25612	ditto	5	H. E. Church, Esq., Traffic Manager, Madras Railway, Madras.
	„ —25614			

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 7th May 1877.

G. W. CLINE, LL.D.,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

MUTILATED NOTES.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
3	F 10-47714		100	Cassiram, Goldsmith.
	„ —59138		100	

HALF NOTES.

1	F 9—39283		50	Major Doveton, Conservator of Forests, C.P.
11	F 9—60203		50	Colonel Montgomery Hunter, Staff Corps, Commanding at Delhi.
8½	F 8—35746		20	Mr. Kesho Rao Putwardhan, Supervisor, P. W. D., Nagpur.
28	F 13—24479		5	Mr. J. H. Wilson, Executive Engineer, Kamptee.

MIS-MATCHED NOTE.

20	F 13—05400		5	Jumna Das & Co., Silk Merchant, Bhutai Imly, Benares.
	„ —02954			

NAGPUR.—Paper Currency Office;
The 10th May 1877.

H. KEENE,
Asstt. to Depy. Acctt. Genl., C. P., in charge of Paper Currency.

3 b

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
6	... D 5—41975	... 20	... Abdool Razac, Ghazipur.
7	... D 9—39582	... 1,000	... Ram Dial Singh, Dehra.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
15	... D 4—71482	... 50	... Revd. F. Kennedy, Toondla.
16	... D 11—18471	... 10	... Mr. A. Allan, Bombay.
17	.. L 17—26632	... 20	... The District Superintendent of Police, 24-Pergunnahs.
18	... D 10—85449	... 5	... Colonel L. Russell, R.E., U. S. Club, Calcutta.
	„ —85450	... 5	...
19	... D 5—10942	... 20	... G. O. Man, Esq., Joumpur.

ALLAHABAD,—Paper Currency Office; *The 10th May 1877.*

T. H. S. BIDDULPH.
Asstt. Acctt. Genl., in charge of Paper Currency Office.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
28	... E 2—27945	... 500	... Baboo Ramjus, Pensioner, Educational Department, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
50	... E 7—34535	... 5	... Moola, Peon, Lahore.
51	... E 10—45329	... 10	... Captain H. Decoetlogon, Murree.
52	... E 10—39907	... 10	... Kareemud Deen, Lahore.
53	... E 7—52363	... 5	... Colonel L. Russell, Calcutta.

LAHORE,—Paper Currency Office; *The 12th May 1877.*

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
70	... L 81—69124	... 50	... Babu Poorno Chandra Bose.
71	... L 91—00872	... 20	... Babu Doorga Das Banerjee.
72	... L 83—82862	... 100	...
	„ —79567	... 100	...
	„ —96959	... 100	...
	„ —51592	... 100	...
	„ —37259	... 100	...
	„ —78960	... 100	... Rasallumoollah Hossein.
	„ —92143	... 100	...
	„ —97179	... 100	...
	„ —99396	... 100	...
	L 51—96216	... 100	...
73	... L 52—94042	... 500	...
	„ —95276	... 500	... Babu Gopaul Chandra Paul.
76	... L 82—86006	... 100	...
	L 81—10595	... 50	...
	„ —62913	... 50	...
	L 89—02198	... 20	...
	„ —74099	... 20	...
	L 90—01207	... 20	...
	L 45—16795	... 20	...
	L 80—46638	... 20	...
	L 89—64338	... 20	...
	L 90—53982	... 20	...
	L 78—43997	... 20	...
	L 76—32659	... 10	...
	L 96—55742	... 10	...
	L 88—48902	... 10	... Babu Kally Nath Ghose.
	L 74—46506	... 10	...
	L 97—38217	... 10	...
	„ —45679	... 10	...
	„ —56549	... 10	...
	L 95—03331	... 10	...
	L 58—73784	... 10	...
	L 75—40279	... 10	...
	L 24—03664	... 5	...
	L 25—85556	... 5	...
	L 27—03983	... 5	...
	L 26—85824	... 5	...
	„ —63433	... 5	...
	L 25—55805	... 5	...

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
30	... L 4—16767	... 10	... Sadee Ram Radha Kissen.
	„ 3—95958		
36	... L 88—70199	... 10	... Mr. J. W. Milne.
	„ —70194		
37	... L 58—51464	... 10	...
	„ 33—23428		
	L 11—96581	... 5	... Babu Protab Chandra Dey.
	„ —96588		
	„ —59266	... 5	...
	„ —59263		
	„ —63764	... 5	...
	„ —63765		
38	... L 23—57019	... 5	...
	„ —57020		
	„ —16432	... 5	... Hajee Tar Mohamed Sallay Mohamed.
	„ —16435		
61	... L 89—36447	... 20	... Babu Gris Chandra Sarcar.
62	... L 73—84622	... 10	...
	„ —84619	... 10	... Babu Moti Lal Set.
63	... L 66—79382	... 50	... Babu Nophur Chandra Bose.
64	... L 71—15219	... 10	... Khawja Ahmad Hossein.
65	... L 95—97640	... 10	... Babu Nobin Chandra Bose.
66	... L 88—63179	... 10	... Babu Baney Madhub Ghose.
67	... L 50—61070	... 100	... Babu Ram Churn Ghose.
68	... L 82—63754	... 100	...
	L 83—12971	... 100	... Shaik Sadoollah.
69	... L 23—10263	... 5	...
	„ —10265	... 5	... Babu Mohanundo Roy.

CALCUTTA,—Paper Currency Dept.; *The 18th May 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 17th May 1877 ... Rs. 9,57,605-8-11

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA, *18th May 1877.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
May 7	...	...	1,90,498	3,90,380	66,02,002	1,97,746
„ 8	...	...	1,92,118	1,90,650	66,53,811	3,97,176
„ 9	...	...	1,83,132	548	64,73,717	5,87,278
„ 10	...	...	...	548	63,82,051	5,87,278
„ 11	...	3,83,004	562	...	66,81,089	1,90,650
„ 12	...	...	...	...	66,81,165	1,90,650

CALCUTTA MINT, *The 14th May 1877.*

J. F. TENNANT,
Offg. Mint Master.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 17th May 1877.

In consequence of Mauritius having joined the General Postal Union the following rates of postage are chargeable on correspondence for Mauritius, Seychelles, or Réunion whether by mail or by private vessels:—

		As.	P.
Letters per ½ oz. ...	...	4	0
Newspapers per 4 oz.	...	1	0
Printed papers, &c., and Patterns } ½ oz.	...	1	6
Registration Fee ...	...	4	0

Prepayment of postage is compulsory by private vessels only. Registered covers cannot be forwarded by private vessels.

The 18th May 1877.

Mails for the Straits and Hong-Kong, for transmission per Steamers *Japan* and *Argyll*, will be closed at the General Post Office on **Saturday**, the 19th May 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Mecca*, will be closed at the General Post Office on **Sunday**, the 20th May 1877, at 7 P. M. Mails for Port Blair and Camorta can be sent by this opportunity.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Commilla*, will be closed at the General Post Office on **Sunday**, the 20th May 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Monday, the 21st May 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Khandalla*, will be closed at the General Post Office on Wednesday, the 23rd May 1877, at 7 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on **Wednesday**, the 23rd May 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, and United States of America, for transmission per Steamer from Bombay, will be closed at the General Post Office on **Friday**, the 25th May 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on **Friday**, the 25th May 1877.

2. Book-post and pattern packets must be posted on the 24th May 1877.

N. B.—The Letter Box will close at 7 P. M. Packets after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing the extra postage stamp of four (4) annas on each cover up to 8 P. M.

After Sunday, the 20th May 1877, mails for British Burmah will, until further notice, be closed at the General Post Office on every Friday.

The first Friday mail will be on the 25th May 1877.

The fortnightly mails for Chittagong, Akyab, Kyouk Phyoo and Sandoway, will also, after Sunday, the 13th May 1877, until further notice, be closed at the General Post Office on Friday.

The first Friday mail will be on 25th May 1877.

List of Unclaimed Letters lying in the Calcutta Post Office on the 18th May 1877.

Adley, Mrs. Ellen.
Alexander, Geo.
Allan, W. H.
Allen, W. G.
Anderson, Miss A.
Barclay, Mrs. L.
Barker, Fred. A.
Bartlett, W. H.
Bearcy, J.
Burland, Mrs. H. H.
Carleton, W. G.
Caslon & Co., Messrs.
Chesterman, Mrs.
Chistolm, Mrs.
Clark, J. W. S.
Clarke, Mrs. J. M.
Clements, T. O. F.
Cobley & Co., Messrs.
Cornelius, Mrs. J. A.
Cox, W. H.
Crew, C.
Crevevent, Mrs.
Daviad, J.
Dawson, Colonel.
Dobree, Miss.
Desgratoulet, L. E.
Douglas, Mr.
Dyer, W.
Edmonds, Mr. & Mrs.
Emmer, Mrs. L. J.
Falmon, R.
Fan, Mrs. E. M.
Fernandez, M. M. D.
Flynn, D.
Fox, Mrs. F.
Gayon, J.
Gonsalves, Mrs. M.
Gordon, James.
Graham & Co., Messrs.
Granger, John H.
Gray, Mrs.
Hardy, J. T. F.
Harlow, W. H.
Henty, J. H.
Hepworth, R. C.
Hewitt, Miss E.
Hodgkinson, G.
Jackson, Mrs. H. W.
Jansson, A.
Johnson, H. C. W.
Johnson, J. W.
Jones, A. E.
Joseph, S.
Kirk, Miss.
Leatham, W. H.
Liddell, Chas.
Lilley, H. A.
Logan, R. S.
Lushman, Mrs.
Macbeth, C.
Mackintosh, D. S.
Martin, Mrs. E.
Martin, J.
Martyn, Mr.
McNevin, F.
McRay, Thos.
Moore, A.
Moucheye, Monsieur H. M.
Morgan, R. E.
Morgan, Edward.
Müller, J.
Nangooley, N.
Oakes & Co., Messrs.
Percy, Hugh L. H.
Peters, Mrs. G.
Powell, Mrs. W. H.
Reid, Louis D.
Robinson, J.
Rose, Col. W.
Searle, Capt. T. W.
Seymour, Jas.
Shortt, Miss.
Sinclair, W.
Spalding, Mrs.
Sterley, Mrs. M.
Stevens, Mrs. A.
Tester, Mrs. C. H.
Thompson, W. H.
Trunudy, J. T. D.
Vaillant, Mrs. C. M.
Vaugulin, Misses.
Wane, Innes B.
Watkins, Mrs. J.
Watson, A. E.
Wilson, Louis.
Yettie, Mrs. L. H.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Arthur, Geo.
Atkinson, H. M.
Baker, W.
Battye, Major H. D.
Biggs, Robert O. C.
Blundell, C. E.
Blundell, H. S.
Boxall, C. A.
Bring, Miss.
Bromehead, Revd.
Brownfield, M.
Burrows, H.
Buzlool Hoossein.
Caddy, D. G.
Carr, J. H. W.
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Emilie, Mdlle.
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Glukman, Lione.
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Gray, William.
Hudson, Thos.
Hughes, J. W.
Jackson, J. W.
Jenkinson, Mrs.
Jones, W.
Jordon, F. J.
Kaikhosru Nowrosj Kahraj.
King, H. W.
Lloyd, Trevor.
Lomas, Geo.
MacIntyre, A.
Mackenzie, H.
McGrey, R. W.
Meyer, H. G.
Middleton, Lewis.
Mirza Bazhoal Hossein.
Moran, Frank Conyngham.
Nichols, W. J.
Pashley, Geo.
Pillot, Monsieur Eugene.
Rein, G.
Rhoades, A. H.
Schapira, D.
Scott, W. C.
Simpson, W.
Stone, B. J.
Storey, William.
Terlecki, Miss.
Thomas, S. B.
Watson, J. B.
White, H. H.
Willard, J. C.
Young, Capt. Alex.
Zacharias, A. H.

Papers.

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Caddy, D.
Holland, Capt.
Ryder, A.
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Williams, C. A.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 26, 1877. | Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 24th May 1877.

No. 72.—Mr. T. S. Huskisson, Cable Clerk, 3rd Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, privilege leave from 27th January to 5th March 1877, under Section 12 of Supplement F of the Civil Leave Code.

No. 73.—Mr. S. Parrott, Cable Clerk, 1st Grade, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on medical certificate, from 11th November 1876 to 15th April 1877, under Section 3 of Supplement F of the Civil Leave Code, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,
Examiner of Telegraph Accounts.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 21st May 1877.

No. 17.—Leave of Absence.—Mr. George William Jarbo, Assistant Surveyor, 2nd Grade, for three months from the 23rd April 1877, under Section 12, Supplement F of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R.A.*,
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, CENTRAL INDIA.

NOTIFICATION.

Camp Gwalior, the 22nd May 1877.

No. 65. *R. G.*—Captain A. W. Roberts, Cantonment Magistrate, Morar, held charge of the current duties of the Gwalior Political Agency from the afternoon of the 10th to the afternoon of the 13th April 1877.

JOHN WATSON, *Colonel,*
Offg. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 16th May 1877.

No. $\frac{1382}{1020}G$.—Surgeon T. H. Hendley, Agency Surgeon, Jeypore, availed himself of the privilege leave granted him by this Office Notification No. $\frac{1073}{738}$G, dated 17th ultimo, on the forenoon of the 3rd May 1877.

No. $\frac{1387}{1021}G$.—With reference to this Office Notification No. $\frac{1020}{766}$G, dated 12th April 1877, Lieutenant O'Moore Creagh, Adjutant, Mhairwara Battalion, is granted one month's extension of privilege leave.

By Order,
H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATION.—ESTABLISHMENT.

Indore, the 17th May 1877.

No. 31.—Notification No. 19, dated 10th April 1877, promoting Baboo Umbica Churn Chowdry from Assistant Engineer, 1st Grade, to Executive Engineer, 4th Grade, temporarily, is cancelled.

E. SWETENHAM, *Major, S.C.,*
Offg. Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL AND CHIEF COMMISSIONER, P. W. D., RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 18th May 1877.

No. 326.—With the sanction of the Governor General in Council, it is hereby notified that the Ajmere Courts' Regulation No. 1 of 1877, published in the *Gazette of India* of the 5th May 1877, will come into force on the 1st day of June 1877.

A. C. LYALL,
Offg. Chief Commr. of Ajmere.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Lahore Division.

Lahore, the 15th May 1877.

No. 15.—Lieutenant R. F. Moore, R.E., Assistant Engineer, 2nd Grade, availed himself on the afternoon of the 11th May of the leave granted him in Public Works Department, Military Works, Notification No. 16, dated 2nd March 1877.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Meerut Division of Superintendence.

Meerut, the 12th May 1877.

No. 29.—With reference to Military Works Notification No. 38 of 23rd March 1877, Mr. F. H. Ashhurst, Assistant Engineer, 1st Grade, left Ranikhet on the forenoon of the 5th instant to join the Rawal Pindi Division of Superintendence.

The 17th May 1877.

No. 30.—Sub-Overseer Bucktawar Lall, Bareilly Division, Military Works, is granted three months' privilege leave from the 10th May 1877, or such subsequent date as he may avail himself of the same.

The 22nd May 1877.

No. 31.—With reference to Military Works Notification No. 36, dated 23rd March 1877, Lieutenant F. T. N. Spratt, R.E., Assistant Engineer, 1st Grade, was relieved of his duties in the Chakrata Division on the afternoon of the 10th instant, and proceeded to join his appointment in the Lahore Division on the same day.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Rawal Pindi Division.

Rawal Pindi, the 17th May 1877.

No. 874.—Privilege leave of absence for three months is granted to Sergeant W. G. Westwood, Overseer, 1st Grade, from the 1st June, or such date subsequent thereto as he may avail himself thereof.

The 18th May 1877.

No. 888.—Mr. J. Ashurst, C.E., Assistant Engineer, 1st Grade, reported his arrival in the Rawal Pindi Division on the 9th instant.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawal Pindi Divn., Mily. Works.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 21st May 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 210, dated the 10th May 1877, Captain W. A. J. Wallace, R.E., took over charge of the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, on the afternoon of 10th instant.

W. A. J. WALLACE, *Capt., R.E.,*
Offg. Consltg. Engr. to the Govt. of India for Guaranteed Rys.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 14th May 1877.

No. 89.—Mr. E. Hyde, Executive Engineer, 4th Grade, on special duty, is transferred to the Lower Scinde District, and posted to the Sehwan Division.

No. 91.—Mr. G. H. R. Deverell, Assistant Engineer, 2nd Grade, Sehwan Division, is granted three months' privilege leave, with effect from the 1st May 1877, or such date as he may be able to avail himself of it.

The 15th May 1877.

No. 92.—Mr. T. Reid, Overseer, 1st Grade, Ghotki Division, is granted three months' privilege leave, with effect from the 20th June 1877, or such subsequent date as he may be permitted to avail himself of it.

No. 93.—Mr. R. Sivewright, Assistant Engineer, 2nd Grade, posted to this line by Director of State Railways' Notification No. 78 of 27th April 1877, reported his arrival at Kurrachee on the afternoon of the 11th instant, and is posted to the Lower Scinde District.

The 16th May 1877.

No. 94.—Messrs. H. E. Haddon and E. Leycester, Assistant Engineers, 2nd Grade, posted to this line by Director of State Railways' Notification No. 78 of 27th April 1877, reported their arrival at Mooltan on the forenoon of the 16th and 17th instant, respectively, and are posted to the Mooltan District.

The 17th May 1877.

No. 95.—Captain A. C. Bigg-Wither, Executive Engineer (temporary rank), Assistant to Engineer-in-Chief, is granted three months' privilege leave, of which he availed himself on the afternoon of the 16th instant.

The 18th May 1877.

No. 96.—Mr. J. F. Cockburn, Executive Engineer, 2nd Grade, is granted three months' privilege leave, with effect from such date as he may be able to avail himself of it.

No. 97.—The following posting has been made by Superintending Engineer, Lower Scinde District:—

Mr. R. Sivewright, Assistant Engineer, 2nd Grade, to Office of Superintending Engineer.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawal Pindi, the 19th May 1877.

No. 62.—Lieutenant J. Roberts, Assistant Engineer, 2nd Grade, is transferred from the Chenab to the Ravi Division. He left the former on the forenoon of 4th May 1877, and joined the latter on the same date.

This cancels Notification No. 60, dated 12th May 1877.

No. 63.—With reference to Director of State Railways' Notification No. 62, dated 2nd April 1877, Mr. H. F. Storey, Executive Engineer, 2nd Grade, availed himself of the eighteen months' furlough therein granted on the 23rd April 1877.

ALEX. GRANT.
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 16th May 1877.

No. 22.—Mr. C. Pierce, Assistant Apothecary, 1st Class, Rajputana State Railway, was absent on privilege leave from the 17th February to the 9th March 1877.

FRED. FIREBRACE,
Offg. Manager.

TIRHOOT STATE RAILWAY.

NOTIFICATIONS.

Dinapore, the 24th May 1877.

No. 17.—With reference to Government of India, Public Works Department Notification No. 217 of 14th May 1877, Lieutenant G. F. Wilson, R.E., Assistant Engineer, 2nd Grade, reported his arrival at Dinapore on the afternoon of the 24th April, and is temporarily attached to the Office of Engineer-in-Chief, Tirhoot State Railway.

No. 18.—With reference to this Office Notification No. 16 of 8th May 1877, eleven days extension of privilege leave is granted to Mr. J. P. O'Sullivan, Accountant, 3rd Grade, attached to the Office of Examiner of Accounts, Tirhoot State Railway.

E. J. MARTIN,
In Charge of Engineer-in-Chief's Office.

Report of a Deserter from the 66th Regiment of Foot, dated at Ahmednagar, this 16th day of May 1877.

Name,—Albert Lloyd.		Place of Enlistment,—Bombay.
Age,—23 years and 5 months.		Parish where born,—Liverpool.
Size,—5 feet 9½ inches.		County,—Lancashire.
Color of—		Former Trade or Occupation,—Sailor.
Complexion, sallow; hair, dark brown; eyes, hazel.		Dress at the time of Desertion,—coat or jacket; waistcoat; breeches or trowsers. Regimentals.
Peculiar marks by which his identity may be ascertained,—None.		Remarks, stating any particular circumstances attending his Desertion,—None.
Date of Desertion,—12th May 1877.		
From whence deserted,—Ahmednagar.		
Date of Enlistment,—8th February 1877.		

F. BARCLAY, *Lieut.-Colonel,*
Comdg. 66th Regiment.

Report of a Deserter from the 66th Regiment of Foot, dated at Ahmednagar, this 16th day of May 1877.

Name,—Mark Wilson.		Place of Enlistment,—Newcastle-on-Tyne.
Age,—26 years and 8 months.		Parish where born,—Newburn.
Size,—5 feet 11 inches.		County,—Northumberland.
Color of—		Former Trade or Occupation,—Collier.
Complexion, fresh; hair, dark brown; eyes, grey.		Dress at the time of Desertion,—coat or jacket; waistcoat; breeches or trowsers. Regimentals.
Peculiar marks by which his identity may be ascertained,—Scar on left arm.		Remarks, stating any particular circumstances attending his Desertion,—None.
Date of Desertion,—12th May 1877.		
From whence deserted,—Ahmednagar.		
Date of Enlistment,—9th January 1869.		

F. BARCLAY, *Lieut.-Colonel,*
Comdg. 66th Regiment.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

Register No.	No. of Notes.		NOTE WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
8	... D 4—69661	...	50	... Revd. Fr. Symphorien, Agra.
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
20	... D 10—44846	...	5	... Mr. J. W. Smith, Agra.
10	... D 5—89570 wrongly		20	... Dr. G. A. Oliphant, Hanper.
	„ —89571 joined.			
11	... L 51—21457		100	... Mr. D. Low, Calcutta.
	„ —21458 ditto	...		

ALLAHABAD,—Paper Currency Office;
The 17th May 1877.

T. H. S. RIDDULPH,
Asstt. Accts. Genl., in charge of Paper Currency Office.

Calicut Circle.

No. of Note.		NOTES PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
J 7—66027	...	5	... Messrs. Groves, Wait & Co., Coonoor.
J 3—95345	...	100	... Commissioner, for Dr. A. F. Dobson, Mangalore.
J 6—76862	...	10	... Mr. H. M. Walker, Cochin.
J 4—70019	...	50	... S. Venkatasiah, Assistant Master, Central College, Bangalore.
J 4—66719	...	50	... P. O'Ratigan, Esq., Executive Engineer, Ghooty.

CALICUT,—Paper Currency Office;
The 15th May 1877.

P. A. COLE,
Depy. Collector, in charge of Paper Currency.

Kurrachee Circle.

No. of Notes.		NOTES PARTIALLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
G 7—93271	...	10	... Mr. Moroba Govind, Cashier, Indo-European Telegraph Office Kurrachee.
G 8—80177	...	20	... Mr. Hurree Sing, Overseer, Dinna Nuggar, Punjab.
G 7—87507	...	10	... Mr. Jethanund Manghoomal, Time-keeper, Dadu, Sind.
G 7—80161 mis-		10	... Mr. Damodhar Gopal, Head Clerk, Judge's Office, Shikarpur.
„ —80162 matched.			

KURRACHEE,—Paper Currency Dept.;
The 11th May 1877.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Lahore Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
29	... E 13—08730	...	100	... Baboo Ramjus, Pensioner, Lahore.
30	... E 10—11060	...	10	... The Post Master General, N. W. Provinces, Allahabad.
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
55	... E 10—39453	...	10	... Revd. F. Kennedy, Chaplain, E. I. Railway, Toondla.
23	... E 7—57257		5	... Loukra, Silk-seller, Chhattabazar, Lahore.
	„ —57259	...		

LAHORE,—Paper Currency Office;
The 19th May 1877.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Madras Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant
19	... B 40—53517	...	5	... Runchoddoss, Madras.
	B 43—93448	...	50	...
			NOTES PARTIALLY LOST OR DESTROYED. Rs.	
27	... B 39—68114	...	5	... V. Thorasawmy Naidu, Puducottah.
13	... B 34—67166 wrongly		10	... M. Punchatchara Moodelly, Madras.
	„ —67167 joined.			
14	... B 42—71052		20	... Mrs. J. Hogg, Madras.
	„ —71051 ditto	...		

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 14th May 1877.

G. W. CLINE, LL.D.,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

Register No.	No. of Notes.		Value. Rs.	MISMATCHED NOTES. Name of Claimant.
3	... F 7—77393		10	... Mr. D. Schmid, Postmaster, Nagpur.
	„ —77395	...		
4	... F 7—67455		10	... Bhora Ismailji Mahomed Ally, Bombay.
	„ —67456	...		

NAGPUR,—Paper Currency Office;
The 17th May 1877.

H. KEENE,
Asstt. to Depy. Acctt. Genl., C. P., in charge of Paper Currency.

Calcutta Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
78	... L 84—19222	...	100	... Jamin Ali.
	„ —19217		100	...
	L 81—91206		50	...
	„ —91202		50	...
79	L 81—95631		50	... Ram Lal Durwan.
80	L 84—09894		100	... Kuldeep Narain Sing.
	L 81—58215		50	...
	„ —79267	...	50	
81	L 84—02230		100	... Mr. B. L. Gupta, C. S.
	L 90—28216		20	...
	„ —79108		20	...
	„ —90449		20	...
82	L 89—27826		20	... Messrs. Mitra, Friend & Co.
	L 91—00974		20	...
	L 14—06065	...	20	...
	L 27—15965		5	...
83	... L 90—53450	...	20	... Babu Doorga Das Chatterjee.
	L 21—09674		5	...
84	... A 93—70925		20	... Babu Doorga Das Banerjee.
85	L 65—77969	...	20	... Mr. T. H. Dunne.
87	L 90—62020		20	... Mr. F. T. Mills.
	„ —11406		20	...
88	L 52—98055		500	... Brindabun Omed Ram.
			NOTES PARTIALLY LOST OR DESTROYED.	
39	... L 9—87931	...	5	... Bukhree Ram.
	„ —87932			
40	... L 22—10157		5	... Ojoodhia Pershad Bajpie.
	„ —10160			
41	... L 16—58967		5	... The Treasurer, Rai Bareilly Treasury.
	„ —58965			
42	... L 89—51801		20	... The Chief Pay Master, E. I. Railway, Calcutta.
	„ 90—45610			
43	... L 22—53709		5	... Babu Gopee Mohun Koondoo.
	„ 23—39590			
44	... L 23—13155		5	... Babu Sham Lal.
	„ 22—31565			
46	... L 22—43013		5	... Babu Lachmi Narain.
	„ —43015			
47	... A 93—03419		20	... Babu Koilas Chunder Bose.
	„ —03418			
	A 98—76774		10	...
	L]—39080			
70	... L 82—70452	...	100	... Babu Hari Charan Chakravarti.
	L 67—08011	...	50	...
	L 81—28926	...	50	...
	„ —35835	...	50	...
	L 77—00419	...	20	...
	L 74—48435	...	10	...
	L 86—45040	...	10	...
	L 95—99000	...	10	...
	„ —99159	...	10	...
	„ —61531	...	10	...
	L 25—73611	...	5	...
	L 94—88565	...	5	...
71	... L 82—41264	...	100	... The Manager, Delhi and London Bank, Limited, Calcutta.
72	... L 78—95284	...	20	... Davee Dyal.
73	... L 65—85298	...	20	... Mr. C. H. St. Pourcain.
	L 90—41336	...	5	... Babu Jogendra Nath Chatterjee.
74	... L 26—53006	...	10	... Ram Chand.
75	... L 87—44744	...	20	... Babu Haradas Ghose.
76	... L 90—41660	...	20	... Mr. J. Hyland.
77	... „ —24385	...	20	...
	L 7—38211	...	10	... Mr. R. Richardson.
78	... L 34—00890	...	10	... Babu Gopee Mohun Koondoo.
79	... L 58—30367	...	10	...
	L 57—90967	...	50	... Mr. G. W. Llewhellin.
80	... L 66—64754	...	50	...
	„ —64755	...		

CALCUTTA,—Paper Currency Dept.;
The 25th May 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

Register No.	No. of Notes.		NOTES WHOLLY LOST OR DESTROYED. Value. Rs.	Name of Claimant.
1877.				
W29	... M 29—04716	...	10	... Nanabhoy Burjorji, Bombay.
	„ —04717	...	10	...
	„ —04718	...	10	...
	„ —04719	...	10	...
	„ —04720	...	10	...
	„ —04721	...	10	...
	„ —04722	...	10	...
	„ —04723	...	10	...
	M 23—03263	...	50	...
	„ —03264	...	50	...

Bombay Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
M 39	M 20—88214 / C 96—79677	...	10	... Tyabally Abdoolally, Bangree Bazar, Bombay.
M 40	M 25—01438 / „ —01439	...	100	... Roshun Ally Tegally, Khand Bazar, Bombay.
M 41	C 96—24363 / „ —24362	...	10	...
	M 19—40004 / „ —40007	...	10	... Bapoojee Dhunjibhoy, Bombay.
	„ —59028 / „ —59029	...	10	...
H 77	... C 99—25120	...	20	... Vunarsey Ludha, Modykhana, Fort Bombay.
M 43	... K 2—17029 / C 84—82294	wrongly joined.	20	... Premjee Anandjee, Bhooleshwar, Bombay.
M 45	... „ —68160 / „ —6816-	ditto	20	... Purbhoodass Nagardass, care of Messrs. C. Macdonald & Co., Victoria Building, Bombay.
	M 3—04718 / „ —04719	ditto	5	...
H 79	... M 27—79744	...	10	... Ittoo Luxoomen Mochee, No. 4, Parell, Bombay.
	„ —79745	...	10	...
H 80	... „ —18726	...	10	... Narayen Jeevajee, Vittalwady, Bombay.
H 81	... C 85—03102	...	50	...
	C 91—02733	...	10	...
	C 95—23257	...	10	...
	C 98—86942	...	10	...
	C 99—77743	...	20	...
	„ —86071	...	20	...
	M 5—75561	...	50	...
	„ —87287	...	50	...
	M 16—81819	...	10	...
	M 17—15051	...	10	...
	M 19—02089	...	10	...
	M 20—02118	...	10	...
	„ —21179	...	10	...
	„ —32036	...	10	...
	„ —54766	...	10	...
	„ —56172	...	10	...
	„ —56763	...	10	...
	„ —57231	...	10	...
	„ —64051	...	10	...
	„ —79677	...	10	...
	„ —88886	...	10	...
	„ —99031	...	10	...
	M 21—28533	...	10	...
	„ —25480	...	10	...
	„ —37639	...	10	...
	„ —49496	...	10	...
	„ —51568	...	10	...
	„ —52200	...	10	...
	„ —60682	...	10	...
	„ —71722	...	10	...
	„ —74393	...	10	...
	„ —78877	...	10	...
	„ —87577	...	10	...
	M 22—32930	...	20	...
	„ —35231	...	20	...
	„ —37816	...	20	...
	„ —39106	...	20	... Sivram Baldeo, Kalbadavee Road, near Moombadavee, Bombay.
	„ —41795	...	20	...
	„ —58082	...	20	...
	„ —58664	...	20	...
	„ —59857	...	20	...
	M 23—20962	...	50	...
	„ —33814	...	50	...
	„ —35614	...	50	...
	„ —36276	...	50	...
	„ —36428	...	50	...
	„ —47330	...	50	...
	„ —48172	...	50	...
	„ —50235	...	50	...
	„ —50915	...	50	...
	„ —58604	...	50	...
	M 27—09951	...	10	...
	„ —10240	...	10	...
	„ —17667	...	10	...
	„ —20877	...	10	...
	„ —42226	...	10	...
	„ —47485	...	10	...
	„ —51966	...	10	...
	„ —79387	...	10	...
	„ —79679	...	10	...
	„ —80144	...	10	...
	„ —85207	...	10	...
	„ —90216	...	10	...
	„ —93749	...	10	...
	M 28—06799	...	10	...
	„ —22868	...	10	...
	„ —29138	...	10	...
	„ —33271	...	10	...
	„ —36448	...	10	...
	„ —49237	...	10	...
	„ —49609	...	10	...
	„ —51446	...	10	...
	„ —53230	...	10	...

BOMBAY,—Paper Currency Dept.;
The 22nd May 1877.

W. WELLS
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 15th May 1877.

RULES FOR THE CUSTODY, DISTRIBUTION AND SALE OF POSTAGE STAMP LABELS.

Approved by the Government of India in Financial Department letter No. 715, dated 9th February 1877.

(N. B.—These Rules apply both to Service Stamps and to Ordinary Stamps, with the exceptions noted in Rules V and VIII.)

Supplies from Central Depôts.

I.—Supplies of postage stamps for the Madras Presidency, including Mysore and the local depôts subordinate to Madras, shall be supplied by the Superintendent of Stamps at Madras on the indent of officers in charge of local depôts.

II.—Supplies of postage stamps for the Presidency of Bombay, including Sind, Berar, the Central Provinces, and local depôts subordinate to Bombay, shall be supplied by the Superintendent of Stamps at Bombay on the indent of officers in charge of local depôts.

III.—Stamps for the Bengal Presidency, including the North-Western Provinces, Oudh, the Punjab, Central India, Rajpootana, Assam, and British Burmah, and local depôts subordinate to Calcutta, shall be supplied by the Superintendent of Stamps at Calcutta on the indent of officers in charge of local depôts.

IV.—The above-mentioned supplies from central to local depôts shall be issued on credit.

Local Depôts.

V.—Every Treasury throughout India, including those attached to political, customs and salt agencies, shall be a local depôt for the sale of postage stamps, provided that the value of the stamps sold at one time to any purchaser shall not be less than Rs. 5, and shall not include any fraction of a rupee. At any station at which there is a collector of land revenue, neither a salt agent nor collector of customs shall be entrusted with the custody and sale of postage stamps. All sales under this rule will be for cash on delivery; and when the purchaser is one of those who are required to retail stamps under Rule VIII (not being a person employed in a Government Treasury), or is one specially authorized under Rule IX, a discount of one-half anna per rupee will be allowed. But to purchasers other than the above, no discount will be allowed; and officers in charge of local depôts must see that discount is not allowed except to the privileged officers above referred to. The sale of embossed envelopes shall be subject to the same conditions, except that they shall be sold in packets containing sixteen envelopes each, portions of a packet not being saleable. The price of each packet shall be the value of the stamps borne by the envelopes contained in it, the discount (if any) being calculated on that value.

The above rule is only partially applicable to "Service Stamps," which may be sold *only to Government officials without restriction as to a minimum amount on a written application, accompanied by payment of the value in cash*, and on which *no discount is allowed*. A receipt containing in detail the gross value of each description of Service Postage Stamps sold will be granted by the treasury officer for the amount paid to him.

VI.—A supply equal to the probable consumption for five months of the district attached to each local depôt shall be kept in each, and as soon as the number in store has fallen below the number expended during the preceding six months, the collector, or other officer in charge of the depôt, shall indent* on the central depôt of his Presidency for a number equal to the consumption of the last three months for which accounts have been rendered to the central depôt of the Presidency. If by any accident the stock of stamps of any value should run short before the receipt of a fresh supply from the central depôt, the officer in charge of the treasury will indent on neighbouring districts for a quantity sufficient to meet the demand, which may be supplied or not, according to the discretion, and on the responsibility of the officer indented on, with reference to the wants of his own district. It will be the duty of the Superintendent of Stamps of the Presidency to report to the Director General of the Post Office, for the orders of

* Form 1.

Government, every occasion on which it may appear, from the monthly statement or otherwise, that the store of stamps of any particular value in any district has fallen below the authorized amount.

Branch Depôts.

VII.—Every branch treasury and every tehsil treasury shall be a branch depôt for the sale of postage stamps under the conditions described in Rule V. It will receive its stamps from the local depôt to which it is subordinate, keeping always in store a supply sufficient to meet the probable demands of one month, estimated according to the average of former sales. It will keep an account of sales in the same form (3) hereafter prescribed for the treasurer's account, and will indent for supplies in the same form (4) as hereafter prescribed for the treasurer's indent. It will render an account monthly to the local depôt in Form 6A immediately on the expiration of the month.

Retail sale of Stamps.

VIII.—A supply of stamps *for sale by retail* shall be kept available at every post office, receiving house, tehsildaree, thana and every police station at which letters are received for despatch, and with every licensed stamp-vendor; and it shall be the duty of the officer to whom the person in charge of any of the above-named places is subordinate, to take steps to ensure that the supply kept on hand is at all times equal to at least one week's demand. Persons in charge of the above-mentioned places will receive discount on purchases under Rule V.

This rule does not apply to "Service Stamps."

By the term "licensed vendor," as used above, is meant a stamp-vendor licensed under rules framed by the local Government in accordance with Section 48 of the General Stamp Act (XVIII of 1869).

Authorization of certain retail vendors other than the above.

IX.—A district officer may authorize the grant of discount at half-anna per rupee on purchases under Rule V to any person who is a *bonâ fide* retail vendor of postage stamps, although he may not be one of those required to retail them under the above rule. Such authority shall be given in writing, and must be produced by the person authorized when claiming discount on purchases: the authority will hold good for only 12 months from the date on which it is given, and may be revoked at any time at the discretion of the district officer. No such authority may be given to any person employed in a Government Treasury. The authority so given may at the discretion of the district officer be made subject to conditions to be expressed in the writing of authority in any or all of the following respects, *viz*:—the maintenance of a sufficient supply of all or any specified denominations of postage stamps for retail: a particular shop, place or locality, or particular shops, places or localities, in which postage stamps are to be exposed for sale: the days and hours during which they are to be so exposed: and any restriction upon the sale in shops, places or localities other than those specified. A register showing the name, residence, and occupation of every person so authorized, and the date of the authority, shall be kept by the district officer.

Custody of Stamps in Local Depôts.

X.—The bulk of postage stamps in store at any local depôt shall be kept in parcels, containing a known number of sheets, in the treasury or other secure place, in one or more strong chests or presses, under double locks,—the key of one lock of each chest or press always remaining in the hands of the collector or other officer in charge of the stamps, and the key of the other in the hands of the treasurer.

XI.—The remainder of the stamps in store shall be in the hands of the treasurer, and shall not exceed the probable demand of fourteen days, estimated according to the average of former sales.

XII.—The treasurer shall keep a daily account of receipts and sales* in the vernacular of the district, in which the transactions of each succeeding day shall be entered consecutively, a balance being struck at the close of each day, and attested by the initials of the officer in charge of the treasury.

* Form 3.

XIII.—On the first open day of each month, and on every Monday during the month, the treasurer shall prepare in the vernacular, and submit to the officer in charge of the postage stamps, an indent† for a supply of postage stamps for the following week. The

† Form 4.

indent, after being approved or altered by the officer in charge of the postage stamps, shall be signed by him, and complied with as directed in the following rule. The indent thus signed shall be the warrant for the issue of the stamps.

XIV.—The officer in charge of the postage stamps shall cause the store under double locks to be opened, and the required number to be counted and delivered to the treasurer in his presence. A store-book‡ shall be kept in English, in which the number and value of the stamps delivered to the treasurer shall be entered, and a balance struck at the time of delivery. This balance will be attested by the initials of the officer in charge and of the treasurer, both of whom shall invariably be present during the whole time that the store under double locks, or any part of it, remains open. The deliveries shown in the store-book will agree with the indent as approved.

‡ Form 5.

XV.—If the treasurer require stamps at any intermediate time, the same process will be observed as is prescribed in the two preceding rules.

XVI.—Stamps will be supplied from the store under double locks only to the treasurer and to branch depôts, and on indent from them respectively. Sales should be made not out of store, but from the supply in the hands of the treasurer or the supply in branch depôts.

XVII.—As soon as possible after the arrival of a despatch of postage stamps from a central depôt, or from any other local depôt, the packets or boxes are to be opened, one at a time, in the presence of the officer in charge of stamps. The stamps contained in each box or packet are then to be immediately counted and compared with the invoice,§ which, after being receipted, will be returned by the first post to the depôt whence they were despatched. Unless the officer in charge of the stamps can certify that the stamps contained in any given packet or box were immediately counted by himself personally, or in his presence, he will be held responsible for the value of any that may be found deficient. The stamps are then to be placed in the store under double locks and entered in the store-books, and no stamps are to be delivered to the treasurer or sold to any party without being first brought into store.

§ Form 2.

XVIII.—Officers in charge of stamps will have the stamps in store, both those under double locks and those in the hands of the treasurer, counted in their presence on the last open day of September and March in each official year, and will certify having done so in the following terms at the foot of the monthly accounts of sales and stock* for those months furnished to the Superintendent of Stamps:—

* Form 6.

"*I do hereby certify that I have personally counted the postage stamps in store on* 18 , *the actual value of which is Rupees* (here enter the amount in words and figures); *and that the rules prescribed by the order of the Government of India, dated 9th February 1877 are duly observed.*"

XIX.—On occasions of transfer of charge, postage stamps will be made over in the same manner and under the same precautions as the cash balance in the treasury.

XX.—The officer in charge of each local depôt will submit, within the first week of each month, an account† to the Superintendent of Stamps of his Presidency, showing the balance in hand at the sudder and branch treasuries at the close of the preceding month, and the sales effected during that month.

† Form 6.

Returns to be made by Central Depôt.

XXI.—The Superintendent of Stamps of each Presidency will, on the 15th of each month, in addition to any account required by the Accountant General, furnish the Director General of the Post Office with a memorandum‡ showing the number of stamps distributed by him during the preceding month; and at the close of each month he will also furnish another memorandum§ showing the number and value of stamps in hand, and the total amount of the actual sales of each local depôt and of all the local depôts supplied by him.

‡ Form 7.

§ Form 8.

A. M. MONTEATH,
Dir. Genl. of the Post Office of India.

Form

Indent for Postage Labels on the

No. 1.

*Superintendent of Stamps at*_____

1	2		3		4				5		6				7			
Particulars.	Half-anna Envelopes 16=1 packet =8 annas, 480=1 ream =Rs. 15.		One-anna Envelopes 16=1 packet =1 Rupee 480=1 Ream =Rs. 30.		Half-anna Labels 320 = 1 sheet = Rs. 10				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Number of each description in Sudder and Subdivisional Treasuries or Branch Depôts this day.																		
Number of each description sold within the last three months, for which accounts have been furnished ...																		
Number of each description now indented for ...																		
Number of each description passed by the Superintendent ...																		

I request that the above described

Dated

8				9		10				11		12				13			14		15		
Four-anna Labels 320 = 1 sheet = Rs. 80.				Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.				Twelve-anna Labels 320 = 1 sheet = Rs 240.		One-rupee Labels 320 = 1 sheet = Rs. 320.				Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.		Total Value.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.									
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

Postage Labels to be supplied to this Treasury.

Officer in charge of the Treasury

No._____ **Form**

Invoice of Postage Labels consigned to the

Dated _____

1	2	3				4		5				6			
Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.	One-anna Envelopes 16 = 1 Packet = 1 Rupee, 480 = 1 ream = Rs. 30.	Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
		Ordinary Labels.		Service Labels.		Ordinary Labels		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.

I acknowledge to have received the Postage Labels described above, the total

Dated

No. 2.

Officer in charge of the Treasury at

(Signed) _____

7		8			
Four-anna Labels 320 = 1 sheet Rs. 80.		Six-anna Labels 320 = 1 sheet Rs. 120.		Eight-a 320 = 1 sh	
Ordinary Labels.		Ordinary Labels		Ordinary Labels.	
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Label

alue of which is Rs.

1	2		15	16	17	18	19
Date.	Particulars.	Ha: Value Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.	Gross Value of Service Labels.	Total Gross Value	Deduct from Gross Value of sales discount allowed under Rule V.	Net Value of Sales.	Signatures of the Officer in charge of the Treasury and of the Treasurer.
		Reams. Packets. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
	Closing Balance on the (date, month and year)						
	Add—Received on the (date and month) from the Officer in charge of the Treasury						
	Total ...						
	Deduct—Sold during the day ...						
	Closing Balance on the (date and month)						
	Deduct—Sold during the (date and month)						
	Closing Balance on the (date and month)						
	(And so on)						

Form

Treasurer's or Branch

No. 3.

Depôt Daily Account.

1	2	3	4	5				6	7				8			
DATE.	PARTICULARS.	HALF-ANNA ENVELOPES 16=1 PACKET = 8 ANNAS, 480=1 REAM = Rs. 15.	ONE-ANNA ENVELOPES 16=1 PACKET = 1 RUPEE, 480=1 REAM = Rs. 30.	HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.	ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
				Ordinary Labels.		Service Labels.		Ordinary Labels.	Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
		Reams. Packets.	Reams. Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets. Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
	Closing Balance on the (date, month and year)															
	ADD—Received on the (date, and month) from the Officer in charge of the Treasury															
	TOTAL ...															
	DEDUCT—Sold during the day ...															
	Closing Balance on the (date and month)															
	DEDUCT—Sold during the (date and month)															
	Closing Balance on the (date and month)															
	(And so on)															

9				10		11				12		13				14	15	16	17	18	19
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.				SIX-ANNA LABELS. 320 = 1 SHEET = Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.				TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.		ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.	GROSS VALUE OF SERVICE LABELS.	TOTAL GROSS VALUE	DEDUCT FROM GROSS VALUE OF SALES DISCOUNT ALLOWED UNDER RULE V.	NET VALUE OF SALES.	SIGNATURES OF THE OFFICER IN CHARGE OF THE TREASURY AND OF THE TREASURER.
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.							
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs. A. P.	Rs. A.	Rs. A. P.	Rs. A. P.	Rs. A. P.	

Form No. 4.

Indent for Postage Labels required by the {*Branch Depôt* / *Treasurer of the Treasury at* ____

1	2		3		4				5		6				7			
PARTICULARS.	HALF-ANNA ENVELOPES 16=1 PACKET =8 ANNAS, 480=1 REAM =Rs. 15.		ONE-ANNA ENVELOPES 16=1 PACKET =1 RUPEE, 480=1 REAM =Rs. 30.		HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.				NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.		ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.				TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Number of each description in hand this day ...																		
Number of each description sold during the preceding week ...																		
Number of each description now indented for ...																		
Number of each description passed by the Treasury Officer ...																		

8		9		10		11		12		13		14		15		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.		SIX-ANNA LABELS 320 = 1 SHEET Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET Rs 160.		TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.		ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.		GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.		GROSS VALUE OF SERVICE LABELS.		TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.						
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs. A. P.		Rs. A. P.		Rs. A. P.

Officer in charge of the

Form

Store Book of Postage Labels

No. 5.

of the Treasury at

1	2	3	4	5		6	7		8	
Date.	Particulars.	Half-anna Envelopes 16=1 packet = 8 annas, 480=1 ream = Rs. 15.	One-anna Envelopes 16=1 Packet = 1 Rupee, 480 = 1 ream = Rs. 30.	Half-anna Labels 320 = 1 sheet = Rs. 10.		Nine-pie Labels 320 = 1 sheet = Rs. 15.	One-anna Labels 320 = 1 sheet = Rs. 20.		Two-anna Labels 320 = 1 sheet = Rs. 40.	
				Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Service Labels.
		Reams. Packets.	Reams. Packets.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.
	Closing Balance on the (date, month and year)									
	ADD—									
	Received on the (date and month) from the Superintendent of Stamps ...									
	Ditto ditto from the Treasury at ...									
	...									
	DEDUCT—									
	Issued to the Treasury ...									
	Despatched to the Branch Depôt at ...									
	Transferred to the Treasury at ...									
	TOTAL ...									
	Closing Balance on (date and month) ...									

9		10		11		12	13		14	15	16	17
Four-anna Labels 320 = 1 sheet = Rs. 80.		Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.		Twelve-anna Labels 320 = 1 sheet = Rs. 240.	One-rupee Labels 320 = 1 sheet = Rs. 320.		Gross Value of Ordinary Labels, including Embossed Envelopes.	Gross Value of Service Labels.	Total Value.	Signatures of the Officer in charge of the Treasury and of the Treasurer.
Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.				
Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Rs. A. P.	Rs. A. P.	Rs. A. P.	

Form

Account of Receipts, Sales, and Stock in hand of Postage Labels in the Treasury

1	2		3		4		5	6		7			
PARTICULARS.	HALF-ANNA ENVELOPES 16=1 PACKET =8 ANNAS, 480 = 1 REAM =Rs. 15.		ONE-ANNA ENVELOPES 16=1 PACKET = 1 RUPEE, 480=1 REAM =Rs. 30.		HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.		NINE-PIE LABELS 320 = 1 SHEET = Rs. 15.	ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.		TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.			
					Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Stock in hand at the close of last month ...																		
Received from the Superintendent of Stamps during the month ...																		
TOTAL ...																		
[illegible] during the [illegible]nth at Sudder and Branch Treasuries as per [illegible] in each account ...																		
[illegible]ferred to the [illegible]uries at ...																		
TOTAL ...																		
[illegible] Stock in hand ...																		

NOTE.—Discount allowed [illegible]

No. 6.

at , including Branch Treasuries, for the month of 187 .

8				9		10		11	12				13			14		15		
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.				SIX-ANNA LABELS 320 = 1 SHEET Rs. 120.		EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.		TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.	ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.				GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.			GROSS VALUE OF SERVICE LABELS.		TOTAL VALUE.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.		Service Labels.									
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

[illegible] Rule V, 2a.

Officer in charge of the Treasury

Form

Account of Receipts, Sales, and Stock in hand of Postage Labels in the Branch

1	2	3	4		5	6		7	
PARTICULARS.	HALF-ANNA ENVELOPES 16=1 PACKET = 8 ANNAS, 480 = 1 REAM = Rs. 15.	ONE-ANNA ENVELOPES 16=1 PACKET =1 RUPEE, 480 = 1 REAM = Rs. 30.	HALF-ANNA LABELS 320 = 1 SHEET = Rs. 10.		NINE-PIE LABELS 320=1 SHEET = Rs. 15.	ONE-ANNA LABELS 320 = 1 SHEET = Rs. 20.		TWO-ANNA LABELS 320 = 1 SHEET = Rs. 40.	
			Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Service Labels.
	Reams. Packets.	Reams. Packets.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.
Stock in hand at the close of last month ...									
Received from the Local Depôt during the month ...									
TOTAL ...									
Sold during the month as per cash in cash account ...									
Balance Stock in hand ...									

NOTE.—Discount allowed during the

No. 6 A.

Depôt at *for the month of* 187 .

8	9	10		11	12		13	14	15
FOUR-ANNA LABELS 320 = 1 SHEET = Rs. 80.	SIX-ANNA LABELS 320 = 1 SHEET = Rs. 120.	EIGHT-ANNA LABELS 320 = 1 SHEET = Rs. 160.		TWELVE-ANNA LABELS 320 = 1 SHEET = Rs. 240.	ONE-RUPEE LABELS 320 = 1 SHEET = Rs. 320.		GROSS VALUE OF ORDINARY LABELS, INCLUDING EMBOSSED ENVELOPES.	GROSS VALUE OF SERVICE LABELS.	TOTAL VALUE.
Ordinary Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.			
Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Rs. A. P.	Rs. A. P.	Rs.

...ith under Rule V, Rs.

Officer in charge of the Branch Treasury

Form

Memorandum of Receipts, Issues, and Stock of Postage Labels in Store in the month of

1	2	3	4		5	6		7	
Particulars.	Half-anna Envelopes 16=1 packet =8 annas, 480 = 1 ream = Rs. 15.	One-anna Envelopes 16=1 packet = 1 Rupee, 480 = 1 ream = Rs. 30.	Half-anna Labels 320 = 1 sheet = Rs. 10.		Nine-pie Labels 320 = 1 sheet Rs. 15.	One-anna Labels 320 = 1 sheet Rs. 20.		Two-anna Labels 320 = 1 sheet = Rs. 40.	
			Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Service Labels.
	Reams. Packets.	Reams. Packets.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.
Stock in hand at the close of last month ...									
Received from ...									
Total ...									
Distributed during the month to the several Local Depôts ...									
Balance Stock in hand this day ..									

No. 7.

Central Depôt of the ..... *Presidency for the* .....

..... *187* .

8	9	10		11	12		13	14	15
Four-anna Labels 320 = 1 sheet = Rs. 80.	Six-anna Labels 320 = 1 sheet = Rs. 120.	Eight-anna Labels 320 = 1 sheet = Rs. 160.		Twelve-anna Labels 320 = 1 sheet = Rs. 240.	One-rupee Labels 320 = 1 sheet = Rs. 320.		Gross Value of Ordinary Labels including Embossed Envelopes.	Gross Value of Service Labels.	Total Value.
Ordinary Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.	Ordinary Labels.	Ordinary Labels.	Service Labels.			
Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Sheets. Labels.	Rs. A. P.	Rs. A. P.	Rs. A. P.

Form

***Memorandum** of Sales and Stock in Store of Postage Labels in the several Local Depôts of the Presidency for the Quarter ending*

1	2	3	4				5		6				7			
Name of Depôts.	Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.		One-anna Envelopes 16 = 1 packet = 1 Rupee, 480 = 1 ream = Rs. 30.		Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
Total ...																		

8		9		10				11		12				13			14			15			16			17		
Four-anna Labels 320 = 1 sheet = Rs. 80.		Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160				Twelve-anna Labels 320 = 1 sheet = Rs. 240.		One-rupee Labels 320 = 1 sheet = Rs. 320				Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.			Total Gross Value.			Deduct from Gross Value of Sales discount allowed under Rule V.			Net Value of Sales.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.																
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

DETAIL STOCK IN STORE.

1	2	3	4				5		6				7			
Name of Depôts.	Half-anna Envelopes 16 = 1 packet = 8 annas, 480 = 1 ream = Rs. 15.		One-anna Envelopes 16 = 1 packet = 1 Rupee, 480 = 1 ream = Rs. 30.		Half-anna Labels 320 = 1 sheet = Rs. 10.				Nine-pie Labels 320 = 1 sheet = Rs. 15.		One-anna Labels 320 = 1 sheet = Rs. 20.				Two-anna Labels 320 = 1 sheet = Rs. 40.			
					Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.	
	Reams.	Packets.	Reams.	Packets.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.
TOTAL ...																		

8		9		10				11		12				13			14			15			16		
Four-anna Labels 320 = 1 sheet = Rs. 80		Six-anna Labels 320 = 1 sheet = Rs. 120.		Eight-anna Labels 320 = 1 sheet = Rs. 160.				Twelve-anna Labels 320 = 1 sheet = Rs. 240.		One-rupee Labels 320 = 1 sheet = Rs.				Gross Value of Ordinary Labels, including Embossed Envelopes.			Gross Value of Service Labels.			Total Gross Value.			Deduct from Gross Value of Sales discount allowed under Rule V.			Total Value.		
Ordinary Labels.		Service Labels.		Ordinary Labels.		Service Labels.		Ordinary Labels.		Ordinary Labels.		Service Labels.																
Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Sheets.	Labels.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.

* Ruled

The 25th May 1877.

Mails for Rangoon and Moulmein, for transmission per Steamer , will be closed at the General Post Office on Friday, the 1st June 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 1st June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 2nd June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Khandalla*, will be closed at the General Post Office on Monday, the 28th May 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Bokhara*, will be closed at the General Post Office on Monday, the 28th May 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 27th May 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 29th May 1877, by which mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 28th May 1877.

N. B.—The Letter Box will close at 7 P. M. precisely after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

W. ALPIN,
Offg. Post Master of Calcutta.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued for Rupees.		Balance of Bullion		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
May 14	...	...	...	...	64,79,748	1,80,680
„ 15	...	1,83,883	...	...	66,70,108	...
„ 16	...	...	...	...	64,64,675	...
„ 17	...	...	...	...	63,66,264	...
„ 18	...	...	...	...	62,71,948	...
„ 19	...	...	...	...	61,71,788	...

CALCUTTA MINT, *The 21st May 1877.*

J. F. TENNANT,
Offg. Mint Master.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 24th May 1877 ... Rs. 29,05,489-8-10

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA, *26th May 1877.*

Statement of the Affairs of the Bank of Bengal for the week ending 22nd May 1877.

LIABILITIES.	Rs.	A.	P.	Rs.	A.	P.
Capital, paid-up ...				2,00,00,000	0	0
Reserve Fund ...				16,70,904	2	5
Public Deposits at Head Office ...	1,04,80,250	7	3			
Public Deposits at Branches ...	1,21,55,773	8	11	2,26,36,024	0	2
Other Deposits at Head Office and Branches ...				1,55,63,517	12	4
Bank Post Bills, &c. ...				3,20,910	7	7
Sundries ...				12,07,808	4	8
TOTAL ...				6,13,99,164	11	2

ASSETS.	Rs.	A.	P.	Rs.	A.	P.
Government Securities ...				93,83,500	1	3
Loans on Government Securities, &c., at Head Office and Branches ...				48,86,141	8	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches ...				54,67,891	2	2
Bills discounted and purchased at Head Office and Branches ...				2,[illegible]0,187	14	9
Balances with other Banks ...				11,36,276	4	8
Bullion				7,14,481	7	7
Dead Stock ...				10,20,986	1	9
Stamps				9,796	10	11
Sundries				1,61,740	15	2
				4,26,01,002	2	9
Cash and Currency Notes at Head Office ...	1,06,78,985	15	2	1,87,98,162	8	5
Cash and Currency Notes at Branches ...	81,19,176	9	3			
TOTAL ...				6,13,99,164	11	2

BANK OF BENGAL:
Calcutta, 24th May 1877.

W. WESTLAND,
Offg. Chief Accit. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

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The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st April 1877. *Price, Rs. 4; packing and postage, 8 annas.*

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Vanilla: its cultivation in India; by J. E. O'Connor. *Price, 8 annas; postage, 1 anna.*

The Indian Appendix to the British Musketry Regulations, 1876. *Price, Re. 1; packing and postage, 4 annas; interleaved copies, Re. 1-4; packing and postage, 4 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 2, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The under-mentioned estates having come under charge of this office, all persons having claims upon, being indebted to, or holding property belonging to the said estates, are requested to place themselves in immediate communication with the undersigned:—

Robert Townsend Allan, a Pleader of the High Court, Calcutta, died at 1, Ballard's Buildings, Calcutta, on the 9th March 1877.

Frederick Henry William Vouse Hall, of Tiphook, in the District of Seebsagur, at Tiphoon, on the 30th July 1876.

Edward Lincoln, an Assistant Revenue Surveyor at Khangaon, in the District of Shahabad, at Khangaon, on the 1st March 1877.

Baboo Thomas, a Native Christian, died at Seebsagur, in Assam, on the 10th December 1874.

Frances Allsopp, at the Free School, on the 9th April 1877.

Henry Edward Gabler, a Supervisor in the Northern Bengal State Railway, at Calcutta, on the 26th August 1876.

John Parry, a Christian Inhabitant of Cutwa, in the Zillah of Burdwan, a Baptist Missionary at Cutwa, in July 1858.

Robert John Scott, a Surgeon, attached to the 62nd Foot, at Chakrata, on the 19th May 1876.

Cornelius Davenport Broadbent, a Major in the 4th Battalion, Rifle Brigade, at Umballa, on the 8th January 1877.

John Gharles Mainwaring Russell, a Captain in the Madras Staff Corps, at Jubbulpore, on the 15th June 1876.

Robert Charles Walter Campbell, a Major in the Royal Artillery, at Mooltan, on the 3rd February 1877.

L. P. D. BROUGHTON,
Administrator Genl.

HIGH COURT, CALCUTTA, *The 21st May 1877.*

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 28th May 1877.

No. 18.—LEAVE OF ABSENCE.—Mr. Paul Agabeg Peters, Probationary Assistant Surveyor, 4th Grade, for two months, under Section 12, Supplement F of the Civil Leave Code, from the date on which he may avail himself of the indulgence.

D. C. VANRENEN, *Colonel, R.A.,*
Superintendent of Revenue Surveys.

REVENUE SURVEY OF INDIA.

NOTIFICATION.

Simla, the 22nd May 1877.

Mr. James Campbell, Assistant Superintendent, Revenue Survey, 1st Grade, availed himself, on the forenoon of the 8th instant, of the furlough granted to him in Notification No. 142, dated 6th March last.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 25th May 1877.

With reference to Military Department Notification No. 436, dated 11th May 1877, Captain T. H. Holdich, R.E., Assistant Superintendent, 1st Grade, Topographical Surveys, availed himself of the subsidiary leave, preparatory to furlough, granted therein from the afternoon of the 11th to the afternoon of the 14th May 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 25th May 1877.

No. 58.—Mr. J. A. Frietas, Accountant, 4th Grade, is granted leave on medical certificate for six months from 1st April 1877, on which date he availed himself of the same.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 22nd May 1877.

No. 16.—Mr. A. Morton, Assistant Engineer, 1st Grade, availed himself on the forenoon of the 14th May 1877 of the leave granted him in Inspector General's Notification No. 19 of 9th March 1877.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Rawal Pindi Division.

Rawal Pindi, the 22nd May 1877.

No. 991.—Privilego leave of absence for three months is granted to Captain J. T. Wright, R.E., Executive Engineer, 3rd Grade (temporary rank), Peshawur Division, Military Works, from the 15th June, or such date subsequent thereto as he may avail himself thereof. Mr. Ashurst, C.E., Assistant Engineer, 1st Grade, will officiate as Executive Engineer, Peshawur Division, Military Works, during the absence of Captain Wright.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawal Pindi Divn., Mily. Works.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 22nd May 1877.

No. 643.—ERRATA, ADDENDA, AND CORRIGENDA.—Part II, *Gazette of India*, dated 28th April 1877:—

Page 223, after line 3, insert "as sanctioned by the Governor General in Council."

From heading of column 3 throughout the List erase the word "proposed."

Page 223, for रतला in column 1, read मवासेकाउंगर.

Page 224, for "Bundelkhund" in column 5, read "Deputy Bheel Agency."

Page 225, for चावड जमाहार्थगाव in column 1, read बाबुपुर.

Page 226, for भोजखेडी in column 1, read विरसिंगपुर.

Page 227, for थोहारि in column 1, read चुनवरी.

Page 228, for "Baramdha" in column 2, read "Baraundha."

Page 228, for "Town and Jaghir" in column 4, read "Town."

Page 229, for जिरवाई in column 1, read खांटापो.

Page 230, for "Bilkeshwar Mahadeo" in column 2, read "Bilkeshvar Mahadeo."

Page 230, for कठीयाडा in column 1, read खंडरौधो.

Page 230, for भाधोगढ in column 1, read मकसूदनगढ.

Page 231, for मैहदपुर in column 1, read नैगवांरिवई.

Page 231, for "Dasai" in column 2, read "Dasai."

Page 231, for "Datwara" in column 3, read "Datwara."

Page 234, for सिंगोली in column 1, read सितजहा.

Page 237, for रतलाम in column 1, read मवासेकाउंगर.

Page 237, for चावडजमाहार्थगाव in column 1, read बाबुपुर.

Page 237, for "Khachraud" in columns 2 and 3, read "Khárchraud."

Page 238, for भोजखेडी in column 1, read विरसिंगपुर.

Page 239, for थोहारि in column 1, read चुनवरी.

Page 240, for जिरवाई in column 1, read खांटापोड.

Page 241, after कठीवाडा the word मधु in column 1 to be omitted.

Page 241, for खंडरौधी in column 1, read माधोगढ.

Page 247, for मकसूदनगढ in column 1, read नैगवांरिवई.

Page 247, for सिंगोली in column 1, read सितजहा.

Page 248, for "Tonwargárh" in column 2, read "Tonwarghár."

By Order,
F. H. MAITLAND,
2nd Asstt. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 26th May 1877.

No. 32.—Hurput Ray, Overseer, 2nd Grade, transferred from Mhow to the Southern Road Division in Notification No. 24, dated 21st April 1877, joined the latter Division on the 30th March 1877.

No. 33.—Forty-five days' privilege leave granted to Baboo Govind Chunder Ghosal, Accountant, 4th Grade, Bundelkhund Road Division, in Notification No. 13, dated 10th March 1877, is hereby cancelled.

No. 34.—Mr. E. A. Wood, Accountant, 3rd Grade, attached to Examiner's Office, returned on the forenoon of the 19th May 1877 from two months' privilege leave granted him in Notification No. 22, dated 21st April 1877.

The unexpired portion of Mr. Wood's leave, *viz.*, fourteen days, is hereby cancelled.

No. 35.—Hari Ram Chunder Agashi, Overseer, 3rd Grade, attached to Bundelkhund Road Division, has been granted twelve days' privilege leave, of which he availed himself on the forenoon of the 18th May 1877.

The 28th May 1877.

No. 36.—Mr. R. Ewing, Temporary Assistant Engineer, 1st Grade, is promoted to Temporary Executive Engineer, 4th Grade, from the 6th March 1877, *vice* Mr. C. E. Gael, proceeded on furlough.

E. SWETENHAM, *Major, S.C.,*
Offg. Secy. to Agent, Govr. Genl., for Central India.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATIONS.

Calcutta, the 29th May 1877.

With reference to Government of India, Public Works Department, Notification No. 239 of the 18th instant, Captain R. A. Sargeaunt, R.E., Officiating Deputy Consulting Engineer to the Government of India, joined the Office of the Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta on the forenoon of the 29th May 1877.

The 1st June 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 252 of the 25th ultimo, Mr. F. Morrison took over charge of the Office of Examiner of Railway Accounts to the Government of India for Guaranteed Railways at Calcutta on the forenoon of the 29th May 1877.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consulting Engr. to Govt. of India for Guaranteed Railways.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATION.

Simla, the 18th May 1877.

No. 90.—With reference to Public Works Department Notification No. 204 of the 7th May 1877, Baboo Kessub Chunder Chatterjee, Probationary Accountant, 3rd Grade, joined the Office of the Store-keeper for State Railways on the 1st idem.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

DIRECTOR OF STATE RAILWAYS. Central System.

NOTIFICATION.

Simla, the 23rd May 1877.

No. 1.—Captain F. Firebrace, R.E., Manager, Rajputana Railway, is granted eighty-one days' privilege leave, with effect from the 21st May 1877.

W. C. FURNIVALL,
Offg. Director of State Railways.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 21st May 1877.

No. 98.—Mr. J. Tait, Assistant Engineer, 2nd Grade, is transferred from the Mooltan District to the Office of Engineer-in-Chief.

No. 99.—Mr. H. P. Edwards, Store-keeper, 2nd Grade, is transferred from the Sehwan Division to the Magazine as a temporary measure.

No. 100.—Mr. H. Lambert, Superintending Engineer, 3rd Grade (temporary rank), assumed charge of the Office of Superintending Engineer, Lower Scinde District, from Mr. F. L. Dibblee on the forenoon of the 14th instant.

No. 101.—With reference to Government of India, Public Works Department, Notification No. 231, dated 18th May 1877, Mr. J. F. Victor, Supervisor, 1st Grade, rejoined his appointment at Sukkur on the forenoon of 9th instant, and is posted to the Mooltan District.

No. 102.—Corporal J. Martin, R.E., Overseer, 1st Grade, transferred to this Line by Director of State Railways' Notification No. 81, dated 2nd May 1877, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Mooltan District.

No. 103.—Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, is granted five months' leave without allowances from 1st June 1877, or such subsequent date as he may avail himself of it.

The 25th May 1877.

No. 104.—With reference to this Office Notification No. 68, dated 16th April 1877, Mr. C. S. Warwick, Chief Store-keeper, availed himself of the leave therein granted on the afternoon of the 18th instant, making over charge of the Office of Chief Store-keeper and Magazine to Mr. H. P. Edwards, Store-keeper, 2nd Grade.

No. 105.—The following postings have been made by Superintending Engineer, Mooltan District:—

Messrs. H. E. Haddon and E. Leycester, Assistant Engineers, 2nd Grade, to the Khanpur Division.

Mr. J. F. Victor, Supervisor, 1st Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 25th May 1877.

No. 29.—With reference to Director of State Railways' Notification No. 63, dated 4th April 1877, Lieutenant W. H. Johnstone, R.E., Assistant Engineer, 1st Grade, left the Ghat Division on the forenoon of 20th May 1877 to report himself to the Manager, Open Line, Holkar and Neemuch State Railways.

No. 30.—With reference to Government of India, Public Works Department, Notification No. 212, dated 10th May 1877, Mr. Kundun Lall, Overseer, 3rd Grade, left the late Nerbudda Division on the 20th February 1877 to join the Dhoond and Munmar Railway.

CHARLES CHEYNE.
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS—(Open Line).

NOTIFICATIONS.

Khandwa, the 24th May 1877.

No. 8.—With reference to Director of State Railways' Notification No. 63 of 4th April 1877, Lieutenant W. H. Johnstone, R.E., Assistant Engineer, 1st Grade, reported his arrival at Khandwa on the 21st May 1877, before noon.

The 25th May 1877.

No. 9.—Mr. F. N. Gutersloh, Locomotive Superintendent of the Holkar and Neemuch State Railways, is granted one month's privilege leave, with effect from the morning of the 24th May 1877.

W. S. S. BISSET,
Manager (Open Line),
Holkar and Neemuch State Railways.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 29th May 1877.

No. 41.—Mr. J. Barron, Executive Engineer, 4th Grade, is transferred from the Northern to the Southern Division.

J. G. LINDSAY, *Major, R.E.*,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 23rd May 1877.

No. 23.—With reference to the Director of State Railways' Notification No. 81, dated the 2nd instant, Corporal J. Martin, R.E., Overseer, 1st Grade, reported his departure from the Ajmere Division, Rajputana State Railway, on the 17th idem, to join the Indus Valley State Railway.

No. 24.—With reference to Government of India, Public Works Department, Notification No. 167, dated the 14th April 1877, Captain G. F. O. Boughey, R.E., Executive Engineer, 2nd Grade, made over, and Mr. R. A. Way, Assistant Engineer, 1st Grade, received, charge of the Agra Division, Rajputana State Railway, on the forenoon of the 14th instant.

FRED. FIREBRACE,
Offg. Manager.

SINDIA STATE RAILWAY.

NOTIFICATION.

Agra, the 29th May 1877.

No. 8.—With reference to the Director's Notification No. 87, dated 14th instant, Mr. J. C. Porter, Sub-Engineer, 3rd Grade, reported his departure from Agra for Mooltan on the 18th idem.

HORACE BELL,
Engineer-in-Chief.

TIRHOOT STATE RAILWAY.

NOTIFICATION.

Dinapore, the 30th May 1877.

No. 19.—With reference to Government of India, Public Works Department, Notification No. 235 of the 18th May 1877, Lieutenant G. F. Wilson, R. E., Assistant Engineer, 2nd Grade, reported his departure to join the appointment of Assistant Director of State Railways, North-Eastern System, on the afternoon of the 25th May 1877.

E. J. MARTIN,
Offg. Engineer-in-Chief.

WESTERN RAJPUTANA STATE RAILWAY.

NOTIFICATION.

The 17th May 1877.

No. 547.—Lieutenant R. Gardiner, R. E., Assistant Engineer, availed himself on the afternoon of the 17th May 1877 of the three months' privilege leave granted him in this Office Notification No. 397, dated 20th April 1877.

JAMES COLLET,
Engineer-in-Chief.

COMPTROLLER GENERAL'S OFFICE.

Accounts of the year 1876-77, as compared with the corresponding period of 1875-76.

N. B.—The amounts are converted into sterling at Rs. 10 to the pound sterling.

EXPENDITURE.	Estimates, 1876-77.	April 1875 to Jan. 1876.	April 1876 to Jan. 1877.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,106,900	2,344,994	2,470,412	125,418	...
2.—Ditto on Service Funds	380,000	308,646	314,396	5,750	...
3.—Refunds and Drawbacks	340,000	230,032	227,965	—	2,067
4.—Land Revenue	2,467,900	1,975,773	1,939,724	...	36,049
5.—Forest	414,500	260,681	322,577	22,896	...
6.—Excise on Spirits and Drugs	87,000	69,612	71,118	2,506	—
7.—Assessed Taxes	189,000	151,458	158,410	3,552	...
8.—Customs	525,600	410,564	393,775	...	16,789
9.—Salt	2,190,000	2,076,902	2,682,477	6,675	...
10.—Opium	71,700	58,573	58,844	271	...
11.—Stamps	790,000	641,137	637,392	1,200	...
12.—Mint	381,300	230,055	246,833	16,178	...
13.—Post Office	1,251,500	1,023,503	1,063,088	39,585	...
14.—Telegraph*	249,400	201,079	183,079	...	18,000
15.—Administration	2,361,200	1,915,720	1,979,991	64,271	...
16.—Minor Departments	403,400	316,579	298,368	...	18,211
17.—Law and Justice	161,100	129,522	125,933	...	3,589
18.—Marine	184,000	150,581	149,479	...	1,102
19.—Ecclesiastical	293,400	321,272	308,528	...	12,744
20.—Medical	1,675,200	1,038,799	956,964	...	81,796
21.—Political	...	...	472	472	...
22.—Allowances	586,000	547,091	482,359	...	64,732
23.—Civil Furlough	2,332,000	1,268,397	1,960,552	692,155	...
24.—Superannuation	45,000	69,677	66,065	...	3,612
25.—Loss by Exchange	5,069,400	4,240,816	4,228,709	...	12,107
26.—Miscellaneous	...	...	70,087	70,087	...
TOTAL	25,576,300	20,982,287	21,457,060	1,374,763	—
27.—Allotments	...	...	...	...	...
28.—Famine Relief	...	...	...	...	...
Army Charges	...	...	...	...	...
Public Works, Ordinary	...	...	11,820,700	9,479,599	9,596,134	86,535	...	40,028
Ditto, Extraordinary, including Railways	...	...	2,441,500	1,877,988	1,837,660	...	...	161,157
Land and Supervision	...	...	3,015,900	2,266,786	2,105,629	...	...	21,023
Interest in India	...	...	93,000	60,794	39,771	...	678	
State Railways	...	...	30,000	32,382	32,960	81,048	...	
Working Expenses of the Guaranteed Railways, including Surplus Profits	...	...	292,000	172,492	253,540	...	...	
TOTAL	...	...	4,418,000	2,726,354	2,593,084	...	133,170	
England, including Army, Public Works, Ordinary and Extraordinary	—	...	47,897,400	36,686,282	37,886,828	1,187,546	...	
Ditto, Ordinary	—	...	14,295,600	11,739,595	12,365,637	626,042	...	
GRAND TOTAL	—	—	61,988,000	48,437,877	50,261,465	1,813,588	...	

RECEIPTS AND RECEIPTS.	Estimates, 1876-77.	April 1875 to Jan. 1876.	April 1876 to Jan. 1877.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue	21,381,000	15,921,039	14,956,999	...	964,140
II.—Tributes	760,000	578,918	546,293	...	32,625
III.—Forest	600,000	409,575	378,785	...	30,790
IV.—Excise on Spirits and Drugs	2,525,000	2,039,866	2,060,682	20,814	...
V.—Assessed Taxes	2,079,000	311	296	...	25
VI.—Customs	6,300,000	2,127,913	1,869,274	...	258,639
VII.—Salt	8,200,000	6,033,227	6,182,889	80,662	...
VIII.—Opium	2,837,000	6,947,710	7,692,524	754,814	...
IX.—Stamps	2,335,000	2,335,201	2,333,482	...	1,719
X.—Mint	124,000	83,996	177,918	91,920	...
XI.—Post Office	775,000	632,717	661,119	28,402	...
XII.—Telegraph*	261,800	147,820	197,161	49,341	...
XIII.—Law and Justice	316,000	262,570	271,149	8,579	—
XIV.—Marine	198,000	146,868	158,924	12,056	—
XV.—Interest	488,000	431,450	405,164	...	26,286
XVI.—Pensions	504,400	168,713	156,817	...	11,896
XVII.—Gain by Exchange	347,000	268,435	372,354	103,919	...
XVIII.—Miscellaneous	238,400	203,948	189,313	...	14,635
TOTAL	48,439,300	37,702,171	37,320,993	...	381,178
Army Receipts	840,800	737,582	641,529	...	96,053
Public Works, Ordinary	65,000	39,716	44,723	5,007	...
Canals	527,000	339,561	388,565	49,004	...
State Railways	415,000	224,638	299,110	74,572	...
Traffic Receipts of the Guaranteed Railways	7,388,000	5,021,030	7,110,290	1,189,260	...
TOTAL	69,174,100	44,064,598	46,005,200	1,040,602	—
England, including Army and Public Works	193,900	253,174	181,340	...	71,836
GRAND TOTAL	69,368,000	44,317,772	46,186,540	968,777	—

* Telegraph accounts received up to November 1876.

COMPTROLLER GENL.'S OFFICE; CALCUTTA, *The 26th May 1877.*

W. WATERFIELD,
Offg. Comptroller General.

E. W. KELLNER,
Offg. Deputy Comptroller General.

Statement of the Affairs of the Bank of Bengal for the week ending 29th May 1877.

LIABILITIES.			Rs.	A.	P.
Capital, paid-up			2,00,00,000	0	0
Reserve Fund			16,70,679	2	5
	Rs.	A. P.			
Public Deposits at Head Office	96,98,154	14 5			
Public Deposits at Branches	1,37,50,789	4 7	2,34,48,944	3	0
Other Deposits at Head Office and Branches			1,53,27,705	8	5
Bank Post Bills, &c.			2,34,168	7	2
Sundries			12,63,184	12	10
TOTAL			6,19,44,682	1	10

ASSETS.			Rs.	A.	P.
Government Securities			1,00,15,678	15	9
Loans on Government Securities, &c., at Head Office and Branches			46,92,241	15	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches			48,01,789	4	1
Bills discounted and purchased at Head Office and Branches			1,93,03,509	2	2
Balances with other Banks			7,91,145	15	5
Bullion			5,84,048	11	2
Dead Stock			10,22,786	12	4
Stamps			9,739	5	11
Sundries			1,72,908	7	7
			4,13,93,846	9	10
	Rs.	A. P.			
Cash and Currency Notes at Head Office	1,02,55,485	13 5	2,05,50,835	8	0
Cash and Currency Notes at Branches	1,02,95,349	10 7			
TOTAL			6,19,44,682	1	10

BANK OF BENGAL:
Calcutta, 31st May 1877.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
89	L 84—27194	100	Messrs. Ruskin & Co.
92	L 81—35744	50	Jamin Ali.
93	L 89—31793	20	The Pay Master, E. I. Railway, Allahabad.
94	L 90—04152	20	Babu Raj Kumar Sen.
95	L 84—30693	100	Abdoolla Hajee Arab.
96	L 84—22779	100	Messrs. Nicholls & Co.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
48	L 80—27154 to —68910	20	The Manager, Land Mortgage Bank of India, Limited.
49	L 3—29166 to —29167	10	Hem Raj Agurwallah.
50	L 5—75196 to —75195	10	Babu Aukhoy Chandra Banerjee.
51	L 88—34831	10	Babu Dhurmo Das Palit.
	L 72—34831		
	L 15—47609	5	
	„ —47607		
52	L 62—24304 to —24307	10	Babu Pittumber Sing.
53	L 46—23082	20	Wooma Churn Coondu and Haridas Coondu.
	L 63—86755		
81	L 74—37913	10	Mr. Thomas Mitchell.
	L 81—40481	50	
	L 57—40738	10	
82	L 83—83955	100	Mr. W. Smith.
	L 84—10485	100	
	L 89—99792	20	
83	L 26—11876	5	Major R. C. Money.
84	L 82—57122	100	Sreedhur Narain Sing.
85	L 73—32465	10	Soydar Ali.
86	L 82—95697	100	Mr. F. T. Mills.
87	L 36—85466	20	Wooma Churn Coondu and Haridas Coondu.

CALCUTTA,—Paper Currency Dept.;
The 1st June 1877.

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
1877-78.		Rs.	
W30	C 90—16030	1,000	Messrs. Wallace & Co., Bombay.
	„ —18424	1,000	
	M 38—00000	500	
	„ —00001	500	
W32	M 5—84308	50	Major E. S. Ostrehan, Bombay Staff Corps, Belgaum.
	M 23—43605	50	
	„ —53604	50	
	„ —53606	50	
	„ —53606	50	
W33	C 70—93721	500	W. R Hamilton, Esq., Deputy Collector, Nassik.
W34	M 28—98260	10	Mr. Rustomji Nusserwanji Khetwady, near Cawasji Patel's Tank, Bombay.
W35	C 99—36576	20	Raugnath Sukharam Kalkarni Sukerwar Peit, Poona.

NOTES PARTIALLY LOST OR DESTROYED.

1877-78.		Rs.	
H78	C 98—28075	10	Acharattall Motibhoy, Storia Chukla, Ahmedabad.
	C 84—06375	20	
	M 25—06449	100	
H82	M 27—30806	10	Permanandass Dwarkadaass, Station Shroff, Aurangabad.
	M 19—51181	10	
M42	M 4—46433 to —97088 (wrongly joined)	5	Messrs. Treacher & Co., Byculla.
M46	M 22—28877 to —28878 (ditto)	20	Dadu Vishnoo, Carcoon, Collector's Katchery, Ahmednagar.

BOMBAY,—Paper Currency Dept.;
The 29th May 1877.

W. WELLS,
Assistant Commissioner.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
31	E 4—70661	50	C. J. Shaw, Esq., Multan.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
21	L 67—15306 to —15380	50	Jussa Mal, Assistant Treasurer, Rawal Pindi.

LAHORE,—Paper Currency Office;
The 25th May 1877.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
28	B 53—22568	10	P. Ramasawmy Naidu, Trichinopoly.
	„ —22569	10	
	„ —35808	10	
	B 42—05210	20	
29	B 52—64010	10	Mr. W. C. Madely, Madras.
	„ —67991	10	
31	B 50—64380	100	Kistam Pakeerappah, Prodatore.
	„ —75355	100	
32	B 50—64979	100	Kalappa, Shimoga.
16	B 39—09280 to —09296 (wrongly joined)	5	M. Iyasawmy Moodelly, Madras.
16	B 49—88097 to J 6—98708 (ditto)	10	Messrs. Stance & Co., Beypore.

FORT ST. GEORGE,
Acctt. Genl.'s Office, Paper Currency Dept.;
The 21st May 1877.

G. W. CLINE, LL.D.,
Asstt. to the Acctt. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

HALF NOTE.

Register No.	No. of Note.	Value.	Name of Claimant.
		Rs.	
21	F 8—49470	20	Mr. S. Brown, Engine-driver, G. I. P. Railway, Bhoosawul.

NAGPUR,—Paper Currency Office;
The May 1877.

H. KEENE,
Asstt. to Depy. Acctt. Genl., C. P., in charge of Paper Currency.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
May 21	...	...	...	...	60,68,048	...
,, 22	...	...	...	...	59,69,700	...
,, 23	...	...	...	...	58,71,743	...
,, 24	...	...	...	...	57,74,892	...
,, 25	...	...	...	...	56,78,327	...
,, 26	...	...	...	...	55,78,393	...

CALCUTTA MINT, *The 28th May 1877.* } J. F. TENNANT, *Offg. Mint Master.*

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 31st May 1877 ... Rs. 45,63,364-8-10

W. WATERFIELD, *Treasurer to the Govt. of India.*

CALCUTTA, *1st June 1877.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 1st June 1877.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 2nd June 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 3rd June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Socotra*, will be closed at the General Post Office on Monday, the 4th June 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *viâ* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 8th June 1877, at 7 P. M.

Mails for Chittagong, Akyab, and Kyouk-Phyoo, for transmission per Steamer *Mahratta*, will be closed at the General Post Office on Friday, the 8th June 1877, at 7 P. M.

Mails for Rangoon, Moulmein, and Straits, for transmission per Steamer *Penang*, will be closed at the General Post Office on Friday, the 8th June 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Hydaspes*, will be closed at the General Post Office on Monday, the 11th June 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 5th June 1877, by which mails for Mauritius and Zanzibar can be forwarded.

2. Book-post and pattern packets must be posted on the 4th June 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 1st June 1877.

Aviet, M. J.
Bartlett, W. H.
Batson, J.
Bell, G.
Case, W. P.
Chancy, F. C.
Clark, J. W. S.
Cooper, John.
Cross, J. H.
Cunningham, W. B.
Crutcher, Mrs. H.
Davies, L. W.
Davis, C. G. C.
Davis, E. H. S.
D'Cruz, J.
Detmas.
D'Souza, Mr. J. H.
D'Souza, Mrs. A. W.
Eastman & Co.
Flynn, D.
Gilmore, J. T.
Gosh, H. C.
Haggard, F. W.
Hickey, E.
Hill, G.
Hinton, E. V.
Jackson, Mrs. H. W.
Jessie, Francis.
Jones, A. E.
Kali Doss Soory.
Kentish, A. P.
Lepage, Capt.
Mackintosh, D. S.
Malloy, T.
Marum, Sergt. R.
Marks, T.
Millard, W. S.
Mills T. W.
Mudy, Esq.
Morgan, Edward.
Nederhain, Capt. J.
Owens, John.
Paul, A. M.
Peepin, A.
Percy, Hugh L. H.
Plant Brothers.
Pringle, W. H.
Pybus, E. W.
Robinson, J.
Roos, H. G.
Sandeman, Alfred.
Seton & Co.
Sirot, J. V.
Taylor, Major-General J.
Thomas, H. & Co.
Thompson, W.
Wade, Miss J.
Wane, Innes B.
Westcot, Mrs.
Whyte, Miss A. J. J.
Young, Gordon.

Letters marked "Care of Post Office, to be kept till called for."

Ameer Ally.
Anderson, R. T.
Arthur, Geo.
Atkinson, H. M.
Baker, W.
Banerjee, S.
Battye, Major H. D.
Blundell, C. E.
Blundell, H. S.
Burrows, H.
Buzlool Hossein.
Caddy, D. G.
Clarkson, Mr.
Connelly, P.
District Supdt. of Police.
Eaton, Mrs. G. W.
Elderton, Mrs.
Emilie, Melle.
Falmon, B.
Gladwell, T.
Gray, Williams
Hudson, Thos.
Jackson, J. W.
Jenkinson, Mrs.
Jones, W.
Laidlaw, Robt.
Lomas, Geo.
MacIntyre, A.
Mackenzie, Hector.
Meyer, H. G.
Nichols, W. J.
Pillot, Monsieur Eugene.
Poulson, W. H.
Rayner, Thomas.
Rein, G.
Rowcliff, R. H.
Schapira, D.
Sheppard, Capt. J. T.
Stevens, J. B.
Stone, B. J.
Smithers, H.
Terlecki, Miss.
Thomas, S. H.
Watson, J. B.
White, H. H.
Wilson, Revd. J.
Willard, J. C.
Young, Capt. Alex.
Zacharias, A. R.

Papers.

Battye, Major H. D.
Caddy, D.
Holland, Capt.
Ryder, A.
Storey, W.
Willard, J. C.
Williams, C. A.

Registered Letters.

Cosing, H.
Fagan, L. S.
Francis, Marples.
McWaite, Capt. A.

W. ALPIN, *Offg. Post Master of Calcutta.*

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate.

Selections from the Records of the Government of India, Foreign Department, No. CXXXIV, Annual Administration Report of the Munnipore Agency for the year 1875-76. *Price annas 4; packing and postage, 2 annas.*

Chart showing the approaches to the Sandheads from False Point to the Mutlah River, from the latest Government Surveys, compiled in the Marine Survey Department, 1877.—*Price Re. 1.*

Selections from the Records of the Government of India, Foreign Department, No. CXXIX. Report on the Political Administration of the Rajpootana States, 1875-76. *Price Re. 1; packing and postage 2 annas.*

Selections from the Records of the Government of India, Foreign Department, No. CXXX, Report on the Administration of the Ajmere and Mairwarra Districts for 1875-76. *Price Re. 1; packing and postage 6 annas.*

Army List—New Number.

The Official Quarterly Army List of H. M.'s Forces in Bengal, to which is appended the Civil Service Gradation List, corrected up to 1st April 1877. *Price, Re. 1; packing and postage, 3 annas.*

Also

The Medical and Subordinate Medical portion of the Army List, published separately. *Price 3 annas.*

Moore's Manual of Family Medicine for India, Revised Edition. *Price—*
To Government officers (except those mentioned below) and to the public at large. *Re. 1.*
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 9, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

HIGH COURT—Original Side.

NOTIFICATIONS.

Calcutta, the 4th June 1877.

The Honorable the Chief Justice, with the approval of His Excellency the Governor General in Council, appointed Mr. Spirly Tremearne to officiate as Chief Clerk of the Court for fifteen days, from the 23rd of April, during the absence on privilege leave of Mr. C. T. Davis.

The following Rule, passed by the High Court of Judicature at Fort William in Bengal, is published for general information:—

Whereas the following persons, namely—

The Conservator of Forests, Bengal,
Inspector General of Registration, Bengal,
Inspectors of Registration,
District Registrar of Calcutta,
Inspector General of Police, Bengal,
Deputy Inspectors General of Police,
Protector of Emigrants,
Deputy Superintendent and Remembrancer of Legal Affairs,

have been exempted from serving on Juries by His Excellency the Governor General in Council under the provisions of Section 42 of "The High Courts' Procedure Act, 1875:" And whereas it is deemed desirable that the following persons in the employ of the Port and Bridge Commissioners, namely—

Assistant Harbour Masters,
Engineers in charge of all vessels afloat,
Engineers in particular charge of the Workshops and Hydraulic Engine Rooms,
Crane Drivers,
Engineers in charge of the Hooghly Bridge,
Carpenters and Watchmen on duty on the Bridge,

should be also exempted from service on Juries; It is ordered that the names of the persons so exempted by His Excellency the Governor General in Council, and the names of the said persons in the employ of the Port and Bridge Commissioners, be inserted in the list of persons exempted from liability to serve on Juries appended to Rule 4 of the Jury Rules which came into effect on the first day of March 1876. Dated this 31st day of May 1877.

RICHARD GARTH.
LOUIS JACKSON.
A. G. MACPHERSON.
W. AINSLIE.
R. G. BIRCH.
R. C. MITTER.
W. F. MACDONELL.
J. SEWELL WHITE.
W. PITT-KENNEDY.
H. T. PRINSEP.

By Order,
R. BELCHAMBERS,
Registrar.

COMPTROLLER GENERAL'S OFFICE.

NOTIFICATION.

Calcutta, the 4th June 1877.

No. 331.—The rate of conversion of Indian into sterling money for Overland Money Orders has been changed to 1s. 8¼d. per rupee. Schedule 15 of the Tariff Table is therefore in force until further notice.

W. WATERFIELD,
Offg. Comptroller General.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 31st May 1877.

No. 4.—Mr. A. R. Reade, an Assistant Superintendent of the 1st Grade, is allowed furlough for six months, under Section 12, and subsidiary leave for four days under Section 24 of the Civil

Leave Code, with effect from the forenoon of the 17th May 1877.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 1st June 1877.

Mr. W. H. Lilley, Assistant Surveyor, 3rd Grade, attached to No. 5 Bhopal and Malwa Topographical Survey, is granted privilege leave for one month, under Supplement F, Section 12 of the Civil Leave Code, from the forenoon of the 17th May 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 5th June 1877.

No. 19.—LEAVE OF ABSENCE.—Mr. George Edwin Parker, Assistant Surveyor, 3rd Grade, for three months, from the 1st instant, under Section 12, Supplement F of the Civil Leave Code.

The 6th June 1877.

No. 20.—Mr. Paul Agabeg Peters, Probationary Assistant Surveyor, 4th Grade, availed himself on the 1st instant of the leave of absence for two months granted in Notification No. 18, dated 28th ultimo.

D. C. VANRENEN, *Colonel, R.A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 31st May 1877.

No. 668.—Lieutenant H. E. Ravenshaw, 1st Regiment, Central India Horse, is granted sixty days' privilege leave, with effect from such date as he may avail himself thereof.

F. H. MAITLAND,
2nd Asstt., Agent to the Govr. Genl.,
for Central India,
In charge of Residency.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Aboo, the 1st June 1877.

No. 1[illegible]G.—Dr. L. D. Spencer, Surgeon of the Eastern States Agency, has been granted on return from furlough subsidiary leave from the 3rd to the 13th November 1876, both days inclusive.

By Order,
H. M. DURAND,
1st Asstt., Agent to the Govr. Genl.

HYDERABAD RESIDENCY.

NOTIFICATIONS.

Hyderabad Residency, the 31st May 1877.

No. 6.—Mr. Mahomed Yasseen Khan, Attaché, has been granted privilege leave for ten days, with effect from such date as he may have availed himself of it.

C. B. EUAN SMITH, *Captain,*
1st Asstt. Resident.

The 31st May 1877.

No. 31.—Mr. W. B. Jones, C.S., Commissioner, Hyderabad Assigned Districts, having proceeded to Simla on duty by order of the Government of India, Major J. G. Bell, Judicial Commissioner, will officiate as Commissioner, in addition to his own duties, during the absence of Mr. Jones, or until further orders.

The 1st June 1877.

No. 32.—Mr. G. F. Prevost, Assistant Conservator of Forests, Southern Division, Berar, has been granted privilege leave for three months, with effect from the 13th June 1877, or from such date as he may avail himself of it.

By Order,
G. H. TREVOR, *Captain,*
2nd Asstt. Resident.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 31st May 1877.

No. 59.—Mr. J. Ellis, Accountant, 3rd Grade, Office of Examiner of Accounts, Military Works, returned on the forenoon of 18th May 1877 from the twelve months' furlough granted to him in the twelve months' furlough granted to him in Inspector General's Notification No. 10, dated 13th February 1877. The unexpired portion of his furlough, *viz.*, six months and twenty-two days, is hereby cancelled.

No. 60.—Barrack Sergeant C. Roberts, Darjeeling Division, Military Works, is granted leave on private affairs for three months, with effect from 1st April 1877, or such subsequent date as he may have been able to avail himself of the same.

The 1st June 1877.

No. 61.—Mr. W. Hart, Accountant, 4th Grade, is transferred from the Office of Examiner of Accounts, Military Works, to that of the Executive Engineer, Peshawur Water Works Division, Military Works.

The 4th June 1877.

No. 62.—Mr. W. Browne, Supervisor, 2nd Grade, Peshawur Division, Military Works, was granted leave on medical certificate for five months and thirteen days from 14th December 1876.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 2nd June 1877.

No. 17.—Lieutenant F. T. N. Spratt, R. E., Assistant Engineer, 1st Grade, transferred to this Division of Superintendence, is posted to the Lahore Executive Division of Military Works, which he joined on the 22nd May in the afternoon.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Meerut Division of Superintendence.

Meerut, the 22nd May 1877.

No. 32.—Pundit Dabee Pershad, Accountant, Bareilly Division, Military Works, returned on the forenoon of the 12th instant from the three months' privilege leave granted to him in Notification No. 56 of 6th December 1876.

The 31st May 1877.

No. 33.—Barrack Sergeant I. Clarke joined the Meerut Executive Division on the forenoon of the 7th instant.

R. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Rawal Pindi Division.

Rawal Pindi, the 28th May 1877.

No. 1061.—Lieutenant Campbell, R.E., Assistant Engineer, 2nd Grade, is transferred from the Peshawur to the Rawal Pindi Division, Military Works.

DAVID LIMOND, *Lieut.-Col., R.E.,*
Supdg. Engr., Rawal Pindi Divn., Mily. Works.

Sirhind Division of Superintendence.

Umballa, the 30th May 1877.

No. 11.—Mr. F. C. Murray, Assistant Engineer, 2nd Grade, attached to the Jullundur Division, Military Works, is granted two months' privilege leave from the 5th June 1877, or such subsequent date as he may avail himself of the same.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Lucknow, the 31st May 1877.

With reference to Public Works Department Notification No. 166, dated 4th April 1877, Captain G. F. O. Boughey, R.E., Executive Engineer, 2nd Grade, reported himself at Lucknow on the afternoon of the 22nd May 1877.

W. A. J. WALLACE, *Capt., R.E.,*
Offg. Consltg. Engr. to the Govt. of India for Guaranteed Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 31st May 1877.

No. 91.—With reference to Government of India, Public Works Department, Notification No. 254, dated 28th May 1877, Mr. R. E. Wright, Executive Engineer, 4th Grade (temporary rank), is posted to the Indus Valley Railway.

No. 92.—Sheik Edoo, Overseer, 1st Grade, is transferred from the 1st April 1877 from the open to the unopen line, Punjab Northern Railway.

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

DIRECTOR OF STATE RAILWAYS. Central System.

NOTIFICATIONS.

Simla, the 4th June 1877.

No. 2.—With reference to Government of India, Public Works Department, Notification No. 260 of the 31st May 1877, Lieutenant-Colonel J. Bonus, R. E., Superintending Engineer, 2nd Grade, made over, and Mr. H. Bell, Superintending Engineer, 3rd Grade (temporary rank), received charge of the Sindia Railway on the afternoon of the 17th May 1877.

No. 3.—Mr. T. S. Brown, Assistant Engineer, 2nd Grade, is transferred from the Western Rajputana to the Rajputana Railway.

W. C. FURNIVALL,
Offg. Director of State Railways.

NORTHERN BENGAL STATE RAILWAY.

NOTIFICATION.—ESTABLISHMENT.

Darjeeling, the 5th June 1877.

No. 42.—Mr. George Hawkes, Store-keeper, 2nd Grade, Southern Division, availed himself of the 42 days' privilege leave granted in Notification No. 35 of 1877 on the afternoon of the 29th May, making over charge of the Division to Mr. J. P. Devine, Store-keeper, Northern Division, on the same date.

J. G. LINDSAY, *Major, R.E.,*
Engineer-in-Chief.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATION.

Mhow, the 31st May 1877.

No. 31.—Mr. H. C. Woods, Sub-Engineer, 3rd Grade, Baranagar Division, is granted privilege leave for two months and eleven days from 1st June 1877, or such subsequent date as he may avail himself of it.

CHARLES CHEYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawal Pindi, the 2nd June 1877.

No. 64.—Mr. W. Harvie, Sub-Engineer, 1st Grade, has been granted by Her Majesty's Secretary of State six months' leave on medical certificate, in extension of the leave granted to him by Notification No. 38 of 1876.

No. 65.—Lala Mungul Sain, Accountant (temporary), 1st Grade, is allowed forty days' privilege leave, with effect from the forenoon of the 28th May 1877.

No. 66.—Under instructions from the Director of State Railways, transferring Mr. H. T. Geoghegan, Executive Engineer, 1st Grade, to the Indus Valley State Railway, this officer was relieved of his duties on this Railway on the forenoon of the 24th May 1877, making over charge on that date of the Soan Division to Mr. F. J. E. Spring, Assistant Engineer, 1st Grade.

No. 67.—Mr. P. T. Large, Assistant Engineer, 1st Grade, availed himself of the furlough granted to him by Director of State Railways' Notification No. 84, dated 16th February 1877, on the 1st April 1877.

No. 68.—Mr. T. Lawson, Temporary Overseer, 1st Grade, is transferred from the Indus to the Soan Division. He left the former on the forenoon of the 25th May 1877, and joined the latter Division on the same date.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 30th May 1877.

No. 25.—Mr. J. O'Connor, Accountant, 3rd Grade, attached to the Office of the Examiner of Accounts, Rajputana State Railway, is granted privilege leave of absence for two months and five days from the 29th May 1877.

No. 26.—With reference to Government of India, Public Works Department, Notification No. 219, dated the 14th instant, Mr. S. Kiddle, Accountant, 3rd Grade, was relieved of his duties in the Office of the Examiner of Accounts, Rajputana State Railway, in the afternoon of the 22nd idem.

FRED. FIREBRACE,
Offg. Manager.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 26th May 1877.

No. 106.—Mr. J. C. Porter, Sub-Engineer, 3rd Grade, transferred to this line in Director of State Railways' Notification No. 87, dated 14th May 1877, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Upper Scinde District.

No. 107.—With reference to Government of India, Public Works Department, Notification No. 120, dated 15th March 1877, Sergeant J. Adamson, Overseer, 1st Grade, was relieved of his duties on this line on the afternoon of 24th April 1877.

The 29th May 1877.

No. 109.—With reference to Director of State Railways' Notification No. 59 of 29th March 1877, Mr. J. H. DeRinzy, Executive Engineer, 4th Grade, was relieved of his duties on this line on the afternoon of 27th March 1877.

No. 110.—This Office Notification No. 42 of 8th March 1877, granting subsidiary leave to Mr. J. Mackenzie, Supervisor, 1st Grade, is cancelled.

No. 111.—Mr. J. Mackenzie, Supervisor, 1st Grade, has been transferred from the Mooltan to the Upper Scinde District.

The 30th May 1877.

No. 112.—Mr. J. C. Davidson, Sub-Engineer, 2nd Grade, Upper Scinde District, is granted three months' privilege leave from 15th June 1877, or such subsequent date as he may be permitted to avail himself of it.

No. 113.—Mr. W. Wiseman, Assistant Engineer, 1st Grade, is transferred from the Lower Scinde to the Mooltan District.

No. 114.—Mr. J. R. Scott, Assistant Engineer, 1st Grade, is transferred from the Mooltan to the Upper Scinde District.

The 31st May 1877.

No. 116.—The following posting and transfer have been made by Superintending Engineers:—

Corporal J. Martin, Overseer, 1st Grade, to the Khanpur Division.

Mr. R. Sivewright, Assistant Engineer, 2nd Grade, from the Office of Superintending Engineer, Lower Scinde District, to the Sehwan Division.

M. RAYNE,
Engineer-in-Chief.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 7th June 1877 ... Rs. 54,67,099-8-10

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
8th June 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, BUT NOT MADE PAYABLE.	CERTIFICATES ISSUED FOR SILVER.		BALANCE OF BULLION		
		On General Treasury.	On Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
May 26	[illegible]	...	...	13,36,535	54,53,776	...
„ 29	1,26,419	...	...	10,97,784	59,80,317	...
„ 30	1,138	...	...	16,69,676	51,70,189	...
„ 31	...	...	...	16,36,676	49,72,867	...
June 1	...	...	...	16,36,676	49,72,762	...
„ 2	Holiday.	...	...			

CALCUTTA MINT,
The 4th June 1877.

J. F. TENNANT,
Offg. Mint Master.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st May 1877.

PARTICULARS.	4 PER CENT. LOANS						4 PER CENT. LOANS			5 PER CENT. LOAN OF 1864-67.	6 PER CENT. LOAN OF 1860-61.	6 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
	of 1859-60.	of 1859-62.	of 1864-65.	Transfer of 1865.	of 1870.	of 1871.	of 1872.	3½ PER CENT. LOAN OF 1854-55.	3 PER CENT. LOAN OF 1858-59.			10 years. Repayable June 1877.	15 years. Repayable June 1882.	
Balance of 18th May 1877	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Add—														
Amount enfaced between 19th and 26th May 1877	1,45,71,000	20,000	...	...	40,13,600	2,97,000	3,01,32,300	...	...	82,900	4,36,34,700	21,70,000	32,94,000	13,14,82,725
Amount enfaced between 26th and 31st May 1877	...	6,600	...	26,000	...	...	14,000	...	...	...	6,600	...	2,000	46,100
Amount enfaced at Calcutta between 19th and 31st May 1877	...	16,900	14,900	43,600	...	...	5,000	...	...	...	500	...	2,000	87,900
Deduct—														
Amount written off in the London Register	1,45,71,000	43,500	14,900	69,600	40,13,600	2,97,000	3,01,51,300	...	...	82,900	4,36,34,700	21,70,000	32,96,000	13,14,82,725
	...	15,600	14,900	13,100	...	...	1,000	...	...	...	500	...	2,000	46,100
Balance on 31st May 1877	1,45,71,000	27,900	...	56,500	40,13,600	2,97,000	3,01,50,300	...	...	82,900	4,36,34,200	21,70,000	32,94,000	13,14,36,625

	4 PER CENT. LOAN OF 1854-55.	3 PER CENT. LOAN OF 1858-59.	5 PER CENT. LOAN OF 1864-67.	6 PER CENT. LOAN OF 1860-61.	6 PER CENT. DEBENTURES FOR		TOTAL AMOUNT.
					10 years. Repayable June 1877.	15 years. Repayable June 1882.	
Balance on 18th May 1877	£ 65,000	£ 32,173	£ 2,349	£ 14,54,300	£ 20,85,000	£ ...	£ 20,85,000
Add—							
Amount enfaced between 19th and 26th May 1877	...	...	...	...	...	...	...
Amount enfaced between 26th and 31st May 1877	...	...	...	...	...	...	...
Amount enfaced at Calcutta between 19th and 31st May 1877	...	...	...	6,600	...	...	...
Deduct—							
Amount written off in the London Register	...	...	...	...	...	...	...
Balance on 31st May 1877	65,000	32,173	2,349	14,54,300	20,85,000	...	20,85,000

Norm.—Upon 6th June 1877 to 31st May, 1877, enfaced from India, 2,466 lacs; re-transferred from London, 2,477 lacs.

1st April	to 14th April	5	„
16th „	to 30th „	6	„
1st May	to 15th May	7	„
16th „	to 31st „	1	„
		19	lacs.

Balance against London ... 19 lacs.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 6th June 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 5th June 1877.

LIABILITIES.			Rs.	A.	P.
Capital, paid-up			2,00,00,000	0	0
Reserve Fund			16,70,574	2	5
	Rs.	A. P.			
Public Deposits at Head Office	75,47,933	8 5			
Public Deposits at Branches	1,38,97,000	2 10	2,14,44,933	11	3
Other Deposits at Head Office and Branches			1,68,12,084	8	2
Bank Post Bills, &c.			2,31,573	6	5
Sundries			13,28,017	0	0
TOTAL			6,14,87,182	12	3

ASSETS.			Rs.	A.	P.
Government Securities			1,01,48,315	8	9
Loans on Government Securities, &c., at Head Office and Branches			45,96,079	5	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches			45,58,142	8	10
Bills discounted and purchased at Head Office and Branches			2,01,57,145	12	1
Balances with other Banks			9,31,060	14	4
Bullion			4,45,067	10	0
Dead Stock			10,21,195	1	8
Stamps			9,611	10	11
Sundries			1,74,023	11	7
			4,20,40,642	3	7
	Rs.	A. P.			
Cash and Currency Notes at Head Office	92,50,700	13 11			
Cash and Currency Notes at Branches	1,01,95,839	10 9	1,94,46,540	8	8
TOTAL			6,14,87,182	12	3

By order of the Directors,

BANK OF BENGAL: *Calcutta, 7th June 1877.*

W. WESTLAND, *Offg. Chief Accts. & Depy. Secretary.*

W. D. CRUICKSHANK, *Offg. Secy. & Treasurer.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
9	D 5—94728		20	A. H. Macpherson, Esq., Jalandhar.

NOTES PARTIALLY LOST OR DESTROYED.

22	D 7—34071		100	Abdoorrahman Khan, Moorudabad.
23	D 11—19611		10	Gunda Mull, Gujranwalla.
12	D 11—28839 / „ —28836	wrongly joined.	10	Seth Ram Chunder, Indore.
13	D 11—42384 / „ —42385	ditto	10	Bahadoor Khan, Allahabad.

ALLAHABAD,—Paper Currency Office; *The 31st May 1877.*

T. H. S. BIDDULPH, *Asstt. Accts. Genl., in charge of Paper Currency Office.*

Calicut Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. effaced.	Value. Rs.	Name of Claimant.
J 10—06311	100	Acting Agent, Oriental Bank Corporation, Madras.
J 10—04627	100	A. R. Lilley, Esq., Assistant Engineer, D. P. W., Hassan, Mysore.

CALICUT.—Paper Currency Office; *The 28th May 1877.*

P. A. COLE, *Depy. Collector, in charge of Paper Currency.*

Coconada Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
I 10—17053	10	Mr. F. H. Bowden of Dumagudim.
„ —17223	10	
„ —17318	10	
I 5—21486	10	
I 4—14081	20	
„ —06716	50	
„ —09190	50	
I 6—12390	10	A. Jeyaram Naidú, Oriental Bank Corporation, Madras.
I 5—17453	20	M. Jagannatha Chetty of Madras.

COCONADA,—Paper Currency Office; *The 29th May 1877.*

H. RICHARDSON, *Depy. Collr., in charge of Paper Currency*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
103	L 72—65688	10	The Chief Inspector of Post Offices, Oudh.
104	L 91—85964	20	Mrs. W. G. Fox.

NOTES PARTIALLY LOST OR DESTROYED.

54	L 80—71988 / „ —71989	20	Nandiswor Phocken.
55	L 24—52941 / L 17—72813	5	Babu Woodub Chandra Roy.
56	L 17—04210 / L 16—81208	5	Babu Rambromho Dey.
59	L 80—79497 / „ —79499	20	Babu Mohiny Mohun Ghose.
60	L 42—78986 / „ —78987	10	Babu Shoshibhusan Ganguly.
61	L 72—43416 / „ —43419	10	Babu Madhub Chandra Gupta.
88	L 74—12427	10	Babu Issur Chandra Ghose.
89	L 86—11331	10	Lt. G. A. Money.
90	L 86—93273	10	Babu Mohindra Lal Das.
91	L 79—33468 / „ —33467	20 / 20	Revd. J. F. Fasting.
92	L 75—25368	10	Mrs. M. Hunter.
93	L 91—47139 / „ —74989 / L 90—74272 / L 80—99616	20 / 20 / 20 / 20	Babu Ram Kali Bhuttacharjee.
94	L 81—73330	50	Shaik Elae Bux.
95	L 90—10489	20	Babu Bidhu Bhusan Chakravarti.
96	L 26—28908	5	Private W. Hodder.
97	L 4—31869	10	Mr. Pestonjee Eduljee Guzdar.
98	L 53—76540	1,000	Meahjan.
99	L 80—91800 / L 89—74053	20 / 20	Hassam Ismael.
100	L 15—43025	5	Babu Rossick Kristo Roy.
101	L 41—68778	10	Haffez Ameenooddeen.
3373	A 21—52786	10	Babu Chunder Mohun Dutt.

CALCUTTA,—Paper Currency Dept., *The 8th June 1877.*

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1877.	No. of Notes.	Value. Rs.	Name of Claimant.
W25	M 21—20283	10	The Collector of Surat.
	M 22—36614	20	
	C 99—61754	20	
W36	M 4—61658	5	Mr. J. Edwards, Sholapur.

NOTES PARTIALLY LOST OR DESTROYED.

1877.			
H83	M 17—79814	10	Mr. Bhugat Sing, Teacher, Soonsing, Tehseel Kasoor, Lahore.
H84	M 25—10644	100	Lieutenant J. S. Fitth, R.A., A. D. C. to H. E. the Governor of Bombay.
	M 23—63690	50	
	„ —63691	50	
M48	M 2—22093 / „ —22094	wrongly joined. 5	Abdool Cadur Samarjee, Bhattichala, Bombay.
M49	„ —16756 / M 3—06943	ditto 5	Ebrahim Suleman, Old Cloth Market, Bombay.

BOMBAY,—Paper Currency Dept.; *The 5th June 1877.*

W. WELLS, *Assistant Commissioner.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
33	B 43—61696	20	Mr. C. H. Travers, Cuddapah.
34	B 43—92188 / „ —92189	50 / 50	Kasummy Rasniah Nandigam.
35	B 59—61365	10	P. Ragavooloo Chetty, Madras.
36	B 40—27066	5	Mattay Ramanuja Chariar, Arcot.
37	B 52—66389	10	Mr. A. W. C. Gordon, Madras.
38	B 50—26316	100	Khoda Bux, Agra.
39	B 52—69673	10	Ponnurungum, Madras.
310	B 32—32386	50	Cawny Chetty Chinna Condiah, Madras.
	B 44—04581	100	
17	B 50—28084 / J 3—05503	wrongly joined. 100	R. Vamana Kini, Calicut.

FORT ST. GEORGE, Asstt. Genl.'s Office, Paper Currency Dept.; *The 26th May 1877.*

G. W. CLINE, B.L.B., *Asstt. to the Asstt. Genl., in charge of Paper Currency Dept.*

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 7—84574	10	Mr. Jemsedjee Framjee, Head Master, Virbaiji School, Kurrachee.
„ —89479	10	

KURRACHEE,—Paper Currency Dept.;
The 30th May 1877.

W. A. INGLE,
Asstt. Depy. Commr. of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
32	E 7—41600	5	Narain Sing, Bhukker *viâ* Dera Ismail Khan.
33	E 15—03005	50	G. A. Price, Esq., 4, Mirzapore Lane, Calcutta.
34	E 7—98545	5	The Post Master General, North-Western Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
13	A 18—68415 „ —68414	10	Ram Sahai and Doongarmal, Bankers, Amritsar.
24	E 12—22516 „ —22519	20	Ramadar Chowdry, through the Officer Commanding 6th Punjab Infantry, Edwardesabad.
22	E 10—35272 „ —44962	10	Heera Lal and Hurnarain, Merchants, Peshawar.
58	E 6—12758	10	Mohammad Abdul Rahman, Supdt. of Roads, Dharumsalla
28	E 4—44593	50	Sagmal Mahasvari, Goalpara, Assam.
57	A 23—28687	50	Nasurwanji and Framji, Calcutta.
77	E 5—35715	20	Major F. W. Dunn, through Messrs. Norton & Co., Merchants, Kusowli.
	E 4—36188	50	
	„ —37084	50	

LAHORE,—Paper Currency Office;
The 1st June 1877.

I. C. BOSE,
Asstt. to Accts. Genl., in charge of Currency Office.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 8th June 1877.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 10th June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *India*, will be closed at the General Post Office on Monday, the 11th June 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Hydaspes*, will be closed at the General Post Office on Monday, the 11th June 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 12th June 1877.

2. Book-post and pattern packets must be posted on the 11th June 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Friday, the 15th June 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Baghdad* (mails for Port Blair and Camorta can be sent by this opportunity), will be closed at the General Post Office on Friday, the 15th June 1877, at 7 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *A. Apcar* and *Venice*, will be closed at the General Post Office on Saturday, the 16th June 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 8th June 1877.

Arakiel, A. Z. T.
Aviet, M. J.
Barlow, Nelson.
Bartlett, W. H.
Batson, J.
Behrends and Wallade, Messrs.
Bernard, J.
Bose, E. N.
Broughton G.
Brown, Dr. J.
Collier, Mrs.
Cunningham, W. B.
Daniell, C.
Davies, L. W.
Ditmas, J.
Dumaine, C. J.
DeMoullynes, F.
Eastman & Co.
Gardener, Miss.
Gilmore, J. T.
Gordon, Col. W. R.
Gordon, Jas.
Gream, Major.
Haggard, F. W.
Hickey, E.
Hinton, E. V.
Holman, D.
Jackson, Mrs. H. W.
Jewett, C. S.
Kainworth, Mrs. T. P.
Kati Doss Soory.
Keer, Mrs. Geo.
Kentish, A. P.
MacDonald, Ronald.
Mackintosh, D. S.
Macnaughten, Messrs. J. H.
Mahony, H.
Manual and Co., Messrs.
Martyrose, T.
Mayne, G. O.
Mills, T. W.
Mitchell, T. W.
Morgan, Edward.
Nederhain, Capt. J.
Newman, J. B.
Nelthropp, T. H.
Owens, John.
Paul, A. M.
Peepin, A.
Percy, Hugh L. H.
Petnie, Mr.
Phillips, H.
Pillay, M. A.
Pybus, E. W.
Richard, Mrs. Chas.
Richards, Thos. C.
Robinson, J.
Ruchwaldie, H.
Scott, Jas.
Seymour, A. V.
Shead, J.
Siret, J. V.
Sutherland, J.
Templeton, R.
Thomas, H., & Co.
Thomas, T. L.
Thompson, E. L.
Whyte, Miss A. J. J.

Letters marked "Care of Post Office, to be kept till called for."

Abbott, Capt.
Ameer Ally.
Anderson, R. T.
Andrew, E. S.
Arthur, Geo.
Atkinson, H. M.
Baker, W.
Banerjee, S.
Battye, Major H. D.
Blundell, C. E.
Blundell, H. S.
Burrows, H.
Buxlool Hossein.
Caddy, D. G.
Clarkson, Mr.
District Supdt. of Police.
Donnelly, Mrs. E.
Eaton, Mrs. G. W.
Elderton, Mrs.
Emilie, Melle.

Ewing, Geo.	Nichols, W. J.
Falmon, B.	Pillot, Monsieur Eugene.
Gibson, Jas. H.	Rayner, Thomas.
Gladwell, T.	Rein, G.
Gray, William.	Rawcliff, R. H.
Hartley, Charles.	Sheilman, Mr.
Howard, Jas. R.	Shepperd, Capt. J. T.
Hudson, Thos.	Stevens, J. B.
Hughes, J. W.	Smithers, H.
Illis, John.	Thomas, S. B.
Jackson, J. W.	Watson, J. B.
Jenkinson, Mrs.	White, H. H.
Lomas, Geo.	Williams, Mrs.
Mackenzie, Hector.	Wood, R. B.
MacWilliam, Miss.	Young, Capt. Alex.
Meyer, H. G.	Zacharias, A. H.

Papers.

Beale, W.	Caddy, D.

Registered Letters.

Backman, A.	Mathews, Mrs. H. W.
Cosing, H.	McNeil, Mackintosh and Co.
Fagan, L. S.	Trotter, W. H.
Francis, Marples.	Waite, Capt. A.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

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The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 16, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 9th June 1877.

Offices opened and closed during the month of May 1877.

Name of Station.	Where situated.	Date.	Remarks.
* Cherat (Re-opened).	Punjab ...	19th ...	Opened.
* Malabar Point (Re-opened).	Bombay ...	5th ...	Ditto.
* Parell ...	Ditto ...	4th ...	Closed.
Quetta ...	Beluchistan ...	17th ...	Opened.

* Season Offices.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

BANK OF BENGAL.

Calcutta, the 12th June 1877.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Wednesday, the 20th instant, on account of the Hindoo Festival "Dushohurra," in conformity with Government Notification No. 3484 of 29th October 1867.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

TOPOGRAPHICAL SURVEY OF INDIA.

NOTIFICATION.

Simla, the 1st June 1877.

Mr. P. J. W. Doran, Assistant Surveyor, 2nd Grade, attached to No. 1 Gwalior and Central

India Topographical Survey, is granted privilege leave for two months, under Supplement F, Section 12, of the Civil Leave Code, from the forenoon of the 18th June 1877.

H. L. THUILLIER, *Colonel, R.A.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 8th June 1877.

No. $\frac{1522}{1188}$*G.*—Captain J. W. Ridgeway, Political Agent in the Eastern States of Rajputana, is granted privilege leave for two months and nineteen days, with effect from the 15th June 1877, or such subsequent date as he may avail himself of the same.

The 9th June 1877.

No. $\frac{1523}{1189}$*G.*—With reference to this Office Notification No. 1387-1024G, dated 16th May 1877, Lieutenant O'Moore Creagh, Adjutant Mairwara Battalion, having returned to duty on the 23rd idem, the unexpired portion of the leave granted him is hereby cancelled.

By Order,
H. M. DURAND,
1st Asstt. Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Notification No. 643, dated 22nd May 1877, published at page 320, Part II, *Gazette of India*, is cancelled, and the following substituted:—

Indore Residency, the 21st May 1877.

No. 643.—ERRATA, ADDENDA AND CORRIGENDA, Part II, *Gazette of India*, dated 28th April 1877—

Page 223 after line 3, insert, as sanctioned by the Governor General in Council.

From heading of column 3 throughout the list, erase the word "proposed."

Page 223 for रतला in column 1, read रतलाम.

Page 224 for Bundelkhand in column 5, read Deputy Bheel Agency.

Page 225 for मवासेकाडंगर in column 1, read मवासेकाडूंगर.

Page 226 for अबदलग्राहचंगाव in column 1, read अबदलग्राहचंगाव.

Page 227 for बाबपुर in column 1, read बाबूपुर.

Page 228 for Baraundha in column 2, read Baraundhá.

Page 228 for Town and Jágír in column 4, read Town.

Page 229 for भोजखेडी in column 1, read भोजाखेडी.

Page 230 for Bilkeshwar Mahádeo in column 2, read Bilkeshvar Mahádeo.

Page 230 for बिरसिंजपुर in column 1, read बिरसिंगपुर.

Page 230 for बोहारि in column 1, read बोहारी.

Page 231 for चुनवरी in column 1, read चुरवरी.

Page 231 for Dasai in column 2, read Dasáí.

Page 231 for Dawára in column 3, read Datwára.

Page 234 for जिरवाई in column 1, read गिरवाई.

Page 237 for कांठाफो in column 1, read कांठाफोड.

Page 237 for कठीयाड़ा in column 1, read कठीवाडा.

Page 237 for Kháchrand in columns 2 and 3, read Kháchraud.

Page 238 for खंड़रौधी in column 1, read खंड़रौधी.

Page 239 for माधोगढ in column 1, read माधोगढ.

Page 240 for मकसूदनगड in column 1, read मकसूदनगढ.

Page 241 after मैहदपुर the word मडु in column 1, to be omitted.

Page 241 for नैगवांरिवई in column 1, read नैगवांरिवई.

Page 247 for सिंगौजी in column 1, read सिंगोजी.

Page 247 for डितलडा in column 1, read सितलडा.

Page 248 for Tonwargárh in column 2, read Tonwarghár.

F. H. MAITLAND,
2nd Asstt. Agent to the Govr. Genl., for Central India, In charge of Residency.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 5th June 1877.

No. 63.—With reference to Government of India, Public Works Department, No. 222 E. M. & C., dated 30th May 1877, Major A. Seton, R.E., reported his arrival to the Inspector General of Military Works on 28th May 1877, before noon.

The 9th June 1877.

No. 64.—With the approval of the Government of India, Public Works Department, Mr. W. B. Blaikie, Assistant Engineer, 2nd Grade, is appointed, as a temporary arrangement, to officiate as Executive Engineer of the Kasauli Division, Military Works, from the date on which he relieved Colonel Baird.

The 11th June 1877.

No. 65.—Baboo Sree Kristo Bose, Accountant, 4th Grade, Bareilly Division, Military Works, is transferred to the Office of the Examiner of Accounts, Military Works, which he joined on the 29th May 1877, before noon.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Lahore Division.

Lahore, the 4th June 1877.

No. 18.—Lieutenant M. Langharne, R.E., Temporary Assistant Engineer, 1st Grade, Ferozepore Division, Military Works, is granted two months' privilege leave from 2nd July.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Meerut Division of Superintendence.

Meerut, the 11th June 1877.

No. 34.—Privilege leave for three months is granted to Sub-Overseer Emam Bux attached to the Ranikhet Division, with effect from the 15th May 1877.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Oudh Division of Superintendence.

Lucknow, the 9th June 1877.

No. 39.—Sergeant A. S. McDowell, Overseer, has been transferred to the Nowgong Sub-Division of the Saugor Division, Military Works, which he joined on the afternoon of the 7th May last.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Presidency District.

Calcutta, the 12th June 1877.

No. 5.—Serjeant F. O. A. Baker, R.E., Overseer, 1st Grade, has been posted to the Fort William Division and joined the same on 4th instant.

L. RUSSELL, *Colonel,*
Superintending Engineer.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS, LAHORE.

NOTIFICATION.

Lahore, the 12th June 1877.

No. 928.—With reference to Government of India, Public Works Department, Notification No. 239 of 18th May 1877, Captain H. W. Clarke, R.E., made over, and Captain H. Doveton, R.E., received, charge of the office of the Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Kurrachee on the forenoon of the 6th June 1877.

J. G. MEDLEY, *Colonel, R.E.,*
Consulting Engr. to the Govt. of India for G. Rys.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Simla, the 4th June 1877.

No. 93.—With reference to Government of India, Public Works Department, Notification No. 260 of the 31st May 1877, Lieutenant-Colonel J. Bonus, R.E., Superintending Engineer, 2nd Grade, relieved Mr. A. Grant, Chief Engineer, temporary 2nd Class, of the office of the Engineer-in-Chief of the Punjab Northern Railway, on the afternoon of the 28th May 1877.

The 5th June 1877.

No. 94.—Consignments of "Ras Copoor" and of "Ritha" or "Soap nuts" will in future be carried on Indian State Railways at the 3rd and 2nd class rates respectively. The necessary additions should be made alphabetically in the General Classification of Goods.

No. 95.—On page 8 of the Indian State Railway General Classification of Goods for "Sugarcanes, class 2," read "Sugarcanes, class 1."

E. C. S. WILLIAMS, *Lieut.-Col., R.E.,*
Director of State Railways.

Western System.

Simla, the 9th June 1877.

No. 1.—Mr. W. Monies, Assistant Engineer, 3rd Grade, Indus Valley Railway, was granted thirty days' leave on medical certificate from the 5th February 1877.

No. 2.—With reference to Government of India, Public Works Department, Notifications Nos. 243 and 266 of the 19th and 31st May 1877, respectively, Mr. T. Macpherson, Sub-Engineer, 3rd Grade, is posted to the Indus Valley Railway.

The 11th June 1877.

No. 3.—With reference to Government of India, Public Works Department, Notification No. 265 of the 1st current, Sergeant K. Ross, R.E., Overseer, 1st Grade, is posted to the Indus Valley Railway.

No. 4.—Mr. C. A. Bull, Executive Engineer, 3rd Grade is transferred from the Indus Valley to the Punjab Northern Railway.

ALEX. GRANT,
Officiating Director.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 9th June 1877.

No. 32.—Mr. T. R. Edmondson, Probationary Accountant, 2nd Grade, returned to duty on the forenoon of the 1st June 1877 from two months and twenty-three days' leave on medical certificate granted to him in Notification No. 16 of 5th April 1877.

No. 33.—Pundit Girdharee Lall, Accountant, 4th Grade, availed himself of five weeks' privilege leave granted to him in Notification No. 28 of 11th May 1877 on the forenoon of the 4th June 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATIONS.

Rawal Pindi, the 9th June 1877.

No. 69.—Mr. J. A. S. Ellis, Accountant, 3rd Grade, is transferred from the Jhelum Division to the Soán Division. He left the former on the forenoon of 23rd May 1877, and joined the latter on the forenoon of 30th May 1877.

No. 70.—Baboo Khetter Chunder Chatterjee, Accountant, 3rd Grade, is transferred from the late Chenab Division to the Jhelum Division. He left the former on the forenoon of 19th May 1877 and joined the latter on the forenoon of 21st May 1877.

No. 71.—Mr. D. P. DeMello, Accountant, 4th Grade, on probation, is transferred from Jhelum Division to the Office of Examiner of Accounts, Punjab Northern State Railway. He left the former on the afternoon of 1st June 1877, and joined the latter on the forenoon of 4th idem.

JOSEPH BONUS, *Lieut.-Col., R.E.,*
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 4th June 1877.

No. 117.—With reference to Director of State Railways' Notification No. 77, dated 26th April 1877, Mr. J. M. Luff, Executive Engineer, 2nd Grade, reported his arrival at Kurrachee on the forenoon of 28th May 1877, and is posted to the Mehur Division of the Lower Scinde District.

No. 118.—With reference to Government of India, Public Works Department, Notification No. 260 of 31st May 1877, Mr. H. T. Geoghegan, Superintending Engineer, 3rd Grade (temporary rank), reported his arrival at Mooltan on the forenoon of 2nd June and took over charge of the Office of Superintending Engineer, Mooltan District, on the forenoon of 4th idem.

The 5th June 1877.

No. 119.—With reference to Director of State Railways' Notification No. 78 of 27th April 1877, Mr. F. Lang, Assistant Engineer, 2nd Grade, reported his arrival at Kurrachee on 12th May 1877, and is posted to the Lower Scinde District.

No. 120.—Mr. J. Spence, Sub-Engineer, 3rd Grade, is transferred from the Upper Scinde to the Lower Scinde District.

No. 121.—Mr. F. R. Blake, Sub-Engineer, 2nd Grade, is transferred from the Lower Scinde to the Upper Scinde District.

No. 122.—The latter part of this Office Notification No. 31 of 16th February 1877, posting Mr. J. Mackenzie, Supervisor, 1st Grade, to the Upper Scinde District, is cancelled.

The 7th June 1877.

No. 125.—Mr. J. H. Corbett, Assistant Engineer, 1st Grade, Larkana Division, is granted three months' privilege leave from 1st August 1877, or such subsequent date as he may be able to avail himself of it.

No. 126.—Mr. B. Rees, Sub-Engineer, 2nd Grade, Mehur Division, is granted privilege leave for one month and seven days from such date as he may be permitted to avail himself of it.

No. 127.—The following postings and transfer have been made by Superintending Engineers:—

Baboo N. C. Mookerjee, Temporary Overseer, 1st Grade, to the Ghotki Division.

Mr. F. Lang, Assistant Engineer, 2nd Grade, to the Mehur Division.

Mr. C. J. S. Baker, Assistant Engineer, 2nd Grade, from the Ghotki to the Reti Division.

The 9th June 1877.

ERRATUM.—In this Office Notification No. 95, dated 17th May, as published at page 291 of Part II of the *Gazette of India*, after the words Executive Engineer, read "2nd Grade."

M. RAYNE,
Engineer-in-Chief.

INDIAN MUSEUM.

NOTIFICATION.

Calcutta, the 11th June 1877.

No. 657.—Major H. H. Godwin-Austen has availed himself of the permission granted to him by the Trustees in their letter No. 654, dated 1st June 1877, to resign his officiating appointment in the Museum, and has this day made over charge of his duties to the Superintendent.

By order of the Trustees,
H. B. MEDLICOTT,
Honorary Secretary.

NOTICE.

OUDH FOREST DEPARTMENT.

BYRAMGHAT DEPÔT.

On the Oudh and Rohilkhund Railway.

From this date the prices of Sál beams and scantlings supplied from this Depôt will be as follows:—

BEAMS—

21 feet length @ Rs. 2 10 0 per cubic foot.
22 „ @ „ 2 12 0 „
23 „ @ „ 2 14 0 „
24 „ @ „ 3 0 0 „

Above the lengths given two annas per foot run will be charged. Any inches over the foot will be charged as a foot.

SCANTLINGS—

from 12 to 20 feet @ Rs. 2 8 0 per cubic foot.
under 12 & over 7 „ @ „ 2 4 0 „
under 7 „ @ „ 2 0 0 „

The above prices are for ordinary building purposes.

For *planking, sleepers, &c.*, special rates will be fixed by agreement.

The Department will still take orders for buildings all over @ Rs. 2-4-0 per cubic foot, provided the scantlings are taken in fair proportion.

SECOND AND THIRD CLASS TIMBER will be sold and price fixed by agreement.

AUCTION SALES will be held from time to time to clear off stock.

For further particulars apply to the Officer in charge.

By order of the Conservator, Oudh Forests,
SIMPSON HILLIER,
Assistant Conservator of Forests.

The 1st June 1877.

ACCOUNTANT GENERAL'S OFFICE.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

No. 267.—*Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 31st May 1877.*

PUBLIC WORKS (BUILDINGS AND ROADS BRANCH AND MILITARY WORKS BRANCH) AND TELEGRAPH.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam	Mar. 1877	May. 14, 1877
2	Rajpootana	Ditto	Do. 18 „
3	Central Provinces	Ditto	Do. 21 „
4	Port Blair	Ditto	Do. 23 „
5	Hyderabad	Ditto	Do. 25 „
6	Coorg, Grand Trunk Road, Simla Imperial Circle.	Ditto	Do. 28 „
9	Mysore, Hyderabad Assigned Districts.	Ditto	Do. 29 „
11	Madras	Ditto	Do. 30 „
12	Central India	Ditto	Do. 31 „
13	British Burmah	Feb. 1877	Apl. 24, 1877
14	Punjab	Ditto	Do. 27 „
15	Oudh	Ditto	Do. 30 „
16	Indo-European Telegraph.	Ditto	May 1, 1877
17	North-Western Provinces.	Ditto	Do. 3 „
18	Indian Telegraph	Ditto	Do. 8 „
19	Bombay, Bengal	Ditto	Do. 9 „
21	Military Works	Ditto	Do. 25 „

IRRIGATION.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajpootana	Mar. 1877	May 18, 1877
2	British Burmah	Ditto	Do. 28 „
3	Madras, Mysore	Ditto	Do. 29 „
5	Punjab	Feb. 1877	Apl. 24, 1877
6	North-Western Provinces.	Ditto	Do. 30 „
7	Bengal	Ditto	May 1, 1877
8	Bombay	Ditto	Do. 8 „

GUARANTEED RAILWAYS.

1	Madras	Mar. 1877	Do. 30, 1877
2	Punjab	Feb. 1877	Apl. 27 „
3	Bengal	Ditto	May 1 „
4	Oudh	Ditto	Do. 3 „
5	Bombay	Ditto	Do. 14 „

STATE RAILWAYS (CAPITAL).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Western Rajpootana, Tirhoot Surveys	Mar. 1877	May 7, 1877
3	Nagpur and Chhatisgurh.	Ditto	Do. 14 „
4	Wurdah Valley	Ditto	Do. 17 „
5	Rajpootana, Sindia	Ditto	Do. 21 „
7	Store-keeper, Calcutta, Assam Extension, Seebsagur Coal Line, Nizam's	Ditto	Do. 25 „
11	Holkar, Punjab Northern, Neemuch	Ditto	Do. 28 „
14	Northern Bengal	Feb. 1877	Apl. 18, 1877
15	Tirhoot	Ditto	Do. 24 „
16	Indus Valley	Ditto	Do. 30 „
17	Rangoon and Sittang.	Ditto	May 1, 1877
18	Hubli and Karwar, Dhond and Munmar.	Ditto	Do. 8 „
20	Rangoon and Irrawaddy Valley.	Ditto	Do. 21 „

STATE RAILWAYS (REVENUE).

1	Wurdah Valley	Apl. 1877	Do. 21 „
2	Calcutta and South-Eastern.	Mar. 1877	Do. 4 „
3	Khamgaum	Ditto	Do. 7 „
4	Gomrooter	Ditto	Do. 9 „
6	Rajpootana, Nizam's	Ditto	Do. 25 „
7	Nulhatee	Ditto	Do. 28 „
9	Punjab Northern, Tirhoot	Feb. 1877	Apl. 24, 1877
10	Holkar, Neemuch	Ditto	May 7, 1877

Dated 4th June 1877.

J. J. McLEOD INNES, *Lieut.-Colonel,*
Accountant General, P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 12th June 1877.

LIABILITIES.		Rs.	A.	P.
Capital, paid-up		2,00,00,000	0	0
Reserve Fund		16,70,419	2	5
	Rs. A. P.			
Public Deposits at Head Office	1,15,51,234 5 7			
Public Deposits at Branches	1,34,53,670 11 0	2,50,04,905	0	7
Other Deposits at Head Office and Branches		1,83,19,595	3	4
Bank Post Bills, &c.		2,96,828	12	11
Sundries		13,70,919	4	10
RUPEES		6,66,62,667	8	1

ASSETS.		Rs.	A.	P.
Government Securities		1,03,56,623	8	9
Loans on Government Securities, &c., at Head Office and Branches		44,23,626	5	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches		39,88,228	1	5
Bills discounted and purchased at Head Office and Branches		2,02,13,489	14	8
Balances with other Banks		10,98,427	15	9
Bullion		11,41,471	1	9
Dead Stock		10,30,790	3	8
Stamps		9,594	0	11
Sundries		1,77,935	10	11
		4,24,30,186	15	3
	Rs. A. P.			
Cash and Currency Notes at Head Office	1,31,94,612 9 1			
Cash and Currency Notes at Branches	1,10,37,867 15 9	2,42,32,480	8	10
RUPEES		6,66,62,667	8	1

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secy & Treasurer.

BANK OF BENGAL,
Calcutta, 14th June 1877.

W. WESTLAND,
Offg. Chief Accty. & Depy. Secretary.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
22	B 50—65984	...	100	S. Valoo Chetty, Madras.
	„ —89887	...	100	
23	B 43-85083	...	50	N. Venkata Row, Sholinghur.
24	B 36—41324	...	5	V. Thondavaroya Moodelliar, Bangalore.
	B 40—47856	...	5	
	„ —73172	...	5	
	B 52—30554	...	10	
	B 50—34103	...	100	
	„ —32169	...	100	

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
40	B 42—31020	...	20	Parava Chetty, Bangalore.
	B 44—99319	...	100	
	B 50—05132	...	100	
41	B 40—56092	...	5	Chithaviki Pompanah, Bellary.
	B 43—84678	...	50	
	„ —84679	...	50	
	„ —84680	...	50	
42	B 36—58839	...	5	P. Cundasawmy Moodelliar, Tinnevelly.
43	B 42—82093	...	20	M. Streenevassa Pillay, Madras.
44	B 49—88873	...	10	T. Moothoosawmy Pillay, Madras.
	„ —94437	...	10	
45	B 42—55002	...	20	V. Soobramanya Moodelliar, Madras.
	„ —55003	...	20	
	B 44—77611	...	100	
46	B 43—72409	...	50	N. Saiban Saib, Madras.
	„ —86195	...	50	
	B 50—56907	...	100	
47	B 52—63985	...	10	Mr. P. Staunton, Ootacamund.
48	B 50—48361 wrongly joined.		100	Munsook Doss, Madras.
	„ —64391 wrongly joined.			

FORT ST. GEORGE,
Acott. Genl.'s Office, Paper Currency Dept.;
The 4th June 1877.

G. W. CLINE, LL.D.,
Asstt. to the Acott. Genl., in charge of Paper Currency Dept.

Nagpur Circle.

MISMATCHED NOTE.

Register No.	No. of Notes.	Value.	Name of Claimant
		Rs.	
2	F 10—55257 „ —55267	100	Goverdhan Das Morarji, Merchant, New Cloth Market, Bombay.

MUTILATED NOTE.

	Rs.	
F 13—19627	5	Goverdhan Das Morarji, Merchant, New Cloth Market, Bombay.

NAGPUR,—Paper Currency Office;
The 6th June 1877.

H. KEENE,
Asstt. to Depy. Acott. Genl., C. P., in charge of Paper Currency.

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant
			Rs.	
24	D 11—40462	...	10	Lieutenant W. D. Shaw, Jubbulpur
	„ —50786	...	10	
	„ —50967	...	10	
25	D 5—95926	...	20	W. E. Neale, Esq., Hamirpur.
	„ —95927	...	20	
14	D 5—88406 wrongly joined.		20	Lalla Bishun Saroop, Ajmere.
	„ —88408 wrongly joined.			
15	D 10—13977 „ —13978	ditto	5	The Treasury Officer, Cawnpore.
	„ —13976 „ —13979	ditto	5	
16	„ —44851 „ —44847	ditto	5	Shahzadnund, Lahore.

ALLAHABAD,—Paper Currency Office;
The 7th June 1877.

T. H. S. HIDDULPH,
Asstt. Acott. Genl., in charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
1877.			Rs.	
W37	M 23—70519	...	50	The Cashier, G. I. P. Ry. Co., Bombay.
	„ —74336	...	50	
	„ —74362	...	50	
	M 27—00902	...	10	
	„ —11227	...	10	
	„ —24469	...	10	
	„ —24595	...	10	
	„ —35857	...	10	
	„ —38784	...	10	
	„ —45538	...	10	
	M 28—43259	...	10	
	„ —73845	...	10	
	„ —91884	...	10	
	M 29—02876	...	10	
	„ —08760	...	10	
	„ —09338	...	10	
	„ —10316	...	10	
	„ —20850	...	10	
	„ —25182	...	10	
	„ —25197	...	10	
	M 20—98793	...	10	
	M 17—68339	...	10	
	M 6—14836	...	5	

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
H85	M 23—43912	...	20	Sergeant Major D. Reid, R.E., Kirkee.
	M 28—11970	...	10	
	„ —31617	...	10	
H86	M 20—03985	...	10	Mr. Burjorjee Framjee, Pay Clerk, B. B. & C. I. Railway.
H87	M 23—49368	...	50	The Maharaja of Punnah.
H88	C 98—87545	...	100	Vundravun Purshotumdass, No. 116, Nagdevi Street, Bombay.
M50	C 97—39731 wrongly joined. C 96—53255 wrongly joined.		10	Tejsee Lala, Chinch Bunder, Bombay.
M51	C 96—86553 „ —86554 ditto	...	10	Damodar Alloo, care of Messrs. Ewart, Latham & Co., Bombay.
M52	M 24—04289 „ —04419 ditto	...	100	Narayen Ramchundra, New Cloth Market, Bombay.
	M 22—04041 C 98—89243 ditto	...	20	
M53	C 85—48153 „ —72995 ditto	...	50	Dhurrumsey Hunsraj, Dabra Gully, Bombay.

BOMBAY,—Paper Currency Dept.;
The 12th June 1877.

W. WELLS,
Assistant Commissioner.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
35	E 10—35470	...	10	The Post Master General, Punjab, Lahore.
36	E 10—24012	...	10	Lalla Gurmukh Ray, Pleader, Amritsar.
	E 12—31214	...	20	
	E 15—03778	...	50	
	L 07—12225	...	50	

NOTE PARTIALLY LOST OR DESTROYED.

			Rs.	
62	E 12—38407	...	20	Shunker Das, Clerk, Audit Office, S. P. & D. Railway, Lahore.

LAHORE,—Paper Currency Office;
The 9th June 1877.

I. C. BOSE,
Asstt. to Acott. Genl., in charge of Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
			Rs.	
105	L 83—83955	...	100	Messrs. Grindlay and Co.
	L 84—10485	...	100	
	L 89—99702	...	20	
98	L 88—97080	...	100	The Assistant Superintendent of Police, in charge, Dacca.
108	O 27—00040	...	500	Messrs. Hong Po and Co.
	L 84—33164	...	100	
	„ —33163	...	100	
	L 81—98879	...	50	
109	L 69—86278	...	100	Mr. J. Bell.
	L 83—34306	...	100	
110	L 81—97188	...	50	Mr. W. F. Westfield.
111	L 85—64458	...	1,000	Babu Nobin Chunder Coondoo.
	„ —64459	...	1,000	
112	L 98—22277	...	10	The District Superintendent of Police, Jessore.
	L 97—35374	...	10	

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Note.	Value. Rs.	Name of Claimant.
63	L 49—11161 } „ —11162 }	... 50	... Babu Banshidhur.
64	... L 15—57864 } „ —57865 }	... 5	... } Babu Darica Nath Dutt.
	L 15—93779 } L 16—53478 }	... 5	... }
65	... L 15—79195 } „ —79196 }	... 5	... Hafez Kootabooddeen
66	... L 26—11646 } „ —11647 }	... 5	... Babu Ghanasyam Bhattacharjee.
68	... L 86—78405 } „ —78406 }	... 10	... Babu Mutty Lal Kundoo.
69	... L 91—65381 } „ —65382 }	... 20	... Babu Ram Chunder Chakravarti.
102	... L 86—97095	... 10	... Mrs. L. De Courcy.
103	... L 9—86736	... 5	... } Babu Mutty Lal Buxy.
	L 15—86241	... 5	... }
104	... L 19—85467	... 50	... Babu Hari Prasanna Khan.
105	... L 98—45224	... 10	... Babu Gobind Chunder Ghose.
106	... L 84—09894	... 100	... Koolodeep Narain Sing.
107	... A 69—45137	... 10	... Messrs Shama Churn Daw and Co.
108	... N 7—14255	... 1,000	... Babu Anunto Behari Shaw.
109	... L 42—34546	... 10	... Babu Prasanna Kumar Chowdhuri.
110	... L 26—28874	... 5	... Mukhmul Mowzadar.
111	... A 19—18601	... 10	... Babu Nobin Chunder Roy.

CALCUTTA,—Paper Currency Dept.; *The 15th June 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES. On General Treasury.	On Currency Department.	BALANCE OF BULLION Under Assay.	Assayed.	Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
June 4	...	4,03,233	4,03,832	12,50,127	51,75,406	
„ 5	...	...	...	12,50,127	50,76,316	
„ 6	...	4,15,872	4,15,147	8,50,763	53,86,589	
„ 7	...	...	1,52,116	4,25,875	52,87,016	4,24,828
„ 8	...		4,22,374	801	51,03,076	8,99,901
„ 9	...	4,62,578	853	...	55,10,471	4,25,875

CALCUTTA MINT, *The 11th June 1877.* J. F. TENNANT, *Offg. Mint Master.*

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 14th June 1877 ... Rs. 32,34,099-8-10

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA, *15th June 1877.*

Report of a Deserter from the 2nd Battalion, 11th Regiment of Foot, dated at Poona, this 9th day of June 1877.

Name,—No. 191, Private John Stone.
Age,—24 years and 8 months.
Size,—5 feet 5¼ inches.
Color of—
Complexion, fair; hair, brown; eyes, hazel.
Peculiar marks by which his identity may be ascertained,—None.
Date of Desertion,—7th June 1877.
From whence deserted,—Poona.
Date of Enlistment,—9th October 1874.
Place of Enlistment,—Exeter.
Parish where born,—Taunton.
County,—Somerset.
Former Trade or Occupation,—Laborer.
Dress at the time of Desertion,—coat or jacket, waistcoat, breeches or trowsers. } Regimentals.
REMARKS, stating any particular circumstances attending his Desertion,—It is not thought that this man has actually deserted, he was on pass for shooting till tattoo, 7th instant. Has taken no kit with him.

———, *Major,*
Comdg. 2-11th Regiment.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 15th June 1877.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer *Madras*, will be closed at the General Post Office on Saturday, the 16th June 1877, at 7 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer *Baghdad* (mails for Port Blair and Camorta can be sent by this opportunity), will be closed at the General Post Office on Saturday, the 16th June 1877, at 7 P. M.

Mails for the Straits and Hong-Kong, for transmission per Steamers *A. Apcar* and *Venice*, will be closed at the General Post Office on Saturday, the 16th June 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 17th June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Mecca*, will be closed at the General Post Office on Monday, the 18th June 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 19th June 1877.

2. Book-post and pattern packets must be posted on the 18th June 1877.

N. B.—The Letter Box will close at 7 P. M. precisely after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Ceylon and the Australian Colonies, for transmission per Steamer from Bombay, will be closed at the General Post Office on Wednesday, the 20th June 1877, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 22nd June 1877, at 7 P. M.

Mails for Rangoon, Moulmein, and Straits, for transmission per Steamer , will be closed at the General Post Office on Friday, the 22nd June 1877, at 7 P. M.

Mails for Ceylon, Straits and Hong-Kong, for transmission per Steamer from Bombay will be closed at the General Post Office on Friday, the 22nd June 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 15th June 1877.

Aperie and Sons, Messrs.
Aviet, M. J.
Bartlett, W. H.
Bernard, J.
Blackburn, Mrs. M. E.
Bloch, J.
Bose, E. N.
Broughton, G.
Brown, Jos.
Cannon, C. E.
Collier, Mrs.
Cornelius, J.
Daniell, C.
DeMoullynes, F.
Dunn, Mrs. C. E.
Eastman & Co.
Estrange, Dr. J. L.
Flynn, D.
Fritsch, Mrs.
Gordon, Jas.
Graif, Leip.
Higgins, J.
Holt, W.
Holman, D.
Jackson, Mrs. H. W.
Jewett, C. S.
Johnson, J.
Keer, Mrs. Geo.
Kentish, A. P.
Macey, G.
MacDonald, Ronald.
Macnaughten, Messrs. J. H.
Martyrose T.
Menzies, Dr. J.
Mills, T. W.
Mitchell, T. W.
Morrell, Mrs.
Morgis, T. R.
Newman, J. B.
Percy, Hugh L. H.
Petnie, Mr.
Phillips, H.
Portugal, Madame.
Richard, Mrs. Chas.
Richards, Thos. C.
Richtsteig, Theo.
Scott, Jas.
Shead, Mr. J.
Templeton, R.
White, J.
Wollaston, N.

Letters marked "Care of Post Office, to be kept till called for."

Abbott, Capt.
Andrew, E. S.
Atkinson, H. M.
Baker, W.
Battye, Major H. D.
Beaton, Jas.
Blundell, C. E.
Blundell, H. S.
Buzlool Hossein.
Caddy, D. G.
Chennell, Thos.
Clarkson, Mr.
D'Cruz, J.
District Supdt. of Police.
Donnelly, Mrs E.
Eaton, Mrs. G. W.
Elderton, Mrs.
Emilie, Melle.
Ewing, Geo.
Falmon, B.
Gibson, Jas. H.
Gladwell, T.
Gray, William.
Hartley, Charles.
Howard, Jas. K.
Hudson, Thos.
Hughes, J. W.
Jackson, J. W.
Jenkinson, Mrs.
Illis, John.
Johns, Phillip.
Lomas, Geo.
Mackenzie, Hector.
MacWilliams Miss.
Mery, Madame.
Meyer, H. G.
Nichols, W. J.
Philbin, J.
Pillot, Monsieur Eugene.
Rayner, Thomas.
Rein, G.
Rowcliff, R. H.
Sheilman, Mr.
Shepperd, Capt. J. T.
Stephens, A. E. K.
Stevens, J. B.
Smithers, H.
Taylor, G. W.
Thomas, S. B.
West, J. W.
White, H. H.
Williams, Mrs.
Wilson, Arthur J.
Wood, R. B.
Young, Capt. Alex.
Zacharias, A. H.

Papers.

Beaton, Jas.
Barlow, Mrs.
Caddy, D.
Gray, W.
Smithers, H.
Stephens, A. E. K.

Registered Letters.

Cosing, H.
Fagan, L. S.
Francis, Marples.
Mathews Mrs. H. W.
Waite, Capt. A

W. ALPIN,
Offg. Post Master of Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 23, 1877. Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 16th June 1877.

No. 5.—Mr. W. Rees Phillips, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for three months, under Section 32 of the Civil Leave Code, with effect from the forenoon of the 1st June 1877.

The 18th June 1877.

6.—Mr. R. L. D. Gomperts, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for 52 days under Section 32 of the Civil Leave Code, with effect from the forenoon of the 18th May 1877.

7.—Mr. T. C. Hill, an Officiating Superintendent of the 3rd Grade, is allowed privilege leave for three months under Section 32 of the Civil Leave Code, with effect from the afternoon of the 21st May 1877.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 19th June 1877.

No. 21.—LEAVE OF ABSENCE.—Mr. Charles David, Revenue Surveyor, 3rd Grade, from the 15th instant to the 31st July 1877, both dates inclusive, under Supplement F, Section 12 of the Civil Leave Code.

D. C. VANRENEN, *Colonel, R.A.,*
Superintendent of Revenue Surveys.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 16th June 1877.

No. 758.—With reference to Notification No. 252, dated 9th March 1877, Surgeon-Major T. Beaumont, Residency Surgeon, Indore, reported his return to duty on the afternoon of the 12th instant.

F. H. MAITLAND,
2nd Asstt. Agent to the Govr. Genl. for Central India, In charge of Residency.

HYDERABAD RESIDENCY.

NOTIFICATION.

Hyderabad Residency, the 14th June 1877.

No. 8.—Mr. Shaik Hissam-ud-din, Assistant Magistrate, Secunderabad, held charge of the current duties of the Office of Cantonment Magistrate, Secunderabad, from 18th to 27th November 1876, and again from 20th February to 8th March 1877.

C. B. EUAN-SMITH, *Captain,*
In charge.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 14th June 1877.

No. 66.—With reference to Government of India, Public Works Department, Notification No. 213, dated 11th May 1877, Sergeant F. O. A. Baker, R.E., is posted to the Presidency District of Superintendence, Military Works.

No. 67.—With reference to Government of India, Public Works Department, Notification No. 261 of 31st May 1877, Lieutenant J. G. Day, R.E., and Lieutenant G. M. Porter, R.E., joined the Military Works Branch at Simla on the 5th June 1877.

The 15th June 1877.

No. 68.—With reference to Government of India, Public Works Department, Resolution No. 549—50M.W., dated 7th June 1877, Captain

W. H. Pierson, R.E., reported his arrival in Simla to the Inspector-General, Military Works, on the forenoon of 14th June 1877.

No. 69.—With reference to Government of India, Public Works Department, Resolution No. 549—50M.W., dated 7th June 1877, Major H. F. Blair, R.E., reported his arrival in Simla to the Inspector-General, Military Works, on the afternoon of 14th June 1877.

The 16th June 1877.

No. 70.—With reference to Government of India, Public Works Department, Notification No. 124, dated 19th March 1877, Mr. E. Lumsden, Accountant, 4th Grade, is posted to the Office of Examiner of Accounts, Military Works, which he joined on the afternoon of the 12th April 1877.

No. 71.—With the approval of the Government of India, Public Works Department, Mr. Ashhurst, Assistant Engineer, 1st Grade, is appointed to officiate as Executive Engineer, Peshawar, during the absence, on privilege leave, of Captain J. T. Wright, R.E., or until further orders.

C. W. HUTCHINSON, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Meerut Division of Superintendence.

Meerut, the 15th June 1877.

No. 35.—Sub-Overseer Bukhtawar Lall, Bareilly Division, Military Works, availed himself, on the forenoon of the 1st instant, of the three months' privilege leave granted to him in this Office Notification No. 30 of the 17th May 1877.

No. 36.—Mr. J. Hogan, Assistant Engineer, 2nd Grade, Meerut Division, Military Works, is granted two months' privilege leave, with effect from such date as he may avail himself of the same.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Supdce., Mily. Works.

Oudh Division of Superintendence.

Lucknow, the 13th June 1877.

No. 40.—Privilege leave of absence for a period of seventy-three days is granted to Major D. C. Walker, R.E., Executive Engineer, Dinapore Division, Military Works, from such date as he may avail himself of the same.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Sirhind Division of Superintendence.

Umballa, the 19th June 1877.

No. 12.—With reference to Inspector General's Notification No. 34, dated Simla, 21st March 1877, Major A. C. Padday, R.E., is posted to the Dagshai Division, Military Works. He assumed charge of that Division on the afternoon of the 29th May 1877.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Dirn. of Superintendence, Mily. Works.

DIRECTOR OF STATE RAILWAYS.

NOTIFICATIONS.

Central System.

Simla, the 14th June 1877.

No. 4.—With reference to Government of India, Public Works Department, Notification No. 235 of the 18th May 1877, Mr. W. Harvey, Executive Engineer, 4th Grade, joined his appointment of Assistant Director of State Railways, Central System, on the forenoon of the 6th June 1877.

W. C. FURNIVALL,
Director of State Railways.

Western System.

Simla, the 14th June 1877.

No. 5.—Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, Indus Valley Railway, is granted five months' leave without allowances, with effect from the 1st June 1877, or such date as he may have availed himself of the same.

ALEX. GRANT,
Officiating Director

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 11th June 1877.

No. 128.—Sergeant W. M. Cargill, Supervisor, 1st Grade (temporary rank), Sehwan Division, is granted three months' privilege leave from 1st July 1877, or such subsequent date as he may be permitted to avail himself of it.

No. 129.—Mr. S. Clay, Supervisor, 1st Grade, Larkana Division, is granted three months' privilege leave from 1st July 1877, or such subsequent date as he may be permitted to avail himself of it.

The 12th June 1877.

No. 130.—That portion of this Office Notification No. 85, dated 7th May 1877, transferring Babu Jadu Nath Singha, Accountant, 4th Grade, from the Sehwan Division to the Central Office of Accounts, is cancelled.

Babu Jadu Nath Singha, Accountant, 4th Grade, is transferred from the Sehwan to the Kotri Division.

No. 131.—Mr. W. A. Lesmond, Assistant Engineer, 1st Grade (temporary rank), Bahawulpur Division, is granted three months' privilege leave from 1st July 1877, or such subsequent date as he may avail himself of it.

No. 132.—Mr. G. Moyle, Assistant Engineer, 2nd Grade, Sutlej Bridge Division, is granted three months' leave to study Native languages from 15th July 1877, or such subsequent date as he may avail himself of it.

The 14th June 1877.

No. 133.—Sergeant R. H. Lambert, Overseer, 1st Grade, Larkana Division, is granted three months' privilege leave from 20th May 1877, or such subsequent date as he may have been permitted to avail himself of it.

No. 134.—This Office Notification No. 103 of 21st May 1877, granting five months' leave without allowances to Baboo Russick Lall Roy, Assistant Engineer, 2nd Grade, is cancelled.

M. RAYNE,
Engineer-in-Chief.

PUNJAB NORTHERN STATE RAILWAY.

NOTIFICATION.

Lahore, the 15th June 1877.

No. 3.—With reference to Government of India, Public Works Department, Notification No. 262, dated 31st May 1877, the under-mentioned Royal Engineer Non-Commissioned Officers, appointed on probation in Class E of the State Railway Revenue Establishment and posted to the Western System of State Railways, reported their arrival at Lahore on the forenoon of the 14th June 1877:—

Sergeant H. Shorey.
Corporal H. Palmer.
Corporal W. Albert.
Corporal J. Woods.

T. B. B. SAVI, *Captain, R.E.,*
Manager.

RAJPUTANA STATE RAILWAY.

NOTIFICATION.

Agra, the 18th June 1877.

CORRIGENDUM.—In Manager's Notifications Nos. 23 and 24, published at page 322, Part II of *Gazette of India*, dated 2nd June 1877, for "Fred Firebrace, Officiating Manager," read "G. F. Mathew, for Manager."

G. F. MATHEW,
for *Manager.*

GOVERNMENT SAVINGS' BANK.

No. 1.

ANNUAL STATEMENT.

Abstract of Operations of the Government Savings' Bank from 1st April 1876 to 31st March 1877.

	Rs. A. P.	Rs. A. P.
Balance due to Depositors in 1875-76		26,94,457 7 8
Deposits in 1876-77	11,21,853 13 4	
Interest allowed to Depositors in 1876-77	1,01,581 4 0	
		12,23,434 1 4
		41,17,891 9 0
Deduct—		
Withdrawals in 1876-77	13,06,089 14 3	
Investment in Government Loans	49,170 7 11	
		13,55,240 1 2
Balance		27,62,351 7 10
LIABILITIES		
Balance due to Depositors in 1876-77		27,62,351 7 10
ASSETS		
Due by General Books	26,60,770 3 10	
Interest allowed to Depositors in 1876-77	1,01,581 4 0	
		27,62,351 7 10

W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

BANK OF BENGAL.
GOVT. SAVINGS' BANK:
Calcutta, 16th June 1877.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 21st June 1877 ... Rs. 44,68,569-8-10

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA.
22nd June 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED FOR RUPEES. On General Treasury.	CERTIFICATES ISSUED FOR RUPEES. On Currency Department.	BALANCE OF BULLION Under Assay.	BALANCE OF BULLION Assayed.	BALANCE OF BULLION Held on account of the Currency Department.
1877.	Rs.			Rs.	Rs.	Rs.
June 11			...		54,23,838	4,25,975
,, 12	17,66,295			17,66,295	53,31,247	4,25,975
,, 13		4,53,671		17,66,295	66,59,528	
,, 14		...		17,66,295	65,69,936	
,, 15				17,66,295	54,08,987	
,, 16				17,66,295	54,08,933	

CALCUTTA MINT.
The 18th June 1877.

J. F. TENNANT,
Offg. Mint Master.

NOTICE.

OUDH FOREST DEPARTMENT.

BYRAMGHAT DEPÔT.

On the Oudh and Rohilkhund Railway.

From this date the prices of Sál beams and scantlings supplied from this Depôt will be as follows:—

BEAMS—

21 feet length @	Rs. 2	10	0	per cubic foot.
22 ,, @	,, 2	12	0	,,
23 ,, @	,, 2	14	0	,,
24 ,, @	,, 3	0	0	,,

Above the lengths given two annas per foot run will be charged. Any inches over the foot will be charged as a foot.

SCANTLINGS—

from 12 to 20 feet @	Rs. 2	8	0	per cubic foot.
under 12 & over 7 ,, @	,, 2	4	0	,,
under 7 ,, @	,, 2	0	0	,,

The above prices are for ordinary building purposes.

For *planking, sleepers, &c.*, special rates will be fixed by agreement.

The Department will still take orders for buildings all over @ Rs. 2-4-0 per cubic foot, provided the scantlings are taken in fair proportion.

SECOND AND THIRD CLASS TIMBER will be sold, and price fixed by agreement.

AUCTION SALES will be held from time to time to clear off stock.

For further particulars apply to the Officer in charge.

By order of the Conservator, Oudh Forests,

SIMPSON HILLIER,
Assistant Conservator of Forests.

The 1st June 1877.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th June 1877.

PARTICULARS.	4½ PER CENT. LOAN OF 1863-64.	4 PER CENT. LOANS				5 PER CENT. DEBENTURES FOR			TOTAL AMOUNT.
		of 1854-55.	of 1858-59.	of 1859-60.	of 1865-66. Transfer of 1866.	6 PER CENT. LOAN OF 1865-67.	6½ PER CENT. LOAN OF 1868-69.	10 years. Repayable June 1877.	15 years. Repayable June 1882.	
Balance of 31st May 1877	55,000	33,173	2,346	14,54,600	30,66,000	1,56,98,800	1,10,63,900	40,13,900	2,97,000	3,01,80,300	82,900	4,36,24,200	21,70,000	32,84,000	13,14,37,625
Add—															
Amount enfaced at Madras between 1st and 16th June 1877 ...	...	...	...	...	500	600	...	4,000	...	...	...	9,500	...	...	14,600
Amount enfaced at Bombay between 1st and 16th June 1877 ...	...	...	...	...	...	...	...	3,500	...	...	...	11,500	...	...	15,000
Amount enfaced at Calcutta between 1st and 16th June 1877 ...	...	...	...	...	2,000	5,000	7,700	1,44,200	2,800	...	2,540	2,90,000	...	...	4,54,934
								2,00,000	12,900	...		21,400	1,22,500	9,16,000	12,83,020
	55,000	33,173	2,346	14,56,640	30,67,500	1,57,04,400	1,10,71,600	40,16,000	2,97,000	3,01,52,900	82,900	4,38,25,240	21,70,000	32,84,000	13,19,16,060
Deduct—															
Amount written off in the London Registers ...	...	...	...	9,920	...	...	...	...	...	...	...	...	...	...	12,83,020
Balance on 15th June 1877	55,000	33,173	2,346	14,46,720	30,67,500	1,57,04,400	1,10,71,600	40,16,000	2,97,000	3,01,31,900	82,900	4,37,92,700	12,54,000	32,84,000	13,06,73,039

NOTE.—From 8th June 1867 to 15th April 1877, enfaced from India, 2,488 lacs; re-transferred from London, 2,482 lacs.

" 16th April 1877 to 30th "	6 "	"	7 "
" 1st May " to 15th May	3 "	"	"
" 16th " " to 31st "	1 lac	"	"
" 1st June " to 15th June	4 lacs	"	12 "
	2,474 lacs.		2,501 lacs
		Balance against London	2,474 "
			27 lacs.

W. D. CRUICKSHANK,
Offg. Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL,
Calcutta, 19th June 1877.

MAPS OF THE SURVEY OF INDIA,

Published at the Office of the Surveyor General of India, Calcutta, for the quarter ending 31st March 1877.

Local Agents.

Calcutta.—Messrs. Thacker, Spink & Co.
Allahabad.—Curator of Government Books.
Nagpoor, Ditto ditto.
Lahore.—Mr. W. Ball, Bookseller and Stationer.
Madras.—Messrs. Higginbotham & Co.
Bombay.—Messrs. Thacker, Vining & Co.

N. B.—Maps are *not sold* at the Office of the Surveyor General of India, Calcutta, but applications for maps, on payment, should be made to Agents. This Department only issues maps, *free of charge*, on the Public Service. It is particularly requested that the nearest local Agent, as above, be first applied to for any map required on the Public Service before indenting on this Department. The cost of postage of parcels must be borne by applicants themselves, as also such incidental charges as may be incurred at their request for mounting and binding maps. The best maps are invariably supplied in lieu of those asked for, which may not be available, and lists of all newly published maps are periodically notified in the Gazettes of India and of Local Governments.

Description.	Size.	Price of Map unmounted per sheet or copy. Uncolored. Rs.	A.	Colored. Rs.	A.
GENERAL MAPS.					
Scale 256 Miles = 1 Inch.					
India No. 1 (*Sixth Edition*)	Foolscap	0	8	0	10
Scale 128 Miles = 1 Inch.					
India No. 2 (*with Hills, Seventh Edition*)	Atlas	1	8	2	0
Scale 64 Miles = 1 Inch.					
India No. 3 (*Preliminary Edition, without Hills*)	2 Sheets D. Royal	3	0	4	0
Scale 4 Miles = 1 Inch.					
Peshawur to Kabul, North-West Frontier	Double Elephant	2	0	2	4
Indian Atlas Quarter Sheet, No. 31 S.W. (Mhairwara, Jodhpur, &c.)	½ Sheet Atlas	0	12	0	12
Do. Do. No. 52 N.W. (Kotah, Jhalawar, &c.)	Ditto	0	12	0	12
Do. Do. No. 45 S.E. (Part of Ladak)	Ditto	0	12	0	12
Do. Do. No. 126 N.W. (Mymensing, Dacca, &c.)	Ditto	0	12	0	12
Do. Do. No. 126 N.E. (Sylhet, Hill Tipperah, &c.)	Ditto	0	12	0	12
Do. Do. No. 126 S.W. (Dacca, Tipperah, &c.)	Ditto	0	12	0	12
Do. Do. No. 126 S.E. (Chittagong & Hill Tipperah	Ditto	0	12	0	12
Do. Do. No. 127 N.W. (Backergunge, Noacolly, &c.)	Ditto	0	12	0	12
Do. Do. No. 127 N.E. (Chittagong)	Ditto	0	12	0	12
Do. Do. No. 127 S.W. (Backergunge)	Ditto	0	12	0	12
Do. Do. No. 127 S.E. (Chittagong)	Ditto	0	12	0	12
Scale 8 Miles = 1 Inch.					
Chittagong Division (Bengal)	Atlas	1	0	1	4
DISTRICT MAPS.					
Scale 1 Mile = 1 Inch.					
Ajmere	6 Sheets D. E.	6	0	7	0
Scale 4 Miles = 1 Inch.					
Hooghly (Bengal)	Imperial	0	8	0	10
Monghyr (Bengal)	Atlas	1	0	1	4
REVENUE SURVEY MAPS.					
Scale 1 Mile = 1 Inch.					
Sonthal Pergunnahs District, Sheets Nos. 7, 8, 9, 10, 11, 13, 14, 15 & 16	Double Royal	1	8	1	12
Darrang (Assam) District, Sheets Nos. 7 & 11	Double Elephant	1	8	1	2
Násik (Bombay) District, Sheets Nos. 5 & 11	Ditto	1	8	1	12
Baháwulpoor State, Sheets Nos. 41 & 42	Ditto	1	8	1	12
Gurgaon (Punjab), Sheets Nos. 3, 6, 7, 9 & 10	Ditto	1	8	1	12
TOPOGRAPHICAL SURVEY MAPS.					
Scale 1 Mile = 1 Inch.					
Rajputana, Sheets Nos. 58, 59, 62, 63, 64, 66, 67 & 73	Double Elephant	1	0	1	4
Khandesh and Bombay Native States, Sheets Nos. 25 & 27	Ditto	1	0	1	4
Bhopal and Malwa, Sheet No. 19	Ditto	1	0	1	4
Nandair Circar, Nizam's Territory (*Lithographed in England*)	31 Sheets Imperial	20	0	22	0
Scale 1 Mile = 4 Inches.					
Bareila Forest Reserve (Mandla, Central Provinces)	Atlas	0	8	0	8
Scale 1 Mile = 24 Inches.					
Simla & Jutog (*Second Edition*), Sheets Nos. 1, 2, 3, 5, 10, 11, 14, 15, 16, 17, 18 & 20	Double Elephant	1	4	1	8
CANTONMENT, CITY, CIVIL STATION PLANS.					
Dera Ismail Khan Cantonment	Double Elephant	1	0	1	4
Scale 16 Inches = 1 Mile.					
Rajanpur Cantonment	Ditto	1	0	1	4
Scale 8 Inches = 1 Mile.					
Golaghat (Assam)	Imperial				
Calcutta, City	Super Royal	0	4	0	6
Scale 4 Miles = 6 Inches.					
Gonda, Civil Station	Imperial	0	8	0	10
Gonda, City	Double Elephant	0	8	0	10

B. V. RIDDELL, *Captain, R.E.,*
Assistant Surveyor General,
In charge of Surveyor General's Office.

SURVEYOR GENERAL'S OFFICE,
Calcutta, the 15th May 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 18th June 1877.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital, paid-up	2,00,00,000	0	0	Government Securities ...	1,12,22,254	15	9
Reserve Fund	16,70,179	2	5	Loans on Government Securities, &c., at Head Office and Branches ...	42,23,416	5	5
Rs. A. P.				Accounts of Credit on Government Securities, &c., at Head Office and Branches	47,22,096	4	6
Public Deposits at Head Office ... 1,44,47,371 8 11	2,78,62,465	3	7	Bills discounted and purchased at Head Office and Branches	2,09,03,317	4	3
Public Deposits at Branches ... 1,34,15,093 10 8				Balances with other Banks ...	9,44,304	3	9
Other Deposits at Head Office and Branches	1,82,63,174	15	9	Bullion	10,19,021	1	0
Bank Post Bills, &c.	2,46,316	15	4	Dead Stock	10,20,168	8	2
Sundries	14,16,694	1	11	Stamps	9,687	14	0
				Sundries	1,93,754	1	0
					4,42,58,320	12	10
				Rs. A. P.			
				Cash and Currency Notes at Head Office... 1,39,18,267 7 2	2,52,00,539	10	2
				Cash and Currency Notes at Branches ... 1,12,82,272 3 0			
RUPEES ...	6,94,58,860	7	0	RUPEES ...	6,94,58,860	7	0

By order of the Directors,

BANK OF BENGAL, *Calcutta, 21st June 1877.*

W. WESTLAND, *Offg. Chief Accte. & Depy. Secretary.*

W. D. CRUICKSHANK, *Offg. Secy. & Treasurer*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value. Rs.	Name of Claimant.
48	... B 28—95064	...	500	... Nundlal Nursiah, Kurnool.
49	... B 52 - 36530	...	10	... C. Pachappa Acharry, Madras.
50	... B 40—67884	...	5	... G. McWatters, Esq., C.S., Erode.
51	... B 36—66678	...	5	... Vobalapuram, Shottriem Seenapah, Pennagonda.
	B 40—56382	...	5	
19	... B 40—04752 wrongly	...	5	... C. Ruthnum Chetty, Madras.
	„ —04753 joined.			
20	... B 50—40056 ditto	...	100	... Hajee Mahomed Kaleel Kirmany, Madras.
	„ —40165			
21	... B 42—66330 ditto	...	20	... E. Apparow Moodelliar, Madras.
	„ —80092			
22	... B 39—93231 ditto	...	5	... Jinulabdeen Alia Chunda Saib, Hassan.
	„ —93331			

FORT ST. GEORGE, Accott. Genl.'s Office, Paper Currency Dept.; *The 11th June 1877.*

G. W. CLINE, LL.D., *Asstt. to the Accte. Genl., in charge of Paper Currency Dept.*

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant
10	... D 6—42533 ...	10	... Mata Deen, Mooradabad.
11	... D 11—52472 ...	10	... The Post Master General, N. W. Provinces, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
26	... D 11—59946	...	10	... The Political Agent, Bundelkhund.
27	... D 5—89511	...	20	... Abdul Lateef, Allahabad.
28	... D 4—65361	...	50	... Mr. F. Maxwell, Calcutta.
29	... D 4—61362	...	50	... Baboo Badan Chandra Singha, Naini Tal.
30	... „ —53964	...	50	... R. Chalmer, Esq., Dagshai.
	L 47—21428	...	20	...

ALLAHABAD.—Paper Currency Office; *The 20th June 1877.*

T. H. S. BIDDULPH, *Asstt. Accte. Genl., in charge of Paper Currency Office.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value. Rs.	Name of Claimant.
113	... L 69—79271 ...	100	... Komaruddeen.
	L 82—49087 ...	100	...
	L 79—27460 ...	20	...
115	... L 83—98268 ...	100	... Rajjoo Mull.
	„ —98269	100	...
116	... L 81—91342 ...	50	... Babu Peary Mohun Banerjee.
117	... L 90—22376 ...	20	... Mr. W. W. Nelson.
119	... O 27—11287 ...	500	... Banna Chand Ramlal.
	„ —02919	500	...
120	... N 7—01696 ...	1,000	... Mosharuf Hossein.
121	... L 24—34288 ...	5	... The Post Master General, N.-W. Provinces.
122	... O 2—54226 ...	20	... Babu Jodu Nath Dey.
123	... O 2—77119 to „ —77128	20 each	... Babu Tarcordas Sarcar.
	O 5—08868 to „ —08887	10 each	...
124	... O 2—67459 ...	20	...
	„ —67461 ...	20	...
	L 91—45244 ...	20	...
	„ —45243	20	...
	„ —16075 ...	20	...
	L 90—76257 ...	20	...
	L 65—72263 ...	20	...
	L 63—94106 ...	20	...
	L 65—72264 ...	20	...
	„ —72265 ...	20	...
	„ —72224 ...	20	...
	„ —72219 ...	20	... Babu Bhageerath Das.
	„ —72225 ...	20	...
	L 99—22537 ...	10	...
	„ —63147 ...	10	...
	„ —12581 ...	10	...
	„ —30876 ...	10	...
	„ —72731 ...	10	...
	L 96—86398 ...	10	...
	L 86—74141	10	...
	L 43—26038 ...	10	...
	L 88—59765 ...	10	...
	L 87—77554 ...	10	...

NOTES PARTIALLY LOST OR DESTROYED.

			Rs.	
62	... L 5—20536	...	10	... Mr. Pestonjee Eduljee Guzdar.
	„ —20534			
70	... L 73—13481	...	10	... Babu Rajnarain Mukerjee.
	„ —21840			
71	... L 14—11334	...	20	... The Treasurer, Amraoti Treasury.
	„ —11335			
72	... E 12—06823	...	20	... Mr. J. A. Windle.
	L 77—35243			
73	... L 91—69019	...	20	... Babu Ram Chunder Ghose.
	„ —09016			
27	... L 39—11255	...	10	... Neesan Chinaman.
	„ —11252			
112	... A 99—60031	...	20	... Mr. P. Ross.
	L 22—99326	...	5	...
113	... L 83—89890	...	100	... Golam Nubbee Khan.
114	... L 74—20936	...	10	... Mr. A. W. Scanlan.
	L 98—72701	...	10	...
	L 99—62007	...	10	...
115	... L 97—02244	...	10	... Babu Russick Lal Sircar.
116	... L 52—70012	...	500	... Mr. G. Toynbee.
117	... L 82—54449	...	100	... Babu Kristo Kishore Dhur.
118	... L 86—00877	...	10	... Major C. S. McLean.
119	... L 98—77201	...	10	... Mr. W. Bonnaud.
	„ —85040	...	10	...
	L 99—32503	...	10	...
120	... A 6—57635	...	10	... Babu Judunath Chatterjee.
121	... L 72—69884	...	10	... Mr. G. M. Harriott.
122	... L 84—32896	...	100	... Babu Hurishchunder Chakravarti.
123	... L 25—01475	...	5	... Babu Ramchunder Banerjee.

CALCUTTA.—Paper Currency Dept.; *The 22nd June 1877.*

R. E. HAMILTON, *Offg. Assistant Commissioner of Paper Currency.*

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.		Value. Rs.	Name of Claimant.
M 5—61406	wrongly	50	... Mr. Raghoba Succaramjee, Clerk, Messrs. W. Nicol & Co., Bombay.
„ —61407	joined.		

KURRACHEE.—Paper Currency Dept.; *The 8th June 1877.*

W. A. INGLE, *Asstt. Depy. Comsr. of Paper Currency.*

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
37	... E 13—17338	100	The Station Master, Bhawulpore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
25	... E 6—89628)		
	„ —89629)	10	Narain Das, Cloth Merchant, Gujrat.
50	... E 15—02221	50	Mirza Allaud Deen, of Police, Abbottabad.
64	... E 7—89315	5	Lachmun Das, Kurnal.
67	... E 7—98621	5	Mrs. D. Fountain, Simla.

LAHORE.—Paper Currency Office, *The 16th June 1877.*

L. C. BOSE.
Asstt. to Accts. Genl., in charge of Currency Office.

Nagpur Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
1	... F 8—55517	20	Bunwarilal, Tehsildar, Seoni.
	„ —55518	20	

MISMATCHED NOTE.

		Rs.	
	F 13—19870)		
	„ —19814)	5	C. Harvey, Esq., St. Albans, Simla.

NAGPUR.—Paper Currency Office, *The 14th June 1877.*

T. H. BIGGS.
Deputy Commissioner of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No. 1877.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
W38	... M 23—63591	50	Balkrishna Gokaldass, Trader, Satara.
	„ —63592	50	
	„ —63593	50	
	„ —63594	50	
W39	... M 21—50891	10	V. Thondavacoya Moodliar, Overseer, Mysore D. P. W.
W40	... M 25—10956	100	
	M 29—23818	10	The Cashier, G. I. P. Railway Company, Bombay.
	M 28—23588	10	
	„ —44190	10	
	„ —53621	10	
	„ —63363	10	
	„ —89575	10	
	M 21—25118	10	

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
H89	... M 4—01716		5	Bhikajee Ramchandra, 2nd Clerk, Deputy Commissioner's Office, Khandwa.
H90	M 5—64838		50	Rajunna Sayenna, Surgeon General's Office, Bombay.
M53	... M 3—42711) wrongly)			
	K 7—11872) joined.)		5	Kursondass Sanjee, Holichukla, Fort, Bombay.
M54	... M 4—96657) ditto		5	Bhaskar Raghoonath, Funeswady, Bombay.
	„ —96658)			
	M 3—04718) ditto		5	
	„ —04719)			
M55	... C 84—08693) ditto		20	Harifall Manecklall, Chief Clerk, B. B. and C. I. Railway Co.'s Audit Office, Bombay.
	„ —08698)			
M56	... M 6—07744) ditto		5	Mr. A. V. Jacobs, Head Clerk, Telegraph Department, Indore.
	„ —07451)			

BOMBAY.—Paper Currency Dept., *The 19th June 1877.*

W. WELLS,
Assistant Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 19th June 1877.

No. 505.—Appointments in the Post Office Department made by the Director General:—

POSTAL CIRCLE OF THE N.-W. PROVINCES.

Mr. J. Goss, Inspector of Post Offices, Meerut Division, has been appointed to be Post Master, Allahabad.

Mr. C. E. Miller, Chief Inspector of Post Offices, Rajputana, has been appointed to be Inspector of Post Offices, Moradabad Division.

Pandit Sundar Lal, Superintendent, Dead Letter Office, North-Western Provinces, has been appointed to be Supernumerary Inspector, North-Western Provinces.

Lala Jugal Behari Lal has been appointed to be Superintendent, Dead Letter Office, North-Western Provinces.

Lala Debi Prasad, Inspector of Post Offices, Sehore Division, has been appointed to officiate as Post Master, Benares.

Pandit Saligram has been appointed to officiate as Post Master, Gwalior.

Mr. G. E. Rose has been appointed to be Officiating Inspector of Post Offices, Aligarh Division.

No. 518.—Appointment in the Post Office Department made by the Director General:—

POSTAL CIRCLE OF BRITISH BURMAH.

Mr. Hutton Wooster has been appointed to be Post Master, Rangoon.

T. DILLON,
for *Dir. Genl. of the Post Office of India.*

The 22nd June 1877.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 24th June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Ava*, will be closed at the General Post Office on Monday, the 25th June 1877, at 7 P. M.

Mails for Madras and Ceylon, for transmission per P. & O. Steamer *Deccan*, will be closed at the General Post Office on Monday, the 25th June 1877, at 7 P. M.

The next Overland Mail *viâ* Bombay will close at the General Post Office on Tuesday, the 26th June 1877, by which Mails for Mauritius, St. Denis, Réunion, Zanzibar, Mozambique, Delagoa Bay, Natal, Cape of Good Hope, the Comoro Islands and Madagascar can be forwarded.

2. Book-post and pattern packets must be posted on the 25th June 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7·30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Rangoon and Moulmein, for transmission per Steamer , will be closed at the General Post Office on Friday, the 29th June 1877, at 7 P. M.

Mails for Akyab and Kyouk-Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 29th June 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 30th June 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 22nd June 1877.

Anthony, Miss J. E.
Aperie and Sons, Messrs.
Arakiel, A. Z. T.
Barnard, W.
Blackburn, Mrs. M. E.
Boote, Jas.
Browne, W. K.
Callam, T.
Cornelius, J.
Dmorlie, P.
Durham, Mrs. P.
Eastman & Co.
Flarden, J.
Flynn, D.
Flyter, L.
Fraser, D. D.
Fritsch, Mrs.
Fuegas, O. B.
Gifford, L. B. F.
Gordon, Jas.
Graham, J. H.
Hanthorn, Mr.
Hickey, Sergt.
Holt, W.
Jackson, Mrs. H. W.
Jackson, Miss N.
Johnson, J. H.
Kerr, N. A.
Kentish, A. P.
Kiernandar, Surgeon.
MacDonald, Ronald.
Mackenzie, N. W.
Mills, T. W.
Norman, M. J.
Percy, Hugh L. H.
Ramsay, Allan.
Richtsteig, Theo.
Rodrigues, E. M.
Shepperd, Mr.
Taylor, G. W.
Turner, Mrs.
Vaughin, E.
Waschope, Major.
White, J.
Wolfel Heron, E.
Wollaston, N.

Letters marked "Care of Post Office, to be kept till called for."

Abbott, Capt.
Andrew, E. S.
Atkinson, H. M.
Baker, W.
Battye, Major H. D.
Beaton, Jas.
Blundell, C. E.
Blundell, H. S.
Boileau, Lieut. T. S.
Ball, L. M.
Burrows, H.
Buzlool Hossein.
Caddy, D. G.
Chennell, Thos.
Clarkson, Mr.
D'Cruz, J.
District Supdt. of Police.
Donnelly, Mrs. E.
Eaton, Mrs. G. W.
Ekkerton, Mrs.
Emilie, Melle.
Ewing, Geo.
Falmon, B.
Gibson, Jas. H.
Gladwell, T.
Gray, William.
Green, Geo.
Hartley, Charles.
Howard, Jas. R.
Hudson, Thos.
Hughes, J. W.
Illis, John.
Jenkinson, Mrs.
Johns, Phillip.
Korucondah, Venkataram.
Lomas, Geo.
Mackenzie, Hector.
MacWilliam, Miss.
Mery, Madame.
Meyer, H. G.
Nichols, W. J.
Philbin, J.
Pillot, Monsieur Eugene.
Rayner, Thomas.
Rein, G.
Rifle Ranger.
Smithers, H.
Steers, W.
Sutherland, H. C.
Taylor, G. W.
Thomas, S. B.
Warrington, J.
West, J. W.
White, H. H.
Williams, Mrs.
Wilson, Arthur J.
Wood, R. B.
Zacharias, A. H.

Papers.

Beaton, Jas.
Barlow, Mrs.
Caddy, D.
Gray, W.
Smithers, H.

Registered Letters.

Backman, A.
Bruce Hustard.
Colmac, Mrs.
Coning, H.
Dyer, Mrs. W.
Head, Mrs. C.
Hogg, A.
Fagan, L. S.
Francis, Marples.
Toone, Mrs. A.
Vallente, Mrs. C.
Waite, Capt. A.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court; and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

Terms of subscription, payable annually in advance.

	Without Postage.	With Postage.
For the CALCUTTA SERIES ...	Rs. 35	Rs. 40
„ MADRAS SERIES ...	„ 8	„ 9
„ BOMBAY SERIES ...	„ 8	„ 9
„ ALLAHABAD SERIES ...	„ 8	„ 9
Complete set	„ 45	„ 50

The price of each Part purchased separately will vary according to the amount of matter it contains, and will be printed on the wrapper. It will, however, never be below the following :—

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 30, 1877. {Register No. 33.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 31st March 1877.

From the 14th April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 7th April, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. J. DRAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 23rd June 1877.

For "Spirly Tremearne" in the High Court Notification published in the *Gazette* of 9th June 1877, Part II, read "Shirley Tremearne."

R. BELCHAMBERS,
Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 22nd June 1877.

No. 8.—Mr. H. H. Tubb, an Assistant Superintendent of the 1st Grade, is allowed privilege leave for two and half months under Section 32 of the Civil Leave Code, with effect from the afternoon of the 20th April 1877.

D. G. ROBINSON, *Col., R.E.,*
Dir. Genl. of Tels. in India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 28th June 1877.

No. 74.—Major E. Mockler, Assistant Political Agent, Mekran Coast, has been granted by the Government of Bombay privilege leave for three months, under Section 29, Chapter VII, of the Civil Leave Code, with effect from 11th May 1877.

No. 75.—Mr. W. D. Smallpeice, 4th Grade Clerk, has been granted by the Deputy Director, Persian Gulf Telegraph, leave on medical certificate for one year, under Section 3, and subsidiary

leave not exceeding eighteen days, under Section 10 of Supplement F of the Civil Leave Code, with effect from 1st April 1877, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

This cancels Notification No. 68, dated 26th April 1877.

W. PALMER,
Examiner of Telegraph Accounts.

BANK OF BENGAL.

Calcutta, the 26th June 1877.

Notice is hereby given that the Transfer Books of the Bank will be closed from 2nd to 14th proximo, both days inclusive.

By order of the Directors,
W. D. CRUICKSHANK,
Offg. Secretary & Treasurer.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Aboo, the 18th June 1877.

No. $\frac{1680}{1718}$G.—With reference to this Office Notification No, 1592—1166G, dated 8th June 1877, Dr. L. D. Spencer, Agency Surgeon, is appointed to hold charge of the Office of the Political Agent in the Eastern States, in addition to his own duties, until further orders,

No. $\frac{1719}{1759}$G.—Captain N. C. Martelli, Guardian and Tutor to His Highness the Maharao Raja of Ulwur, to be in charge of the Office of Political Agent at Ulwur, in addition to his own duties, during the absence on privilege leave of Major T. Cadell, V.C.

By Order,
H. M. DURAND,
1st Asstt. Agent to the Govr. Genl.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Lahore Division.

Lahore, the 20th June 1877.

No. 19.—Privilege leave for twenty days is granted to Baboo Romanath Banerjee, Accountant, 4th Grade, attached to Ferozepore Division, Military Works, from the 20th June 1877, or from such subsequent date as he may be able to avail himself of it.

D. WARD, *Major, R.E.,*
Offg. Supdg. Engr., Lahore Divn., Mily. Works.

Meerut Division of Superintendence.

Meerut, the 23rd June 1877.

No. 37.—Colonel J. J. Dansey, Barrack Master, returned to duty on the forenoon of the 7th instant, from the sixty days' privilege leave granted to him in Notification No. 9 of 26th February 1877.

Æ. PERKINS, *Lieut.-Col., R.E.,*
Supdg. Engr., Meerut Divn. of Superintendence, Mily. Works.

Oudh Division of Superintendence.

Lucknow, the 19th June 1877.

No. 41.—Mr. S. W. Grant, Supervisor, attached to the Allahabad Division, Military Works, has been transferred to the Benares Sub-Division of the Dinapore Division, Military Works, which he joined on the morning of the 13th instant.

The 22nd June 1877.

No. 42.—With reference to Government of India, Public Works Department, Notification No. 209 of 10th ultimo, Mr. N. A. R. Chambers, Assistant Engineer, 2nd Grade, reported his departure on the afternoon of the 5th instant to join the State Railway to which he has been transferred.

J. J. HUME, *Colonel,*
Supdg. Engr., Oudh Divn., Mily. Works.

Sirhind Division of Superintendence.

Umballa, the 23rd June 1877.

No. 13.—With reference to Inspector General's Notification No. 57 of the 8th ultimo, Captain J. E. Toller, R.E., Executive Engineer, made over charge of the Umballa Division, Military Works, to Mr. R. D. Falkiner, C.E., Executive Engineer, on the afternoon of the 1st current.

WILLIAM B. HOLMES, *Major, R.E.,*
Supdg. Engr., Sirhind Divn. of Superintendence, Mily. Works.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATIONS.

Calcutta, the 22nd June 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 273, dated the 5th instant, Mr. I. Sherlock Hubbard, Assistant Examiner of Railway Accounts to the Government of India for Guaranteed Railways at Calcutta, was relieved of his duties on the forenoon of the 19th June 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 287, dated the 13th June, Mr. J. W. A. McNair, Assistant Examiner attached to the Office of the Examiner of Railway Accounts to the Government of India for Guaranteed Railways at Calcutta, was relieved of his duties on the afternoon of the 20th instant.

The 25th June 1877.

With reference to the Notification of the Government of India, Public Works Department, No. 273, dated 5th June, Mr. F. E. Godfrey, Deputy Examiner of Railway Accounts, joined the Office of Examiner of Railway Accounts to the Government of India for Guaranteed Railways, at Calcutta, on the forenoon of the 21st instant.

F. S. TAYLOR, *Lieut.-Col., R.E.,*
Consulting Engr. to Govt. of India for Guaranteed Railways.

DIRECTOR OF STATE RAILWAYS. Central System.

NOTIFICATIONS.

Simla, the 18th June 1877.

No. 5.—With reference to the Government of India, Public Works Department, Notification No. 290 of the 14th June 1877, Mr. R. Gompertz, Executive Engineer, 2nd Grade, is posted to the Rajputana Railway.

The 25th June 1877.

No. 6.—CORRIGENDUM.—In Director's Notification No. 3 of the 4th June 1877, for "Mr. T. S. Brown, Assistant Engineer, 2nd Grade," read "Mr. J. S. Brown, Assistant Engineer, 2nd Grade."

W. C. FURNIVALL,
Offg. Director of State Railways.

Western System.

Simla, the 25th June 1877.

No. 6.—Mr. J. F. Cockburn, Executive Engineer, 2nd Grade, Indus Valley State Railway, is granted six months' leave without allowances, under Section 9, Supplement F, of the Civil Leave Code.

ALEX. GRANT,
Officiating Director.

HOLKAR AND NEEMUCH STATE RAILWAYS.

NOTIFICATIONS.

Mhow, the 19th June 1877.

No. 34.—Mr. R. C. Beeston, Assistant Engineer, temporary 1st Grade, Barnagar Division, is granted privilege leave for forty-seven days from 16th July 1877.

No. 35.—Mr. H. C. Woods, Sub-Engineer, 3rd Grade, Barnagar Division, availed himself of the privilege leave for two months and eleven days granted him in Notification No. 31, dated 31st May 1877, on the afternoon of the 9th June 1877.

CHARLES CHEYNE,
Engineer-in-Chief.

INDUS VALLEY STATE RAILWAY.

NOTIFICATIONS.

The 18th June 1877.

No. 136.—With reference to the Director, Western System of State Railways' Notification No. 3, dated 11th June 1877, Sergeant K. Ross, R.E., Overseer, 1st Grade, reported his arrival at Mooltan on the forenoon of this date, and is posted to the Mooltan District.

The 21st June 1877.

No. 137.—Mr. N. A. R. Chambers, Assistant Engineer, 2nd Grade, is granted one month's privilege leave, with effect from the afternoon of the 5th June 1877.

No. 139.—Mr. H. F. Marreco, Assistant Engineer, 1st Grade, Larkana Division, is granted three months' leave to study the native languages, and two months' privilege leave, from 15th June 1877, or such subsequent date as he may be able to avail himself of it.

No. 140.—With reference to Director, Western System of State Railways' Notification No. 4, dated 11th June 1877, Mr. C. A. Bull, Executive Engineer, 3rd Grade, was relieved of his duties on this line on the afternoon of 20th June 1877.

No. 141.—The following postings have been made by the Superintending Engineers:—

Mr. J. C. Porter, Sub-Engineer, 3rd Grade, to the Larkana Division.

Sergeant K. Ross, R.E., Overseer, 1st Grade, to the Khanpur Division.

M. RAYNE,
Engineer-in-Chief.

RAJPUTANA STATE RAILWAY.

NOTIFICATIONS.

Agra, the 16th June 1877.

No. 27.—With reference to Government of India, Public Works Department, Notification No. 260, dated the 31st ultimo, Mr. W. J. Galwey, Executive Engineer, 1st Grade, appointed to the Rajputana State Railway as Superintendent of Way and Works, reported his arrival at Agra on the forenoon of the 4th instant, and received charge of the Engineering Department from Mr. H. Bell on the afternoon of the 14th idem.

The 20th June 1877.

No. 28.—With reference to the Director of State Railways' (Central System) Notification No. 3, dated the 4th instant, Mr. J. S. Brown, Assistant Engineer, 2nd Grade, reported his arrival on the forenoon of the 2nd idem, and was posted to the Delhi Division of this Railway.

CORRIGENDUM.—In Notifications of the Rajputana State Railway, Nos. 25 and 26, dated the 30th ultimo, published at page 332 of Part II of the *Gazette of India*, dated the 9th instant, *for* "Fred: Firebrace, Officiating Manager," *read* "G. F. Mathew, for Manager."

G. F. MATHEW,
for *Manager.*

WESTERN RAJPUTANA STATE RAILWAY.

Ajmere, the 15th June 1877.

No. 716.—Referring to Director of State Railways' (Central System), Notification No. 3, dated 4th June 1877, Mr. J. S. Brown, Assistant Engineer, 2nd Grade, reported his departure on the forenoon of the 1st instant.

The 16th June 1877.

No. 721.—In accordance with Government of India Notification No. 278, dated 8th June 1877, Mr. P. Phillips, Examiner of Accounts, made over, and Captain J. Grierson received, over charge of the Western Rajputana State Railway Accounts on the forenoon of 11th June 1877.

JAMES COLLET,
Engineer-in-Chief.

COMPTROLLER GENERAL'S OFFICE.

No. 493.—*Account of the Revenue and Expenditure of the Government of India for the first eleven months of the year 1876-77, as compared with the corresponding period of 1875-76.*

REVENUE AND RECEIPTS.	Estimates, 1876-77.	April 1875 to Feb. 1876.	April 1876 to Feb. 1877.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue ...	21,381,000	18,081,385	16,636,973	...	1,444,412
II.—Tributes ...	700,000	645,576	599,664	...	45,912
III.—Forest ...	600,000	474,903	445,240	...	29,663
IV.—Excise on Spirits and Drugs ...	2,525,000	2,261,746	2,262,144	10,398	...
V.—Assessed Taxes ...	...	333	296	...	37
VI.—Customs ...	2,620,000	2,418,145	2,134,136	...	285,010
VII.—Salt ...	6,300,000	5,668,900	5,668,484	...	20,416
VIII.—Opium ...	8,200,000	7,646,192	8,321,446	675,253	...
IX.—Stamps ...	2,837,000	2,562,215	2,556,887	...	5,328
X.—Mint ...	124,000	108,642	207,668	99,026	...
XI.—Post Office ...	778,000	698,653	978,123	279,470	...
XII.—Telegraph* ...	281,500	168,426	219,816	51,390	...
XIII.—Law and Justice ...	316,000	282,976	295,807	12,831	...
XIV.—Marine ...	198,000	171,373	185,478	14,105	...
XV.—Interest ...	488,000	460,386	463,621	...	26,765
XVI.—Pensions ...	504,400	185,699	174,774	...	10,925
XVII.—Gain by Exchange ...	347,000	311,934	410,962	99,028	...
XVIII.—Miscellaneous ...	238,400	226,703	188,757	...	37,946
	48,438,300	42,425,187	41,760,334	...	664,853
Army Receipts ...	840,800	796,152	706,366	...	88,794
Public Works, Ordinary ...	65,000	42,707	47,978	5,271	...
Canals ...	527,000	455,170	419,232	...	35,938
State Railways ...	415,000	256,825	331,814	75,066	...
Traffic Receipts of the Guaranteed Railways ...	7,888,000	6,894,994	8,024,546	1,329,552	...
TOTAL ...	58,174,100	50,869,738	51,290,062	420,324	...
England, including Army and Public Works ...	193,800	278,114	204,625	...	73,189
GRAND TOTAL ...	58,367,900	50,947,852	51,494,987	547,135	...

EXPENDITURE.	Estimates, 1876-77.	April 1875 to Feb. 1876.	April 1876 to Feb. 1877.	COMPARISON OF 2 YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt ...	3,106,400	2,735,655	2,814,853	79,203	...
2.—Ditto on Service Funds ...	390,000	329,128	329,210	82	...
3.—Refunds and Drawbacks ...	300,000	251,808	244,023	...	7,785
4.—Land Revenue ...	2,467,800	2,183,853	2,148,676	...	35,177
5.—Forest ...	414,500	337,201	360,435	23,234	...
6.—Excise on Spirits and Drugs ...	87,000	75,613	77,846	2,233	...
8.—Customs ...	189,000	169,570	174,777	5,207	...
9.—Salt ...	525,000	449,135	429,299	...	19,836
10.—Opium ...	2,199,000	2,112,512	2,723,230	61,718	...
11.—Stamps ...	71,700	64,236	64,308	72	...
12.—Mint ...	79,000	74,739	77,446	2,707	...
13.—Post Office ...	760,400	699,182	960,398	261,216	...
14.—Telegraph* ...	381,300	264,155	272,588	8,433	...
15.—Administration ...	1,251,500	1,138,454	1,176,297	36,843	...
16.—Minor Departments ...	249,400	223,063	204,482	...	18,581
17.—Law and Justice ...	2,364,200	2,115,295	2,182,548	67,253	...
18.—Marine ...	403,400	363,261	330,712	...	32,549
19.—Ecclesiastical ...	161,100	143,636	141,683	...	1,953
20.—Medical ...	184,000	166,394	165,344	...	1,050
21.—Political ...	293,400	336,908	326,385	...	10,523
22.—Allowances ...	1,675,200	1,166,569	1,085,225	...	81,344
23.—Civil Furlough ...	...	27	701	674	...
24.—Superannuation ...	...	640,810	520,610	...	120,200
25.—Loss by Exchange ...	2,332,000	1,425,077	2,046,305	621,228	...
26.—Miscellaneous ...	45,000	74,753	60,625	...	14,128
27.—Allotments ...	5,959,400	4,692,761	4,650,016	...	12,745
28.—Famine Relief ...	...	...	148,512	148,512	...
	25,576,300	22,213,785	23,725,539	1,511,754	...
Army Charges ...	11,820,700	10,479,956	10,567,573	87,617	...
Public Works, Ordinary ...	2,441,500	2,147,834	2,018,960	...	128,874
Ditto Extraordinary ...	3,015,300	2,612,147	2,373,085	...	239,062
Land and Supervision ...	93,000	65,072	44,109	...	20,963
Interest in India ...	30,000	32,382	32,960	578	...
State Railways ...	292,000	194,633	279,784	85,151	...
Working Expenses of the Guaranteed Railways, including Surplus Profits ...	4,418,000	2,570,135	2,946,606	...	23,527
Total ...	47,687,800	40,706,044	41,978,628	1,272,584	...
England, including Army, Public Works, Ordinary and Extraordinary ...	14,295,600	12,642,600	13,306,340	663,740	...
GRAND TOTAL ...	61,983,000	53,348,644	55,284,968	1,936,324	...

* Indian and Inter-European up to December

E. W. KELLNER,
Offg. Deputy Comptroller General.

CONTROLLER GEN'L'S OFFICE;
CALCUTTA,
The 29th June 1877.

W. WATERFIELD,
Offg. Comptroller General.

REVENUE SURVEY DEPARTMENT.

NOTIFICATION.

Calcutta, the 28th June 1877.

No. 22.—Mr. George William Jarbo, Assistant Surveyor, 2nd Grade, having resumed his duties on the 22nd instant, the leave of absence for three months, granted in Notification No. 17, dated 21st ultimo, is commuted to two months.

D. C. VANRENEN, *Colonel, R.A.,*
Superintendent of Revenue Surveys.

GOVERNMENT RESERVE TREASURY.

Statement of the amount of Cash held in the Reserve Treasury of the Government of India.

The 28th June 1877 ... Rs. 60,81,704-8-10

W. WATERFIELD,
Treasurer to the Govt. of India.

CALCUTTA,
29th June 1877.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, NOT MATED VALUE	CERTIFICATES ISSUED FOR RUPEES: On General Treasury	CERTIFICATES ISSUED FOR RUPEES: On Currency Department	BALANCE OF BULLION: Under Assay.	BALANCE OF BULLION: Assayed	BALANCE OF BULLION: Held on account of the Currency Department.
1877.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
June 16	...	3,94,621	3,94,220	18,67,665	87,07,782	...
" 18	3,01,262	3,00,000	3,00,000	9,61,022	89,14,661	...
" 19	Holiday.	...	...	...	...	...
" 20	...	3,00,000	3,00,000	5,48,615	88,27,686	...
" 21	...	2,73,220	2,74,664	1,80,062	88,17,221	...
" 22	...	1,80,100	1,80,066	2,220	88,72,220	...

CALCUTTA MINT,
The 26th June 1877.

J. P. TENNANT,
Offg. Mint Master.

NOTICE.

OUDH FOREST DEPARTMENT.

BYRAMGHAT DEPÔT.

On the Oudh and Rohilkhund Railway.

From this date the prices of Sál beams and scantlings supplied from this Depôt will be as follows:—

BEAMS—

21 feet length	@	Rs. 2	10 0	per cubic foot.
22 "	@	" 2	12 0	"
23 "	@	" 2	14 0	"
24 "	@	" 3	0 0	"

Above the lengths given two annas per foot run will be charged. Any inches over the foot will be charged as a foot.

SCANTLINGS—

from 12 to 20 feet	@	Rs. 2	8 0	per cubic foot.
under 12 & over 7 "	@	" 2	4 0	"
under 7 "	@	" 2	0 0	"

The above prices are for ordinary building purposes.

For *planking, sleepers, &c.*, special rates will be fixed by agreement.

The Department will still take orders for buildings all over @ Rs. 2-4-0 per cubic foot, provided the scantlings are taken in fair proportion.

SECOND AND THIRD CLASS TIMBER will be sold, and price fixed by agreement.

AUCTION SALES will be held from time to time to clear off stock.

For further particulars apply to the Officer in charge.

By order of the Conservator, Oudh Forests,

SIMPSON HILLIER,
Assistant Conservator of Forests.

The 1st June 1877.

Statement of the Affairs of the Bank of Bengal for the week ending 26th June 1877.

LIABILITIES.			Rs.	A.	P.
Capital, paid-up ...	...	...	2,00,00,000	0	0
Reserve Fund ...	...	...	16,70,179	2	5
	Rs.	A. P.			
Public Deposits at Head Office ...	1,17,13,550	1 8	2,63,41,328	8	4
Public Deposits at Branches ...	1,46,27,778	6 8			
Other Deposits at Head Office and Branches		...	2,10,13,369	11	11
Bank Post Bills, &c. ...		...	2,09,941	11	2
Sundries		...	14,68,979	6	2
RUPEES ...			7,07,03,798	8	0

ASSETS.			Rs.	A.	P.
Government Securities ...			1,16,77,046	14	9
Loans on Government Securities, &c., at Head Office and Branches ...			43,58,211	2	5
Accounts of Credit on Government Securities, &c., at Head Office and Branches			46,91,239	13	6
Bills discounted and purchased at Head Office and Branches			2,04,23,855	10	10
Balances with other Banks			11,63,006	15	9
Bullion			9,01,954	10	0
Dead Stock			10,31,522	1	8
Stamps			9,672	10	0
Sundries			1,91,221	0	9
			4,43,47,831	0	8
	Rs.	A. P.			
Cash and Currency Notes at Head Office...	1,43,75,939	13 1	2,63,55,967	7	4
Cash and Currency Notes at Branches ...	1,19,80,027	11 3			
RUPEES ...			7,07,03,798	8	0

By order of the Directors,

W. D. CRUICKSHANK,
Offg. Secy. & Treasurer.

BANK OF BENGAL,
Calcutta, 26th June 1877.

W. WESTLAND,
Offg. Chief Accnt. & Depy. Secretary.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
126	... L 85—65337	... 1,000	... Nimchand Komolakant Bonick.
127	... L 84—33541	... 100	... Sumber Misser.
128	... L 84—39810	... 100	... Mr. C. W. Stuart.
131	... L 83—97259	... 100	... Chatto Lal Burmun.
	L 84—04252	... 100	...
132	... L 27—85241	... 5	... Sergt. G. S. Marriner.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
124	... L 81—16316	... 50	... Ahsancolla Mahomed Ismacel.
125	... L 76—76696	... 10	... Mr. John Husband.
126	... L 77—14004	... 20	... Lieut. Fd. Maxwell, R.E.
127	... L 87—03694	... 10	... Babu Jadub Chunder Chatterjee.
	L 24—50898	... 5	...
128	... L 97—71755	... 10	... Babu Taraprosad Chatterjee.
129	... L 86—90723	... 10	... Babu Ramyead Pattuck.
130	... L 81—62105	... 50	... Mr. Henry Tinter.
74	... L 23—92776	... 5	... Babu Gosto Behari Sen.
	„ —92775		
5	... L 22—47687	... 5	... Lalbhoy Dayabhoy.
	„ —47686		
76	L 1—01286	... 10	... Mr. Nowrojee Eduljee Tulater.
	„ —01286		
77	... L 10—06978	... 5	... Babu Gonesh Chunder Shaw.
	L 9—42717		
78	... L 63—48438	... 20	... Babu Hurry Dass Sen.
	„ —48439		
	L 17—60914	... 5	...
	„ —60915		
	L 15—61812	... 5	...
	„ —61813		
	L 15—07165	... 5	...
	„ —07169		
79	... L 58—43182	... 10	... The Chief Paymaster, E. I. Railway, Calcutta.
	„ —91310		
80	... L 10—79262	... 5	... Babu Madhub Chunder Paul.
	„ —79263		
81	... L 15—76987	... 5	... Babu Aughor Nath Laha.
	„ —76985		
82	... L 90—18567	... 20	... Babu Raj Narain Rukhit.
	L 79—85780		

CALCUTTA,—Paper Currency Dept.; *The 29th June 1877.*

R. E. HAMILTON,
Offg. Assistant Commissioner of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.		Value.	Name of Claimant.
1877.			Rs.	
W41	... C 70—99308		... 500	... The Post Master General, N.-W. Provinces.
W42	...M 27—47580		... 10	... The Cashier, G. I. P. Railway Company, Bombay.
	M 29—24410		... 10	...
W43	...M 19—35215		... 10	... The Post Master General, Goa.
	C 84—54411		... 20	...

NOTES PARTIALLY LOST OR DESTROYED.

1877.			Rs.	
H91	... M 17—30651		... 10	... Lieutenant Fred. Maxwell, R. E., Ajmere.
H92	... M 4—91676		... 5	... J. M. Harriot, Esq., Roorkee.
H93	... M 24—61900		... 100	... Fredk. Maurice, Esq., District Traffic Superintendent, G. I. P. Railway, Bhosawal.
	M 27—58416		... 10	...
	„ —58417		... 10	...
H94	... M 4—81900		... 5	... Mansookh Pranjivan, Zalode.
H95	... M 23—46419		... 50	... Captain H. S. Hutchinson, Asst. Supdt. of Survey, Poona.
H96	... M 31—00589		... 10	... Dadabhoy Furdoonji Khetwady, 7th Lane, Bombay.
H97	... M 6—16986		... 5	... Mr. Jamsedji Edulji, Chief Constable, Taluka Malsiras, Sholapur District.
M58	... M 29—34135	wrongly joined.	... 90	... Cawasji Dorabji, Chartered Bank of India, Australia and China, Bombay.
	„ —34134			
M59	... C 92—86374	ditto	... 10	... Venkatrao Donti Sowkar, Kaladgi.
	„ —85598			

BOMBAY,—Paper Currency Dept.; *The 26th June 1877.*

W. WELLS,
Assistant Commissioner.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
G 7—83706	... 10	... Ramaga Naique, Hospital Orderly, 11th Regiment, N. I., Bhuj.

KURRACHEE.—Paper Currency Dept.; *The 14th June 1877.*

W. A. INGLE,
Asstt. Depy. Comnr. of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
38	... E 10—47425	... 10	... The Post Master General, Panjab, Lahore.
39	... E 10—62889	... 10	... Gogan Lal, Munsiff, Hafizabad, Zilla Gujranwalla.
40	... E 12—36654	... 20	... Pundit Kashiram, Pathankote.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
68	... E 7—41418	... 5	... Budri Chowdry, Nynee Tal.
71	... E 4—93216	... 50	... R. Chalmers, Esq., Dugshai.
73	... E 13—30611	... 100	... A. H. H. Munrowd, Esq., Lahore.
77	... E 15—12825	... 50	...
75	... E 12—33421	... 20	... John Husband, Esq., Lahore.

LAHORE,—Paper Currency Office; *The 23rd June 1877.*

I. C. BOSE,
Asstt. to Acctt. Genl., in charge of Currency Office.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Register No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
27	... B 54—05052	... 20	... Chinnaswamy Naidu, Madras.
29	... B 35—80248	... 20	... Deputy Collector in charge of Treasury, Tinnevelly.
31	... B 55—08201	... 50	... J. Thomson, Esq., C.S., Cuddalore.
	„ —08202	... 50	...
	„ —08203	... 50	...
	„ —08204	... 50	...

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
52	... B 40—73173	... 5	... V. Thondavaroya Moodelliar, Bindigamalay.
	B 50—94593	... 100	...
53	... B 49—48343	... 10	... C. Punarungum Moodelliar, Madras.
54	... B 9—46995	... 20	... Degambara Row, Salem.

FORT ST. GEORGE, Acctt. Genl.'s Office, Paper Currency Dept.; *The 18th June 1877.*

G. W. CLINE, LL.D.,
Acctt. to the Acctt. Genl., in charge of Paper Currency Dept.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 29th June 1877.

Mails for Madras, Ceylon and the intermediate ports, Mauritius, Batavia, Singapore and China, for transmission per French Steamer *Meinam*, will be closed at the General Post Office on Saturday, the 30th June 1877, at 7 P. M.

Mails for Persian Gulf, for transmission per Steamer from Bombay, will be closed at the General Post Office on Sunday, the 1st July 1877, at 7 P. M.

Mails for Madras, Ceylon and the intermediate ports, for transmission per Steamer *Malda*, will be closed at the General Post Office on Monday, the 2nd July 1877, at 7 P. M.

The next Overland Mail *vid* Bombay will close at the General Post Office on Tuesday, the 3rd July 1877, by which Mails for Mauritius and Zanzibar can be forwarded.

2. Book-post and pattern packets must be posted on the 2nd July 1877.

N. B.—The Letter Box will close at 7 P. M. precisely, after which hour overland letters, fully prepaid and bearing an extra postage stamp of two (2) annas on each cover, will be received up to 7-30 P. M., or bearing an extra postage stamp of four (4) annas on each cover up to 8 P. M.

Mails for Rangoon, Moulmein and Straits, for transmission per Steamer , will be closed at the General Post Office on Friday, the 6th July 1877, at 7 P. M.

Mails for Chittagong, Akyab and Kyouk-Phyoo, for transmission per Steamer , will be closed at the General Post Office on Friday, the 6th July 1877, at 7 P. M.

Mails for Port Blair and Camorta, for transmission per Steamer *Satara*, will be closed at the General Post Office on Friday, the 6th July 1877, at 7 P. M.

Mails for Ceylon, Straits, Hong-Kong, United States of America, and the Colonies of Queensland, New South Wales and Victoria, *vid* Torres Straits (letters, &c., for the latter Colony must be specially superscribed), for transmission per Steamer from Bombay, will be closed at the General Post Office on Friday, the 6th July 1877, at 7 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 29th June 1877.

Arakiel, A. Z. T.
Brands, W.
Browne, W. K.
Callam, T.
Colville, Miss C.
Cooper, Dr. F. S.
Connew, J. G.
Dmorlie, F.
Douglas, Frazer & Co.
Elliott, Mrs.
Fiyter, L.
Fox, Chas.
Gifford, L. E. F.
Gladaman, J.
Gordon, Jas.
Gorman, Miss.
Hannen, Mrs.
Harden, John.
Hickey, Sergt.
Howatson, C. M.
Jackson, Mrs. H. W.
Jewett, C. S.
Macvitie, E. H.
Mills, T. W.
Norman, M. J.
Rodrigues, E. M.
Thorpe, W. B.
Trelawney, E. D.
Turner, Mrs.
Vaugulin, E.
Wilkinson, Geo.
Wolfel Herun, E.
Young, T. N.

Letters marked "Care of Post Office, to be kept till called for."

Abbott, Capt.
Andrew, E. S.
Atkinson, H. M.
Ball, L. M.
Battye, Major H. D.
Beaton, Jas.
Blundell, C. E.
Blundell, H. S.
Boileau, Lieut. T. S.
Burrows, H.
Buzlool Hossein.
Caddy, D. G.
Chennell, Thos.
Clarke, Capt. H. W.
Clarkson, Mr.
Croghan, W. J.
D'Cruz, J.
District Supdt. of Police.
Donnelly, Mrs. E.
Eaton, Mrs. G. W.
Elderton, Mrs.
Emilie, Mdlle.
Ewing, Geo.
Falmon, B.
Gibson, Jas. H.
Gray, William
Hartley, Charles.
Henry, Jas.
Howard, Jas. R.
Hudson, Thos.
Hughes, J. W.
Jenkinson, Mrs.
Illis, John.
Johns, Phillip.
Lomas, Geo.
Mackenzie, Hector.
MacWilliam, Miss.
Mery, Madame.
Meyer, H. G.
Nichols, W. J.
Pillot, Monsieur Eugene.
Rayner, Thomas.
Rein, G.
Rifle Ranger.
Ryall, Henry.
Smithers, H.
Steers, W.
Sutherland, H. C.
Taylor, G. W.
Walker, Major.
White, H. H.
Williams, Mrs.
Williams, Capt. T.
Wilson, Arthur J.
Wood, R. B.
Zacharias, A. H.

Papers.

Beaton, Jas.
Gray, W.
Smithers, H.

Registered Letters.

Backman, A.
Bruce, Hustard
Cosing, H.
Dyer, Mrs. W.
Hogg, A.
Fagan, L. S.
Vallente, Mrs. C.
Waite, Capt. A.

W. ALPIN,
Offg. Post Master of Calcutta.

THE INDIAN LAW REPORTS.

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The first part of the "Indian Law Reports," published under the authority of the Governor General in Council, will appear as soon after the 1st January 1876 as can be arranged for. The Reports will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 11 annas.*

A Report on the District of Jessore; its Antiquities, its History, and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 6 annas.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 3 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 8 annas.*

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Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 6 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical, and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 7 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st April 1877. *Price, Rs. 3; postage, 8 annas.*

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Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 5 annas.*

Report on the Food-grain Supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 11 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 5 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 4 annas.*

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PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 6, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA, *The 3rd January 1877.* } KER, DOD & Co.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Cocchela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed:—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA, *The 6th December 1876.*

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 13, 1877. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

ASSAM COMPANY.

An *ad-interim* Dividend of Rs. 20 per share, or 10 per cent., account 1876, is now payable.

SCHOENE, KILBURN & Co.,
Agents.

4, FAIRLIE PLACE,
The 11th January 1877.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA,
The 3rd January 1877. KER, DOD & Co.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed:—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 20, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the High Court of Judicature at Fort William in Bengal—Ordinary Original Jurisdiction.

Notice is hereby given that on Tuesday the twenty-third day of January, instant, a Session of the High Court of Judicature at Fort William in Bengal, in its Ordinary Original Jurisdiction, will be holden at the hour of eleven o'clock in the forenoon, before Her Majesty's Justices of the said Court in the Town of Calcutta, in execution of a mandamus issued out of Her Majesty's High Court of Justice, Chancery Division, at Westminster, directed to the Chief Justice and the other Judges of the High Court for the examination *viva-voce*, on oath, of Walter Lang, Adam Brydon Struthers, Robert Scott Moncrieff, &c., and several other persons witnesses on the part of the plaintiffs and defendants, and for receiving other proofs in a certain action now pending in the said High Court of Justice, Chancery Division, between Robert Cochrane Williamson, Andrew Williamson, William Robert Cowan, and William Craik, plaintiffs, and Robert Barbour, Charles Augustus Stewart, the elder (since deceased), Charles Stewart (since deceased), George Beatson Blair, and John MacMillan Dunlop, defendants.

Dated this eleventh January one thousand eight hundred and seventy-seven.

R. BELCHAMBERS,
Registrar.

CHAUNTRELL & Co.,
Attorneys.

SANDERSON & Co.,
Attorneys.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA, *The 3rd January 1877.* } KER, DOD & Co.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Cochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended

to confirm at a subsequent meeting, as a Special Resolution, will be proposed :—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows :—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 27, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL IRON WORKS COMPANY, LIMITED.

An Extraordinary General Meeting of Shareholders of the above Company will be held at the Registered Office, No. 38, Strand, Calcutta, on Saturday, January 27th, at noon, to pass the following Resolution to extend the power to borrow money, viz. :—

That Clause 75 of the Articles of Association be altered by expunging the words—

"so that not more than Rs. 1,00,000 principal money be due at any one time."

By order of the Directors,

RUTHERFORD & Co.,
Agents & Secretaries.

Goods of HENRY OATTS, deceased.

STATUTORY NOTICE TO CREDITORS.—Pursuant to "The Trustees and Mortgagees Powers' Act, 1866," notice is hereby given that all creditors and other persons having claims against the estate of the deceased, late of Nohatta, Jessore, Indigo Planter, who died on the 18th May 1876, and Probate of whose Will was granted to Mrs. Anne Oatts, his widow, and sole Executrix, on the 13th June 1876, by the High Court, Calcutta, are required to send in writing the particulars of their claims to the undersigned on or before the 23rd day of April 1877, after which date the Executrix will distribute the assets of the estate of the deceased amongst the parties entitled thereto, having regard to the claims of which she has then had notice. And notice is hereby further given that the said Executrix will not be liable for the assets or any part thereof so distributed, to any person of whose claim she shall not have had notice at the time of such distribution. Dated this 23rd day of January 1877.

SANDERSON & Co.,
Attorneys for the said Executrix.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA,
The 3rd January 1877.

KER, DOD & Co.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed :—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows :—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five

years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 3, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL IRON WORKS COMPANY, LIMITED.

An Extraordinary General Meeting of the Shareholders of the above Company will be held at the Registered Office, Calcutta, on Monday, 12th February 1877, at noon, for the purpose of confirming the Resolution passed at the Extraordinary General Meeting of January 27th, 1877, *viz.*:—

That Clause 75 of the Articles of Association be altered by expunging the words—

"so that not more than Rs. 1,00,000 principal money be due at any one time."

By order of the Directors,

RUTHERFOORD & Co.,
Agents & Secretaries.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electing Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,

BORRODAILE, SCHILLER & Co.,
Managing Agents.

CALCUTTA,
The 1st February 1877.

THE CALCUTTA JUTE MILLS COMPANY, "Limited."

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, "Limited," will be held at the Company's Office, No. 104, Clive Street, Calcutta, on the 8th day of February 1877, at 3 o'clock in the afternoon, at which meeting the following Resolution, which it is intended to confirm at a subsequent meeting, as a Special Resolution, will be proposed:—

That the 74th Article of the present Articles of Association of the Company be amended and, as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept and give Bills of Exchange and Promissory Notes, on behalf, and for the purposes, of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company subject to the now existing mortgage charge of £30,000, created by certain debentures and by an indenture of mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a trust deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof, in cash or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By Order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET, CALCUTTA,
The 6th December 1876.

NOTICE.

Nundolal Bose and Passuputtynath Bose of Sham Bazar, in the Town of Calcutta, being about to execute a Deed of Trust to Sreemutty Thacooranee Dassee and others, conveying over all their properties situated in Zillah Gya, Patna, Loharddugga, and 24-Pergunnahs, and in the Town of Calcutta, and its Suburbs, the creditors of the said Nundo Lal Bose and Passuputtynath Bose are hereby requested to send in particulars of their claims against the said Nundolal Bose and Passuputtynath Bose within fifteen days from the date hereof, at their residence in No. 13, Bindabun Pal's bye-Lane, Sham Bazar, Calcutta, in order that arrangements may be made for the payment of the same before execution of the said Deed.

NUNDOLAL BOSE.
PASSUPUTTY NATH BOSE.

CALCUTTA,
The 1st February 1877.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the abovenamed deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA,
The 3rd January 1877.

KER, DOD & Co.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 10, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL IRON WORKS COMPANY LIMITED.

An Extraordinary General Meeting of the Shareholders of the above Company will be held at the Registered Office, Calcutta, on Monday, 12th February 1877, at noon, for the purpose of confirming the resolution passed at the Extraordinary General Meeting of 27th January 1877, *viz.*:—

That Clause 75 of the Articles of Association be altered by expunging the words—

"so that not more than Rs. 1,00,000 principal money be due at any one time."

By order of the Directors,
RUTHERFOORD & CO.,
Agents & Secretaries.

Calcutta, 27th January 1877.

BENGAL IRON WORKS COMPANY LIMITED.

The Office of the Company is removed to No. 3, Fairlie Place.

MARILLIER & EDWARDS,
Agents & Secretaries.

NOTICE.

We have admitted Mr. William James Ker a partner in our firm as from the 1st instant.

CALCUTTA,
The 3rd January 1877.

KER, DOD & Co.

NOTICE

Is hereby given that the partnership heretofore subsisting between the undersigned Johann Heinrich Marie Stohmann, Ernest Kraushaar and Henry Schumacher at Akyab, as rice-millers, under the style of Schumacher & Company, has this day been dissolved as from the 1st July 1876, and that the business will in future be carried on by the undersigned, Johann Heinrich Marie Stohmann and Ernest Kraushaar.

Dated this 15th July 1876.

J. H. M. STOHMANN.
E. KRAUSHAAR.
H. SCHUMACHER.

NOTICE.

Nundolal Bose and Passuputtynath Bose of Sham Bazar, in the Town of Calcutta, being about to execute a Deed of Trust to Sreemutty Thacooranee Dassee and others, conveying over all their properties situated in Zillah Gya, Patna, Loharddugga, and 24-Pergunnahs, and in the Town of Calcutta, and its Suburbs, the creditors of the said Nundo Lal Bose and Passuputtynath Bose are hereby requested to send in particulars of their claims against the said Nundolal Bose and Passuputtynath Bose within fifteen days from the date hereof, at their residence in No. 13, Bindabun Pal's bye-Lane, Sham Bazar, Calcutta, in order that arrangements may be made for the payment of the same before execution of the said Deed.

NUNDOLAL BOSE.
PASSUPUTTY NATH BOSE.

CALCUTTA,
The 1st February 1877.

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Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

PROMISSORY NOTES.

Lost

The lower half of the Government Promissory Note No. $\frac{056565}{083720}$ of the four and a half per cent. of 16th January 1872, for Rs. 10,000, originally standing in the name of the Bank of Madras and endorsed by the Agent at Negapatam for the Bank of Madras to V. Thavasu Muthu Nadar, the proprietor, by whom it was never endorsed to any other person. There is the transfer endorsement only on the upper half of the Government Promissory Note now existing, and there is no endorsement on the lower half of it. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favor of the proprietor.

V. THAVASU MUTHU NADAR,
Poriar Company Garden, near Tranquebar, Mayaveram Taluq, Tanjore District.

CAMP MANNARGOODY,
The 30th November 1876.

Lost.

The Government Promissory Loan Note, No. 033633 of 1859-60, of 5½ per cent., dated the 31st May 1859, for Company's Rs. 1,000, now standing in the name of Shapurjee Jehangir, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and of interest thereupon has been stopped in the Public Debt Office, Bombay, and application is made to Public Debt Office, for the issue of a duplicate note in favour of the proprietor.

SHAPURJEE JEHANGIR,
Girgaum Back Road, No. 178, Care of Jehangir Bezonjee.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 17, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Minutes of an Extraordinary General Meeting of Shareholders of the CALCUTTA JUTE MILLS COMPANY, "LIMITED," *held at the Office of the Company, No. 104, Clive Street, Calcutta, on Thursday, the 8th day of February 1877, at 3 o'clock* P. M.

PRESENT:

Messrs. H. COHN.
G. J. SCOTT.
F. SCHILLER.
D. FUCHS.
POOLIN CHUNDER ROY.
A. B. STRUTHERS.
G. M. STRUTHERS.
JOHN MCINTOSH, *Attorney for* CAPTAIN L. C. GORDON and CHARLES CURRIE.

Proxies.—MESSRS. S. BIRD and JOHN MCINTOSH *in favor of* CAPTAIN G. J. SCOTT.

CAPTAIN G. J. SCOTT having been voted to the Chair, and the Notice convening the Meeting read, the following Resolution, which it is intended to confirm at a subsequent Meeting as a special Resolution, was—

Proposed by MR. D. FUCHS,
Seconded by BABOO POOLIN CHUNDER ROY—

That the 74th Article of the present Articles of Association of the Company be amended, and as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept, and give bills of exchange and promissory notes on behalf and for the purposes of the Company. And in particular, the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company, subject to the now existing mortgage charge of £30,000, created by certain debentures and by an Indenture of Mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a Trust Deed, and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof in cash, or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotments to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

G. J. SCOTT,
Chairman.

THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Company's Office, 104, Clive Street, Calcutta, on the 26th day of February 1877, at 3 o'clock in the afternoon, for the purpose of confirming and making special the following Resolution (unanimously) passed at an Extraordinary General Meeting of the said Company, held at No. 104, Clive Street, aforesaid, on the 8th day of February 1877—

That the 74th Article of the present Articles of Association of the Company be amended, and as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept, and give bills of exchange and promissory notes on behalf and for the purposes of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or

Rs. 1,50,000) upon a second mortgage charge of the property of the Company, subject to the now existing mortgage charge of £30,000 created by certain debentures, and by an Indenture of Mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a Trust Deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof in cash or at the option of the holder thereof to be declared in writing not later than six calendar months, previous to the expiration of such five years by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By order of the Board,

BORRADAILE, SCHILLER & Co.,
Managing Agents.

104, CLIVE STREET,
CALCUTTA;
The 10th February 1877.

NOTICE

Is hereby given that the partnership heretofore subsisting between the undersigned Johann Heinrich Marie Stohmann, Ernest Kraushaar and Henry Schumacher at Akyab, as rice-millers, under the style of Schumacher & Company, has this day been dissolved as from the 1st July 1876, and that the business will in future be carried on by the undersigned, Johann Heinrich Marie Stohmann and Ernest Kraushaar.

Dated this 15th July 1876.

J. H. M. STOHMANN.
E. KRAUSHAAR.
H. SCHUMACHER.

Goods of HENRY OATTS, deceased.

STATUTORY NOTICE TO CREDITORS.—Pursuant to "The Trustees and Mortgagees Powers' Act, 1866," notice is hereby given that all creditors and other persons having claims against the estate of the deceased, late of Nohatta, Jessore, Indigo Planter, who died on the 18th May 1876, and Probate of whose Will was granted to Mrs. Anne Oatts, his widow, and sole Executrix, on the 13th June 1876, by the High Court, Calcutta, are required to send in writing the particulars of their claims to the undersigned on or before the 23rd day of April 1877, after which date the Executrix will distribute the assets of the estate of the deceased amongst the parties entitled thereto, having regard to the claims of which she has then had notice. And notice is hereby further given that the said Executrix will not be liable for the assets or any part thereof so distributed, to any person of whose claim she shall not have had notice at the time of such distribution. Dated this 23rd day of January 1877.

SANDERSON & Co.,
Attorneys for the said Executrix.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

PROMISSORY NOTES.

Stolen.

The Government Promissory Note No. 066870, of the India 4 per cent. loan of 1st May 1865, for Rs. 600, originally standing in the name of Esther Male, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note, and the interest thereupon, have been stopped at the Public Debt Office, Bank of Bengal, and Bank of England, and application is to be made for the issue of duplicate in favor of the Proprietor.

Apply to—

COLVIN, COWIE & Co.
1, Hastings Street, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 24, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Minutes of an Extraordinary General Meeting of Shareholders of the CALCUTTA JUTE MILLS COMPANY, "LIMITED," *held at the Office of the Company, No. 104, Clive Street, Calcutta, on Thursday, the 8th day of February 1877, at 3 o'clock* P. M.

PRESENT:

Messrs. H. COHN.
G. J. SCOTT.
F. SCHILLER.
D. FUCHS.
POOLIN CHUNDER ROY.
A. B. STRUTHERS.
G. M. STRUTHERS.
JOHN MCINTOSH, *Attorney for* CAPTAIN L. C. GORDON and CHARLES CURRIE.

Proxies.—MESSRS. S. BIRD and JOHN MCINTOSH *in favor of* CAPTAIN G. J. SCOTT.

CAPTAIN G. J. SCOTT having been voted to the Chair, and the Notice convening the Meeting read, the following Resolution, which it is intended to confirm at a subsequent Meeting as a special Resolution, was—

Proposed by MR. D. FUCHS,
Seconded by BABOO POOLIN CHUNDER ROY—

That the 74th Article of the present Articles of Association of the Company be amended, and as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept, and give bills of exchange and promissory notes on behalf and for the purposes of the Company. And in particular, the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company, subject to the now existing mortgage charge of £30,000, created by certain debentures and by an Indenture of Mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a Trust Deed, and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof in cash, or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotments to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

G. J. SCOTT,
Chairman.

THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Notice is hereby given that an Extraordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Company's Office, 104, Clive Street, Calcutta, on the 26th day of February 1877, at 3 o'clock in the afternoon, for the purpose of confirming and making special the following Resolution (unanimously) passed at an Extraordinary General Meeting of the said Company, held at No. 104, Clive Street, aforesaid, on the 8th day of February 1877—

That the 74th Article of the present Articles of Association of the Company be amended, and as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept, and give bills of exchange and promissory notes on behalf and for the purposes of the Company. And in particular the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company, subject to

the now existing mortgage charge of £30,000 created by certain debentures, and by an Indenture of Mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a Trust Deed and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof in cash or at the option of the holder thereof to be declared in writing not later than six calendar months, previous to the expiration of such five years by the allotment to such holder of one fully paid-up Preference Share of £50 in respect of each such debenture.

By order of the Board,
BORRADAILE, SCHILLER & Co.,
Managing Agents.

CALCUTTA,
The 10th February 1877.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electfng Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,
BORRODAILE, SCHILLER & Co.,
Managing Agents.

CALCUTTA,
The 1st February 1877.

NOTICE

Is hereby given that the partnership heretofore subsisting between the undersigned Johann Heinrich Marie Stohmann, Ernest Kraushaar and Henry Schumacher at Akyab, as rice-millers, under the style of Schumacher & Company, has this day been dissolved as from the 1st July 1876, and that the business will in future be carried on by the undersigned, Johann Heinrich Marie Stohmann and Ernest Kraushaar.

Dated this 15th July 1876.

J. H. M. STOHMANN.
E. KRAUSHAAR.
H. SCHUMACHER.

PROMISSORY NOTES.

Lost.

The Government Promissory Loan Note, No. 033633 of 1859-60 of 5½ per cent., dated the 31st May 1859, for Company's Rs. 1,000, now standing in the name of Shapurjee Jehangir, the proprietor by whom it was never endorsed to any other person. Payment of the above note and of interest thereupon has been stopped in the Public Debt Office, Bombay, and application is made to Public Debt Office for the issue of a duplicate note in favour of the proprietor.

SHAPURJEE JEHANGIR,
Girgaum Back Road, No. 178,
Care of Jehangir Bezonjee.

Lost or Stolen

On the 16th January 1872, one Government Promissory Note, No. 005235 at 4½ per cent., for Rs. 500.

OMES CHUNDER BANNERJEE,
No. 12, Old Post Office Street.

Stolen.

The Government Promissory Note No. 066870, of the India 4 per cent. loan of 1st May 1865; for Rs. 600, originally standing in the name of Esther Male, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note, and the interest thereupon, have been stopped at the Public Debt Office, Bank of Bengal, and Bank of England, and application is to be made for the issue of duplicate in favor of the Proprietor.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 3, 1877. { Register No. 33.

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PRESENT:

MESSRS. G. J. SCOTT.
H. COHN.
D. FUCHS.
J. OATES.
P. PAULSON.
G. M. STRUTHERS.

Proxies.—CAPT. G. J. SCOTT *for* MESSRS. S. BIRD, J. MACKINTOSH and A. J. BOLTON.

CAPT. G. J. SCOTT, *in the Chair.*

Read notice convening the Meeting.

Proposed by Mr. J. Oates.

Seconded by Mr. D. Fuchs.

That the resolution passed at the Meeting of the Company on the 8th instant, be hereby confirmed, *viz.*:—

That the 74th Article of the present Articles of Association of the Company be amended, and as amended, do stand as follows:—

74. The Directors shall have power to borrow money on the security of the property of the Company or otherwise, and to draw, accept, and give bills of exchange and promissory notes on behalf and for the purposes of the Company. And in particular, the Directors may borrow a sum not exceeding £15,000 (or Rs. 1,50,000) upon a second mortgage charge of the property of the Company, subject to the now existing mortgage charge of £30,000, created by certain debentures and by an Indenture of Mortgage, dated the 21st day of July 1875, and may raise such sum of £15,000 (or Rs. 1,50,000) by the issue of debentures of £50 (or Rs. 500) each, according to the applications for the same. Such debentures shall be secured by a Trust Deed, and bear interest at the rate of 10 per cent. per annum, payable half-yearly, and each such debenture shall be repayable at the expiration of five years from the date of the issue thereof in cash, or at the option of the holder thereof, to be declared in writing, not later than six calendar months previous to the expiration of such five years, by the allotment to such holder of one fully paid up Preference Share of £50 in respect of each such debenture.

Carried—

G. J. SCOTT,
Chairman.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electfng Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,
BORRODAILE, SCHILLER & Co.,
Managing Agents.

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The 1st February 1877.

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Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

BENGAL CIVIL FUND.

AT a half-yearly general meeting of subscribers to the Bengal Civil Fund, held at the Town Hall, Calcutta, on Wednesday, the 31st January 1877.

PRESENT:—The Hon'ble W. F. McDonell, v.c., the Hon'ble F. R. Cockerell, T. Bruce Lane, Esq., the Hon'ble H. Bell, R. Taylor, Esq., A. T. Maclean, Esq., A. P. Howell, Esq., T. F. Bignold, Esq, H. Beverley, Esq., J. O'Kinealy, Esq., W. H. Grimley, Esq., W. M. Souttar, Esq., J. G. Charles, Esq., C. J. Lyall, Esq., and C. Macaulay, Esq.

The Hon'ble W. F. McDonell, v.c., in the chair.

The following report, submitted by the Managers, was taken as read:—

REPORT.

The Managers submit their proceedings for the past half-year for the consideration and sanction of the meeting Subject to the approval of the subscribers, they have admitted to the benefits of the Fund the following families:—

	£	
Mr. Carpenter's son ...	60	The son of the late Mr. C. W. Carpenter, who died at Sitabaldi, Central Provinces, on the 5th March last.
Mrs. Elliott	300	The widow and four children (one daughter and three sons) of the late Mr. C. P. Elliott, who died in England on the 1st July last.
Four children	300	
Total ...	600	
Mrs. Glover	300	The widow and three children (two daughters and one son) of the late Mr. F. A. B. Glover, who died at Galle on the 11th August last.
Three children	260	
Total ...	560	
Mrs. Walton	300	The widow of the late Mr. T. Walton, who died in England on the 17th October last.

	£	s.	d.	
Mrs. Clifford ...	300	0	0	The widow and six children (five daughters and one son) of the late Mr. R. H. Clifford, who died at Almorah on the 21st October last.
Six children ...	340	0	0	
Total ...	640	0	0	
Less one-sixth under rule 7	106	13	4	
Total ...	533	6	8	

The Managers submitted, on the 26th of January 1876, a statement in connection with the application of Mrs. Belli for pension. They were of opinion that that lady was not entitled to the Fund allowance, on the ground that her husband had made such a disposition of his property as caused his widow to become chargeable on the Fund. They accordingly recommended that her application should be disallowed, and the meeting approved the recommendation. Mr. Lane proposes to move a resolution with reference to Mrs. Belli's case at this meeting.

The Government of India, in their letter No. 3285, dated 9th October last, informing the Managers that Mr. A. G. Walker had been removed from the Service, and that Rs. 4,432 representing the amount of his subscription to the Fund, with interest, had been paid to him, enquired whether the Managers would consider it proper to recommend to the Service the repayment of the amount to Government. The Managers replied that a refund of subscription under such circumstances would be without precedent, and that they would be acting in opposition to existing rules and practice if they were to make the desired recommendation to the subscribers.

The report on the history of the Fund, prepared by Mr. O'Kinealy, having been submitted to the special general meeting of subscribers held on the 1st November last, the Managers were requested to prepare and forward an answer to the letter of the Government of India, No. 4377, of the 28th October 1875. Their reply is now submitted for the information of the subscribers.

The Managers, having reason to believe that the Government of India had submitted for the opinion of counsel a statement of the questions at issue with the Fund, asked to be favoured with a copy of the statement, as well as of the opinion recorded upon it by the legal advisers of Government. The Government of India declined to accede to this request.

A question having been raised as to the nature of the proof of marriage which would be required under Article XXV of the rules from Messrs. Romesh Chunder Dutt and Behari Lal Gupta, the two native subscribers to the Fund, it was ascertained that the only evidence forthcoming would be the statements of credible witnesses. To meet the cases of these gentlemen, therefore, the Managers have notified, under Article XVII (18) of the Rules, the following addition to Article XXV, which they submit for consideration:—

"Provided that a declaration on oath by not less than two eye-witnesses will be considered sufficient proof of marriage in the cases of Messrs. Romesh Chunder Dutt and Behari Lal Gupta."

The accounts of the past year 1875-76 are submitted.

Abstract of the Accounts of the Bengal Civil Fund for 1875-76.

	Bearing interest at 8 per cent. Rs.	A.	P.	Bearing interest at 5 per cent. Rs.	A.	P.
UNAPPROPRIATED FUNDS.						
By Balance, 1st April 1875	33,18,857	1	2	31,65,512	8	8
„ Interest	2,97,732	0	9	1,64,876	1	0
„ Subscriptions during the year	2,56,379	7	9	2,03,856	13	1
„ Payments by two Annuitants in India to complete subscription balance to Rs. 25,000	6,165	0	0	.....		
„ Ditto by one in England	4,437	0	0	.....		
„ Composition payments by five Annuitants in England	2,255	14	4	1,871	7	8
„ Contributions by Annuitants in India	7,292	10	8	6,995	3	9
„ Ditto paid in England and by absentees on furlough... ...	12,944	15	11	10,830	6	1
„ Fine from 10 subscribers, including 6 for unequal age at marriage ...	.....			6,334	1	7
„ Ditto one in England	.....			50	0	0
„ Transfer from Appropriated Funds of deduction of one-sixth from pensions under Rule 7	18,210	13	5	5,136	6	2
„ Amount granted by Government for the payment of pensions of families of those subscribers who were killed in the mutiny	29,762	9	0	8,394	9	0
„ Transfer from Annuity Fund	1,404	0	0	396	0	0
„ Donation from the Government paid in England	25,000	0	0	.....		
	39,80,441	9	0	35,74,253	9	0
DEDUCT—						
To Transfer to Appropriated Funds—						
„ Value of pensions of Mrs. W. M. Light (late Mrs. H. Sargent), widow of H. Sargent, under old rules	5,513	15	6	.....		
„ Ditto of Mrs W. Travers, widow of W. Travers (Annuitant)	21,925	12	10	7,896	14	5
„ Ditto of Mrs. E. J. Boldero, widow of E. J. Boldero (Annuitant)	23,400	0	0	8,696	13	1
„ Ditto of Mrs. E. H. Harrison, one daughter and two sons	42,051	7	0	15,680	4	10
„ Ditto of Mrs. S. Wauchope and two daughters ...	34,355	1	7	12,244	1	6
„ Ditto of Mrs. W. G. Young, widow, one daughter, and one son of W. G. Young (Annuitant)	33,767	5	11	12,196	7	2
„ Ditto of Mrs. E. Montagu	23,322	12	6	8,979	15	4
„ Ditto of Lady F. Currie, widow, one daughter, and one son of Sir F. Currie (Annuitant)	30,147	12	5	10,622	14	4
„ Ditto of Mrs. S. S. Brown, widow of S. S. Brown (Annuitant)	21,467	2	7	7,661	15	0
„ Ditto of Mrs. H. C. Tucker, widow, and three daughters of H. C. Tucker (Annuitant)	38,880	10	7	13,816	2	4
„ Ditto of Mrs. W. J. H. Money, widow, and two daughters of W. J. H. Money (Annuitant)	32,677	5	1	11,514	7	6
„ Ditto of Mrs. H. Stainforth, widow of H. Stainforth (Annuitant)	13,581	5	9	4,406	13	1
„ Ditto of Mrs. F. Pollen and two daughters	34,213	2	3	13,390	0	7
„ Ditto of one son of C. W. Carpenter	5,772	7	6	1,980	15	10
„ Ditto of Mr John Jervis Beresford	8,081	9	3	3,144	3	10
„ Interest thereon	16,815	14	11	3,733	7	8
„ Transfer to Appropriated Funds on account of pensions payable by Government	29,762	9	0	8,394	9	0
„ Refund of overpaid subscriptions	755	2	0	850	2	10
„ Establishment, &c.	8,354	10	2	2,356	7	10
„ Printing charges	477	6	2	134	12	4
	4,25,323	9	0	1,47,731	8	6
Balance on 31st March 1876 ...	35,55,118	0	0	34,26,522	0	6
APPROPRIATED FUNDS.						
By Balance, 1st April 1875	46,93,370	0	7	12,92,844	8	11
„ Interest	3,51,366	15	7	64,240	10	7
„ Transferred from Unappropriated Funds, values of pensions granted to the above fifteen families within the year	3,69,157	14	9	1,32,232	0	10
„ Interest thereon	16,815	14	11	3,733	7	8
„ Transfer from Unappropriated Funds on account of pensions payable by Government	29,762	9	0	8,394	9	0
	54,60,473	6	10	15,01,445	5	0
DEDUCT—						
To Pensions paid in England under old Rules	1,86,200	0	0	.....		
„ Ditto ditto under new Rules	3,44,910	5	11	1,08,679	6	1
„ Ditto in India under new Rules	20,814	9	8	5,870	12	7
„ Marriage donation	4,680	0	0	1,320	0	0
„ Transfer to Unappropriated Funds of the deduction of one-sixth from pensions under Rule 7	18,210	13	5	5,136	6	2
	5,74,815	13	0	1,21,006	8	10
Balance, 31st March 1876 ...	48,85,657	9	10	13,80,438	12	2
TOTAL BALANCE, 31ST MARCH 1876 ...	84,40,775	9	10	48,06,960	12	8

INVESTMENT OF THE ABOVE BALANCE.

	Rs.	A.	P.
Invested Treasury Notes at 8 per cent....	75,57,324	10	4
Uninvested at 8 per cent. (since invested)	8,83,450	15	6
Ditto at 5 per cent.	48,06,960	12	8
TOTAL ...	1,32,47,736	6	6

COMPARISON OF THE BALANCE.

	Rs.	A.	P.
Balance, 31st March 1875	1,24,70,584	3	4
Ditto, 31st March 1876	1,32,47,736	6	6
INCREASE ...	7,77,152	3	2

CIVIL FUND OFFICE;
The 31st January 1877.

E. E.

COLMAN MACAULAY,
Secretary and Accountant.

Proposed by *Mr. Robert Taylor*,

Seconded by *Mr. T. F. Bignold*, and carried unanimously—

That the Managers' proceedings in admitting the families of the late Messrs. Carpenter, Elliott, Glover, Walton, and R. H. Clifford to the benefits of the Fund be confirmed and the report and accounts be generally adopted.

Proposed by *Hon'ble F. R. Cockerell*,

Seconded by *Mr. R. Taylor*—

That to Article XXV of the rules be added the words "provided that a declaration on oath by not less than two eye witnesses will be considered sufficient proof of marriage in the cases of Messrs. Romesh Chunder Dutt and Beharilal Gupta:"

Mr. Bell proposed that the words "*primâ facie*" be substituted for "sufficient." This amendment was seconded by *Mr. O'Kinealy* and carried unanimously.

Proposed by *Mr. T. Bruce Lane*,

Seconded by *Mr. A. T. Maclean*, and carried unanimously—

That the following gentlemen be elected managers for the ensuing year:—*Hon'ble L. S. Jackson, A. Money, Esq.*, C.B., *C. T. Buckland, Esq., J. O'Kinealy, Esq., W. M. Souttar, Esq.*

Mr. Lane drew the attention of the meeting to Mrs. Belli's case, stating that he did so at the request of Mrs. Belli, who had been informed by the Secretary, in his letter of the 12th July 1876, that any individual manager or member of the Service could bring forward her case at a half-yearly meeting. He urged that the disposition of his property made by Mr. Belli, by which his widow was declared by the Managers to have been thrown on the Fund, was an irrevocable trust settlement made in February 1867, at a time when Mr. Belli was 75 years old, had been a widower for some years, and had no children in circumstances which could enable them to make any claim upon the Fund. Presumably he was not at that time likely to marry again; but even assuming that he might do so, he would be then still in the position of a bachelor subscriber, who might make a trust settlement beyond his power to revoke hereafter, and might still marry after doing so without forfeiting his rights in the Fund. Mr. Lane further contended that there was no actual proof of any intention on Mr. Belli's part, when making the trust settlement of February 1867, "to benefit any party at the expense of the Fund," and that it was not right to throw on the widow of a marriage subsequently contracted the onus of proving the negative statement that no such intention existed. Mr. Belli's remarriage three months after he executed the settlement, though it might be considered suspicious, was not actual proof of such intention, and therefore insufficient to justify the extreme measure of refusing a pension to the widow. Looking therefore to the fact that the effect of the trust settlement, at the time when it was made, was not to "throw the support, entire or partial," of a single person on the Fund, that Mr. Belli had, as subscriber to the Fund, paid up more than Rs. 50,000, and that Mrs. Belli was now in a state of comparative poverty, Mr. Lane proposed that the decision of the half-yearly meeting of January 1876, refusing the application of Mrs. Belli for admission to the Fund under the old rules, should be submitted for the reconsideration of the Service.

Mr. O'Kinealy seconded the motion.

At the request of some of the subscribers present the Secretary then read the note which had formed the basis of the Managers' decision on the case.

"The accounts forwarded by Mrs. Belli show that her husband's property at his death was worth £21,727-6-9, and the income derivable from this property would be sufficient to absolutely exclude his widow and other members of his family from benefits under the old rules. On the 22nd February 1867 Mr. Belli made a settlement in trust for his three children of property now valued at £15,000, the condition of the settlement being that £5,000 was to be secured to each of these children and the balance was to form part of his own estate. A few months later, namely, on the 23rd of May 1867, he was married to his present widow. It would now appear from the papers submitted to the Managers that the property embraced by the deed of settlement is not more than sufficient to provide the sum of £15,000 to the children, and that there is no balance for credit to his own estate to which his widow is heir. The first question therefore to be determined is whether the assignment before Mr. Belli's second marriage of property worth £15,000 to the children of his first wife does or does not defeat the claim of his second wife to fund benefits under the old rules. The rule governing this question will be found in Article 26 of the old rules. Under the second paragraph of that article it is declared that a disposal of his property by a subscriber to the prejudice of the Fund debars his family from benefits if the *subscriber's intention be to benefit any party at the expense of the Fund.* In the present case the date of the settlement was the 22nd of February 1867, and that of his marriage the 23rd May 1867, so that it is far from improbable that at the time of making the settlement Mr. Belli contemplated his second marriage, and in this case his widow would be absolutely precluded from the benefits of the Fund. But even supposing that at the time of making the settlement he had not in contemplation his immediate marriage, Mr. Belli must have well known that if he did remarry the trust then made by him would have the effect of reducing his second wife's income so as to entitle her (other considerations apart) to fund benefits. If therefore a subscriber is presumed to intend the natural result of his acts, Mrs. Belli is now entirely excluded from fund benefits."

The Managers acting on this note held adversely to Mrs. Belli's claim, and submitted their decision to the general meeting of 26th January 1876, with the following report:—

The Managers also submit to this meeting the following statement in connection with the application of Mrs. Belli for pension:—Mr. Belli was a subscriber to the Fund under the old rules, and at the time of his decease, 29th July last, left property worth £21,727, out of which he was bound, under Article 26 of the old rules, to make a proper provision for his wife. That Article is as follows:—

"In case it shall be proved to the conviction of a general meeting of subscribers that a deceased member of this Fund has during his life-time, whether in immediate anticipation of his death or otherwise, made such a disposition of any part of his property, real or personal, as but for this rule would throw the entire or partial support of his widow or offspring upon the Fund, who would not have been so supported by the Fund had such part of his property not been so disposed of, with the intention thereby of benefiting any party at the expense of the Fund, then the widow or offspring of such a member or both shall forfeit all right to any part of the support which would have been claimable if no such disposition had been made.

"It is hereby declared that a general meeting of the latter (*i.e.*, subscribers), duly held according to the rules of the institution, shall have full power to reject the application for aid from the Fund in any instance in which it may appear that a subscriber having property at his death, and having the power to dispose of it, has made no due provision for his family."

The Mangers in administering the affairs of the Fund have invariably considered all private income left by a subscriber at death as available for the support of his family without reference to appropriations by testament or otherwise. In the present case Mr. Belli made such a disposition of his property in his life time, namely, a trust in favour of his children by his first wife, that but for Article 26 his widow would be chargeable on the Fund. Under these circumstances the Managers consider the widow not entitled to the Fund allowance, and they now submit the case to the general meeting, and recommend that Mrs. Belli's application be disallowed.

The Managers' recommendation was approved by a resolution of the general meeting."

Some conversation ensued with regard to the general aspects of the case as disclosed in the foregoing proceedings. Attention was also called to Article 18 of the rules prescribing the manner in which alone the resolution of the general meeting could be revised, and to the fact that the procedure therein laid down had not been complied with.

Mr. Lane's motion, on being put to the meeting, was lost

CIVIL FUND OFFICE,
The 31st January 1877.

W. F. McDONELL,
Chairman.

PROMISSORY NOTES.

Lost.

The Government Promissory Loan Note, No. 033633 of 1859-60 of 5½ per cent., dated the 31st May 1859, for Company's Rs. 1,000, now standing in the name of Shapurjee Jehangir, the proprietor by whom it was never endorsed to any other person. Payment of the above note and of interest thereupon has been stopped in the Public Debt Office, Bombay, and application is made to Public Debt Office for the issue of a duplicate note in favour of the proprietor.

SHAPURJEE JEHANGIR,
Girgaum Back Road, No. 178,
Care of Jehangir Bezonjee.

Lost.

The Government Promissory Note No. 041654 of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Kally Podo Chatterjee, and last endorsed to Kanti Chunder Chatterjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favor of the proprietor.

KANTI CHUNDER CHATTERJEE,
Baniatollah, Calcutta.

Lost or Stolen

On the 16th January 1872, one Government Promissory Note, No. 005235 at 4½ per cent., for Rs. 500.

OMES CHUNDER BANNERJEE,
No. 12, Old Post Office Street.

Found!

In Fort William, on the night of 1st March 1877, Currency Notes aggregating in value to Rupees One Hundred and Seventy. Any person having lost same is requested to communicate with the undersigned, furnishing number, date, and amount of each note.

Owner will be called upon to defray expense of this advertisement, which will appear in three successive issues of this Gazette.

C. HELY, *Captain,*
Adjutant, 2-12th Regt., Fort William.
The 2nd March 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 10, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electing Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,

BORRODAILE, SCHILLER & Co.,
Managing Agents.

CALCUTTA,
The 1st February 1877.

NOTICE.

We, the undersigned hitherto carrying on business at Cawnpore under the style and title of Mitchell & Co., have by mutual consent dissolved partnership from this date, and the business will be carried on by Mr. Cuthbert Cooke.

W. MITCHELL.
CUTHBERT COOKE.
F. J. MITCHELL.

CAWNPORE,
1st March 1877.

With reference to the above, I have this day established myself as Merchant and Agent at Cawnpore under the title of Cuthbert Cooke & Co.

CUTHBERT COOKE.

CAWNPORE,
1st March 1877.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

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C. HELY, *Captain,*
Adjutant, 2-12th Regt., Fort William.
The 2nd March 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 17, 1877. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

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CUTHBERT COOKE.
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CAWNPORE,
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KANTI CHUNDER CHATTERJEE,
Baniatollah, Calcutta.

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Owner will be called upon to defray expense of this advertisement, which will appear in three successive issues of this Gazette.

C. HELY, *Captain,*
Adjutant, 2-12th Regt., Fort William.

The 2nd March 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 24, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

HINDU FAMILY ANNUITY FUND.

Agreeably to Rule 57, the following resolution passed at the Fifth Annual General Meeting of subscribers held on the 28th January 1877, is published for general information :—

That for meeting the current expenditure of the Fund up to 31st March 1878, the Directors be authorised to draw from the Deposit Account with the Government of India, agreeably to Rule 55, to the extent of Rs. 3,650 provided in the Budget Estimates just passed.

RAMSHUNKER SEN, *Chairman.*
PREONATH DUTT, *Secretary.*

The 22nd March 1877.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electing Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,

BORRODAILE, SCHILLER & Co.,
Managing Agents.

CALCUTTA,
The 1st February 1877.

NOTICE.

We, the undersigned hitherto carrying on business at Cawnpore under the style and title of Mitchell & Co., have by mutual consent dissolved partnership from this date, and the business will be carried on by Mr. Cuthbert Cooke.

W. MITCHELL.
CUTHBERT COOKE.
F. J. MITCHELL.

CAWNPORE,
1st March 1877.

With reference to the above, I have this day established myself as Merchant and Agent at Cawnpore under the title of Cuthbert Cooke & Co.

CUTHBERT COOKE.

CAWNPORE,
1st March 1877.

NOTICE.

Pursuant to a decree of the High Court of Judicature at Fort William in Bengal, in its Ordinary Original Civil Jurisdiction, made in Suit No. 232 of 1876 (wherein Albert Birmingham Miller, Official Assignee of the Court for the Relief of Insolvent Debtors at Calcutta, and Assignee of the Estate and Effects of William DeMonte Sinaes, an insolvent, is plaintiff, and Frederick John Fergusson, the Official Trustee of Bengal, is defendant), and dated the 30th day of November 1876, the creditors of the late firm of Messrs. Joseph Barretto and Sons, of the Town of Calcutta, Merchants and Agents, who have executed a certain Trust Deed for the benefit of creditors, dated the 10th day of March 1827, and expressed to be made between Luis Joseph Barretto and Edward Brightman, surviving members of the said firm of Messrs. Joseph Barretto and Sons, of the 1st part, John Palmer, William Amslie, George Ballard, William Melville and Robert Browne, of the 2nd part, and the several persons, creditors of the said Luis Joseph Barretto and Edward Brightman who, by themselves or their respective Attorneys, should execute the said Indenture of the 3rd part, and all other persons claiming to be interested in the said Trust Deed are, on or before Saturday, the 28th day of July 1877, to send to the Office of the Registrar

of this Court, in its Original Side, their names, addresses, and descriptions, the full particulars of their claims, a statement of their accounts and the nature of the securities (if any) held by them, or in default thereof, they will be peremptorily excluded from the benefit of the said decree.

Every creditor holding any security may produce or transmit the same to the Registrar with particulars of his claim, or shall produce the same before the Judge for the time being exercising Original Jurisdiction in the Court House on Saturday, the 11th day of August 1877 at 11 of the clock in the forenoon, being the time appointed for adjudicating on the claims.

DIGNAM AND ROBINSON, *Plaintiff's Attorneys.* } R. BELCHAMBERS, *Registrar.*

The 16th March 1877.

Goods of HENRY OATTS, deceased.

STATUTORY NOTICE TO CREDITORS.—Pursuant to "The Trustees and Mortgagees Powers' Act, 1866," notice is hereby given that all creditors and other persons having claims against the estate of the deceased, late of Nohatta, Jessore, Indigo Planter, who died on the 18th May 1876, and Probate of whose Will was granted to Mrs. Anne Oatts, his widow, and sole Executrix, on the 13th June 1876, by the High Court, Calcutta, are required to send in writing the particulars of their claims to the undersigned on or before the 23rd day of April 1877, after which date the Executrix will distribute the assets of the estate of the deceased amongst the parties entitled thereto, having regard to the claims of which she has then had notice. And notice is hereby further given that the said Executrix will not be liable for the assets or any part thereof so distributed, to any person of whose claim she shall not have had notice at the time of such distribution. Dated this 23rd day of January 1877.

SANDERSON & Co.,
Attorneys for the said Executrix.

Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 31, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Result of Votes received on the questions submitted in Circulars No. 4 and No. 5, dated 18th December 1876.

Subject.	For	Against
Circular No. 4.		
I.—Addition of Rules 45*a* and 45*b*, for granting proportionate pensions in certain cases as proposed in paras. 5 to 8	562	42
II.—Amendment of Rule 33, allowing increase of provision for sons, from Rs. 80 to Rs. 100, as proposed in paragraph 12	573	25
III.—Amendment of Rules 54 and 55, to ensure a more permanent reduction of subscriptions from interest on Reserve Fund and less variable rates of reduction from the divisible surplus, as proposed in paras. 13 to 16	576	15
IV.—Addition of Rule 45*c* and adoption of table to provide for subscriptions entirely ceasing after 55 years of age ...	570	27
Circular No. 5.		
To remit and refund the commuted overpayment of Rs. 2,208 made by the late Mr. H. Woodrow	681	13

By Order of the Directors,

W. H. RYLAND,
Secretary.

CALCUTTA;
Uncovenanted Service Family Pension Fund Office,
The 24th March 1877.

NOTICE.

Notice is hereby given that the Sixth Ordinary General Meeting of the Shareholders of the Calcutta Jute Mills Company, Limited, will be held at the Office of the Managing Agents here, on Thursday, the 5th day of April 1877, at 12 o'clock noon, for the purpose of receiving a Report from the Directors, of electing Directors and Auditors, and of transacting the ordinary business of the Meeting.

The Transfer Books will be closed from Thursday, the 22nd March, to Wednesday, the 4th April, both days inclusive.

By Order,

BORRODAILE, SCHILLER & Co.,
Managing Agents.

Calcutta,
The 1st February 1877.

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NOTICE.

Pursuant to a decree of the High Court of Judicature at Fort William in Bengal, in its Ordinary Original Civil Jurisdiction, made in Suit No. 232 of 1876 (wherein Albert Birmingham Miller, Official Assignee of the Court for the Relief of Insolvent Debtors at Calcutta, and Assignee of the Estate and Effects of William DeMonte Sinaes, an insolvent, is plaintiff, and Frederick John Fergusson, the Official Trustee of Bengal, is defendant), and dated the 30th day of November 1876, the creditors of the late firm of Messrs. Joseph Barretto and Sons, of the Town of Calcutta, Merchants and Agents, who have executed a certain Trust Deed for the benefit of creditors, dated the 10th day of March 1827, and expressed to be made between Luis Joseph Barretto and Edward Brightman, surviving members

of the said firm of Messrs. Joseph Barretto and Sons, of the 1st part, John Palmer, William Amslie, George Ballard, William Melville and Robert Browne, of the 2nd part, and the several persons, creditors of the said Luis Joseph Barretto and Edward Brightman who, by themselves or their respective Attorneys, should execute the said Indenture of the 3rd part, and all other persons claiming to be interested in the said Trust Deed are, on or before Saturday, the 28th day of July 1877, to send to the Office of the Registrar of this Court, in its Original Side, their names, addresses, and descriptions, the full particulars of their claims, a statement of their accounts and the nature of the securities (if any) held by them, or in default thereof, they will be peremptorily excluded from the benefit of the said decree.

Every creditor holding any security may produce or transmit the same to the Registrar with particulars of his claim, or shall produce the same before the Judge for the time being exercising Original Jurisdiction in the Court House on Saturday, the 11th day of August 1877 at 11 of the clock in the forenoon, being the time appointed for adjudicating on the claims.

DIGNAM AND ROBINSON, *Pliantiff's Attorneys.* } R. BELCHAMBERS, *Registrar.*

The 16th March 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 7, 1877. { Register No. 33.

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PART III.

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Estate—THOMAS ACKROYD, deceased.

STATUTORY NOTICE TO CREDITORS.—Notice is hereby given that all Creditors and other persons having any claims against the Estate of the above-named deceased, late Manager of the Coochela Tea Company, Limited, at Hylakandy, Cachar, are hereby required to send, in writing, the particulars thereof to the undersigned on or before the 20th day of March 1877, after which date the undersigned will distribute the assets of the Estate of the said deceased amongst the parties entitled thereto, having regard to the claims of which he has then had notice; and notice is hereby further given that the undersigned will not be liable for the assets or any part thereof so distributed to any person of whose claim he shall not have had notice at the time of such distribution.

Dated this 18th day of December 1876.

J. M. REID,
Administrator to the Estate of the deceased.

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NOTICE.

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DIGNAM AND ROBINSON, *Pliantiff's Attorneys.* } R. BELCHAMBERS, *Registrar.*

The 16th March 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 21, 1877. { Register No. 33.

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Goods of HENRY OATTS, deceased.

STATUTORY NOTICE TO CREDITORS.—Pursuant to "The Trustees and Mortgagees Powers' Act, 1866," notice is hereby given that all creditors and other persons having claims against the estate of the deceased, late of Nohatta, Jessore, Indigo Planter, who died on the 18th May 1876, and Probate of whose Will was granted to Mrs. Anne Oatts, his widow, and sole Executrix, on the 13th June 1876, by the High Court, Calcutta, are required to send in writing the particulars of their claims to the undersigned on or before the 23rd day of April 1877, after which date the Executrix will distribute the assets of the estate of the deceased amongst the parties entitled thereto, having regard to the claims of which she has then had notice. And notice is hereby further given that the said Executrix will not be liable for the assets or any part thereof so distributed, to any person of whose claim she shall not have had notice at the time of such distribution. Dated this 23rd day of January 1877.

SANDERSON & Co.,
Attorneys for the said Executrix.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 28, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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The Rámáyana of Tulsi Dás. Book I.

Translated from the original Hindi: by F. S. Growse, M.A., Oxon.—*Price Rs. 3, including postage.*

GOVERNMENT PRESS, ALLAHABAD.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 5, 1877. { Register No. 33.

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Translated from the original Hindi: by F. S. Growse, M.A., Oxon.—*Price Rs. 3, including postage.*

GOVERNMENT PRESS, ALLAHABAD.

NOTICE.

The interest and responsibility of Mr. J. R. Bullen-Smith, C.S.I., in our Firm ceased on the 30th ultimo, and we have admitted Mr. Alexander Wilson a Partner in our Firm from this date.

The continuing Partners are—Messrs. John Stewart, James Jardine Paterson, Thomas Henderson Wordie, John Johnstone Jardine Keswick, and Alexander Wilson.

JARDINE, SKINNER & CO.

CALCUTTA,
The 1st May 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 12, 1877. { Register No. 33.

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PART III.

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The Rámáyana of Tulsi Dás. Book I.

Translated from the original Hindí: by F. S. Growse, M.A., Oxon.—*Price Rs. 3, including postage.*

GOVERNMENT PRESS, ALLAHABAD.

BENGAL CIVIL FUND.

NOTICE.

The Half-yearly General Meeting of Subscribers will be held at the Town Hall on Wednesday, the 25th July next, at 4-30 P.M.

By order of the Managers,
COLMAN MACAULAY,
Secretary.

BENGAL CIVIL FUND,
The 2nd May 1877.

PROMISSORY NOTE.

Lost.

The Government Promissory Note No. 034182 of the four per cent. of 1842-43, for Rs. 1,000, originally standing in the names of Jiwanjee Bomonjee Mehta, Hormusjee Pestonjee Mallegaumwalla, and Fakeerjee Limjee Oomrigur, the proprietors, by whom it was never endorsed to any other person. Payment of the above Note and the Interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the surviving proprietors Hormusjee Pestonjee Mallegaumwalla and Fakeerjee Limjee Oomrigur.

HORMUSJEE PESTONJEE MALLEGAUMWALLA.
FAKEERJEE LIMJEE OOMRIGUR.

Care of Jamsetjee Cursetjee Cama, Esq., Solicitor, High Court, No. 2, Meadow Street, Bombay.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 19, 1877. { Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 034182 of the four per cent. of 1842-43, for Rs. 1,000, originally standing in the names of Jewanjee Bomonjee Mehta, Hormusjee Pestonjee Mallegaumwalla, and Fakeerjee Limjee Oomrigur, the proprietors, by whom it was never endorsed to any other person. Payment of the above Note and the Interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the surviving proprietors Hormusjee Pestonjee Mallegaumwalla and Fakeerjee Limjee Oomrigur.

HORMUSJEE PESTONJEE MALLEGAUMWALLA.
FAKEERJEE LIMJEE OOMRIGUR.

Care of Jamsetjee Cursetjee Cama, Esq., Solicitor, High Court, No. 2, Meadow Street, Bombay.

Lost.

Coupon No. 00841 for Rs. 55, being 35½ years' interest on Government Promissory Note No. 10369 of 1859-60 for Rs. 2,000.

MAHOMED HOSAIN ESPAHANEE.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 26, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

NOTICE.

The Half-yearly General Meeting of Subscribers will be held at the Town Hall on Monday, the 30th July next, at 4-30 P. M.

The Managers will propose the following amendment to section 2, article 8 of the Rules:—

"Before 'Rs. 12,500' insert 'Rs. 18,750 or to,' and for 'in the former case one-half and in the latter one quarter' substitute 'in the first case three quarters, in the second one-half and in the third one quarter.'"

In the event of the above amendment being carried, the following resolution will be moved:—

"The Managers are authorized to give the amendment now adopted retrospective effect from 1st January 1877, and to allow to all subscribers who have retired from the service on or since that date the further option thus provided."

By order of the Managers,
COLMAN MACAULAY,
Secretary.

BENGAL CIVIL FUND,
The 19th May 1877.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

A limited number of the above work, strongly bound in cloth, octavo size, for sale at Rs. 12 per Vol., exclusive of postage charge. Apply to Messrs. Thacker, Spink & Co., Calcutta; Thacker, Vining & Co., Bombay; or to Superintendent, Chief Commissioner's Office, Nagpur.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 034182 of the four per cent. of 1842-43, for Rs. 1,000, originally standing in the names of Jewanjee Bomonjee Mehta, Hormusjee Pestonjee Mallegaumwalla, and Fakeerjee Limjee Oomrigur, the proprietors, by whom it was never endorsed to any other person. Payment of the above Note and the Interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of Duplicates in favour of the surviving proprietors Hormusjee Pestonjee Mallegaumwalla and Fakeerjee Limjee Oomrigur.

HORMUSJEE PESTONJEE MALLEGAUMWALLA.
FAKEERJEE LIMJEE OOMRIGUR.

Care of Jamsetjee Cursetjee Cama, Esq., Solicitor, High Court, No. 2, Meadow Street, Bombay..

Lost.

Coupon No. 00841 for Rs. 55, being 35¼ years' interest on Government Promissory Note No. 10369 of 1859-60 for Rs. 2,000.

MAHOMED HOSAIN ESPAHANEE.

Lost.

Lost at Sealkot Cantonment, on or about the 11th instant, a 4½ per cent. Government Promissory Note, No. $\frac{053131}{006398}$ of 1872, for Rs. 500.

TAKURDOSS BUGBANDOSS,
Bankers, Sealkot Cantonment.

SEALKOT,
23rd April 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 2, 1877. { Register No. 33.

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PART III.

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Central Provinces Gazetteer—Edition of 1870 in one Vol.

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PROMISSORY NOTES.

Lost.

Lost at Sealkot Cantonment, on or about the 11th instant, a 4½ per cent. Government Promissory Note, No. $\frac{053431}{006398}$ of 1872, for Rs. 500

TAKURDOSS BUGBANDOSS,
Bankers, Sealkot Cantonment.

SEALKOT,
23rd April 1877.

Lost.

Coupon No. 00841 for Rs. 55, being 35½ years' interest on Government Promissory Note No. 10369 of 1859-60 for Rs. 2,000.

MAHOMED HOSAIN ESPAHANEE.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 9, 1877. { Register No. 33.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

OUDH FOREST DEPARTMENT.

BYRAMGHAT DEPÔT.

On the Oudh and Rohilkhund Railway.

From this date the prices of Sál beams and scantlings supplied from this Depôt will be as follows :—

BEAMS—

21 feet length	@	Rs.	2	10	0 per cubic foot.
22 „	@	„	2	12	0 „
23 „	@	„	2	14	0 „
24 „	@	„	3	0	0 „

Above the lengths given two annas per foot run will be charged. Any inches over the foot will be charged as a foot.

SCANTLINGS—

from 12 to 20 feet	@	Rs.	2	8	0 per cubic foot.
under 12 & over 7 „	@	„	2	4	0 „
under 7 „	@	„	2	0	0 „

The above prices are for ordinary building purposes.

For *planking, sleepers, &c.*, special rates will be fixed by agreement.

The Department will still take orders for buildings all over @ Rs. 2-4-0 per cubic foot, provided the scantlings are taken in fair proportion.

SECOND AND THIRD CLASS TIMBER will be sold, and price fixed by agreement.

AUCTION SALES will be held from time to time to clear off stock.

For further particulars apply to the Officer in charge.

By order of the Conservator, Oudh Forests,

SIMPSON HILLIER,

Assistant Conservator of Forests.

The 1st June 1877.

Central Provinces Gazetteer—Edition of 1870 in one Vol.

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PROMISSORY NOTE.

Lost.

Lost at Sealkot Cantonment, on or about the 11th instant, a 4½ per cent. Government Promissory Note, No. $\frac{025331}{006308}$ of 1872, for Rs. 500.

TAKURDOSS BUGBANDOSS,

Bankers, Sealkot Cantonment.

SEALKOT, *23rd April 1877.*

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 23, 1877. | Register No. 33.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Messrs Cairns Deas and John Gillespie have been admitted as Partners into this Firm as from 1st November 1876.

BURN & Co.

PROMISSORY NOTE.

Mislaid.

Mislaid in the Almorah Senior Assistant Commissioner's Office 5½ per cent. Government Promissory Note No. 045235, dated 3rd May 1859, for Rs. 1,800, standing in the name of Hurruck Sing, Pensioned Soobahdar.

H. G. BATTEN,
Treasury Officer.

ALMORAH TREASURY,
The 16th June 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 30, 1877. { Register No. 33.

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H. G. BATTEN,
Treasury Officer.

ALMORAH TREASURY,
The 16th June 1877.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 6, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th December 1876, and is hereby promulgated for general information:—

ACT No. XIX OF 1876.

An Act for the better control of public dramatic performances.

WHEREAS it is expedient to empower the Government to prohibit public dramatic performances, which are scandalous, defamatory, seditious or obscene; It is hereby enacted as follows:—

Preamble.

1. This Act may be called "The Dramatic Performances Act, 1876:"

Short title.

It extends to the whole of British India;

Local extent.

And it shall come into force at once.

Commencement.

2. In this Act "Magistrate" means, in the Presidency Towns a Magistrate of Police, and elsewhere the Magistrate of the District.

"Magistrate" defined

3. Whenever the Local Government is of opinion that any play, pantomime, or other drama performed or about to be performed in a public place is—

Power to prohibit certain dramatic performances.

(*a*) of a scandalous or defamatory nature, or

(*b*) likely to excite feelings of disaffection to the Government established by law in British India, or

(*c*) likely to deprave and corrupt persons present at the performance,

the Local Government, or outside the Presidency Towns and Rangoon, the Local Government or such Magistrate as it may empower in this behalf, may by order prohibit the performance.

Explanation.—Any building or enclosure to which the public are admitted to witness a performance on payment of money, shall be deemed a "public place" within the meaning of this section.

4. A copy of any such order may be served on any person about to take part in the performance so prohibited, or on the owner or occupier of any house, room or place in which such performance is intended to take place; and any person on whom such copy is served, and who does, or willingly permits, any act in disobedience to such order, shall be punished on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

Power to serve order of prohibition.

Penalty for disobeying order.

5. Any such order may be notified by proclamation, and a written or printed notice thereof may be stuck up at any place or places adapted for giving information of the order to the persons intending to take part in or to witness the performance so prohibited.

Power to notify order.

6. Whoever, after the notification of any such order—

Penalty for disobeying prohibition.

(*a*) takes part in the performance prohibited thereby, or in any performance substantially the same as the performance so prohibited, or

(*b*) in any manner assists in conducting any such performance, or

(*c*) is in wilful disobedience to such order present as a spectator, during the whole or any part of any such performance, or

(*d*) being the owner or occupier, or having the use of, any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance,

shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

Power to call for information.

7. For the purpose of ascertaining the character of any intended public dramatic performance, the Local Government or such officer as it may specially empower in this behalf, may apply to the author, proprietor or printer of the drama about to be performed, or to the owner or occupier of the place in which it is intended to be performed, for such information as the Local Government or such officer thinks necessary.

Every person so applied to shall be bound to furnish the same to the best of his ability, and whoever contravenes this section shall be deemed to have committed an offence under section 176 of the Indian Penal Code.

Power to grant warrant to Police to enter and arrest and seize.

8. If any Magistrate has reason to believe that any house, room or place is used, or is about to be used, for any performance prohibited under this Act, he may, by his warrant, authorize any officer of police to enter with such assistance as may be requisite, by night or by day, and by force if necessary, any such house, room or place, and to take into custody all persons whom he finds therein, and to seize all scenery, dresses and other articles found therein and reasonably suspected to have been used, or to be intended to be used, for the purpose of such performance.

Saving of prosecutions under Penal Code, sections 124A and 294.

9. No conviction under this Act shall bar a prosecution under section 124A or section 294 of the Indian Penal Code.

Power to prohibit dramatic performances in any local area, except under license.

10. Whenever it appears to the Local Government that the provisions of this section are required in any local area, it may, with the sanction of the Governor General in Council, declare, by notification in the local official Gazette, that such provisions are applied to such area from a day to be fixed in the notification.

On and after that day, the Local Government may order that no dramatic performance shall take place in any place of public entertainment within such area, except under a license to be granted by such Local Government, or such officer as it may specially empower in this behalf.

The Local Government may also order that no dramatic performance shall take place in any place of public entertainment within such area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is in pantomime, has been furnished, not less than three days before the performance, to the Local Government, or to such officer as it may appoint in this behalf.

A copy of any order under this section may be served on any keeper of a place of public entertainment, and if thereafter he does, or willingly permits, any act in disobedience to such order, he shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

Powers exercisable by Governor General.

11. The powers conferred by this Act on the Local Government may be exercised also by the Governor General in Council.

Exclusion of performances at religious festivals.

12. Nothing in this Act applies to any *jātras* or performances of a like kind at religious festivals.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th December 1876, and is hereby promulgated for general information:—

ACT No. XX OF 1876.

An Act to give better effect to certain agreements with the Thákur of Bhaunagar.

Preamble.

WHEREAS the villages mentioned in the Schedule hereto annexed (hereinafter called the Scheduled villages) are the property of the Thákur of Bhaunagar, and were by the Treaty of Bassein dated the thirty-first day of December 1802, separated from the Native State or States known as the territory of Káthiáwár and ceded to the British Government:

And whereas, by Regulation VI of 1816 of the Governor of Bombay in Council, the Regulations in force throughout the Presidency of Bombay were extended to the said villages, and such villages thereby became subject to the jurisdiction of the Revenue, Civil and Criminal Courts established in that Presidency:

And whereas the said Thákur of Bhaunagar is also the proprietor of divers villages, forming part of the said Territory, and hereinafter called the Káthiáwár villages:

And whereas the British Government have exercised certain powers of Government over the said territory, but such territory has never been treated as being British territory, nor as having been vested in the East India Company, nor in Her Majesty the Queen of Great Britain and Ireland and Empress of India, and the said Káthiáwár villages have consequently never been subject to the laws in force in the Presidency of Bombay:

And whereas in the year 1820 the British Government established a Political Agency for the said territory of Káthiáwár:

And whereas in the year 1857 the said Thákur was, by an order of the British Government, invested in respect of the same villages with certain powers of sovereignty limited by and subject to the rules laid down for the government and conduct of the said Káthiáwár Political Agency:

And whereas for divers reasons of State affecting the welfare of British India, the British Government became desirous of ceding to the Thákur of Bhaunagar the Scheduled villages, to be held by him on the same conditions as those on which he holds the Káthiáwár villages, and for that purpose certain agreements were made and certain notifications published which were intended to operate as a cession of the Scheduled villages:

And whereas on the twenty-ninth day of January 1866, the Governor of Bombay in Council published a notification declaring that, in accordance with the agreement last hereinbefore recited, the Scheduled villages were from and after the first day of February 1866, removed from the jurisdiction of the Revenue, Civil and Criminal Courts of the Bombay Presidency and transferred to the supervision of the said Political Agency in Káthiáwár on the same conditions as to jurisdiction as the said Káthiáwár villages:

And whereas the intention of the said agreements and notifications was that the villages comprised therein should be ceded to and vested in the Thákur of Bhaunagar, to be held by him on the terms on which he holds the Káthiáwár villages:

And whereas ever since the first day of February 1866, the Scheduled villages have been governed according to the intention of the said agreements, and acts of executive authority have been done, proceedings taken and decrees and sentences passed by the Thákur of Bhaunagar and his officers, and by the officers of the said Political Agency, and by the Courts of Justice appointed to exercise jurisdiction within the limits of the said Political Agency:

And whereas it now appears that such agreements and notifications were not worded so as to express their true intention, and that the Scheduled villages did not thereby cease to be British territory, or to be subject to the laws in force in the Presidency of Bombay:

And whereas by a notification, dated the fifth day of December 1876, after reciting to the effect above recited, and reciting that the Secretary of State for India, had on behalf of Her Majesty the Queen of Great Britain and Empress of India, given his sanction to the cession intended to be thereby effected, the Governor General in Council, with the sanction aforesaid, did thereby cede and grant to the said Thákur of Bhaunagar, his heirs and successors, the said Scheduled villages, to hold the same unto the said Thákur his heirs and successors, on the terms and subject to the rules on and subject to which he holds the said Káthiáwár villages: but it was thereby provided that, in case the said Thákur his heirs or successors should commit, any acts of misgovernment which, in the opinion of the Governor General in Council, rendered it inexpedient that the said Thákur his heirs and successors should continue to hold the said Scheduled villages, the Governor General in Council might resume the villages thereby ceded and reannex the same to Her Majesty's dominions:

And whereas it is expedient (so far as relates to any past or future proceedings in British India) to ratify the aforesaid acts, proceedings and sentences of the Thákur of Bhaunagar and the officers and Courts aforesaid, and to indemnify the said Thákur and officers against any liability in respect thereof, and to provide that no title to property shall be disturbed by any act, proceeding or sentence of any other authority; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Bhaunagar Act, 1876:"

Local extent.

It extends only to British India;

Commencement.

And it shall come into force at once.

Scheduled villages excluded from jurisdiction of Bombay Courts.

2. The said Scheduled villages shall be deemed to have been, on and after the said first day of February 1866, excluded from the jurisdiction of the Revenue, Civil and Criminal Courts of the Bombay Presidency.

Validation of acts done after 1st February 1866.

3. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed subsequently to the first day of February 1866, and which would have been valid if the Scheduled villages had been ceded according to the intention of the said agreements and notification, shall be as valid and operative in British India as if such cession had actually been effected;

Bar of suits.

and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that the Scheduled villages did not cease to be British territory on the first day of February 1866.

Saving of personal jurisdiction of Courts of British India.

4. Nothing in this Act shall affect any jurisdiction which any Court of Justice in British India may for the time being be entitled to exercise over persons resident or being beyond the limits of British India.

SCHEDULE.

Bhaunagar Taluqa.

Bhaunagar.	Málanka.	Háthab.
Wadwá.	Bhutesar.	Khadsuliu.
Ruhá.	Bhumlí.	Bhadbadiu.
Akwárá.	Ratanpur Juná.	Alápur.
Adhiwárá.	Ratanpur Nuwá.	Thalsar.
Tarsamía.	Koliak.	Lákhanka.
Jasparáa.	Kobri.	Sultánpur.
Phulsar.	Bhurí.	Wávri.
Karmadiu.	Bhundariu.	Rámpura.
Surká.	Churi.	Bhenswari. } *waste.*
Tarak Pálrí.	Sánkrásar.	Jhánjrá. }
Nárí.	Bhádole.	
Budhel.	Nágdhaníba.	

Sihór Taluqa.

Sihór.	Ratanpur *near* Táná.	Rájpura.
Usrad.	Wadiu.	Khakhriu.
Agiáli.	Waláwad.	Kardej.
Táná.	Megwadar.	Surká.
Bordi.	Ghángli.	Jámbálu.
Kájáwadar.	Nesra.	Kuchotia *(waste)*.
	Chirora *(waste)*.	

New Villages.

Gundi.	Trápaj.	Píthalpur.
Mándwá.	Bapárá.	Khántarí.
Sosiá.	Pánchpíplá.	Deogána.
Paniálí.	Rájpura.	Thordí.
	Khadarpur Mitiverdi.	

Inám Villages.

Wartej.	Sámpura.	Sodwadra.
Sidhsar.	Phariádku.	Sedhawadar.
	Kálví (*waste*).	

DHANDUKA PARGANA.

Pátna Taluqa.

Pátna.	Kánutalao.	Dantretía.
Bharbír.	Ratanwau.	Samandiála.
Chakampur.	Keriá.	Kariání.
Sarwui.	Jamrála.	Láthídhar.
Jhinjhawadar.	Ujalwau.	Weláwadar.
Pátí.	Jotingra.	Vírdhi *or* Rájghar.
Keria *near* Pátí.	Shírthali.	Sajelí.
Bhámbhan.	Dhíkwáli.	Oteriá.
Samandeála, 2.	Wajelí.	Sándherá.
Tájpur.	Lundrá.	Nágalpur.
	Málpur.	

RANPUR PARGANA.

Botád Taluqa.

Botád.	Dánkniá.	Kániád.
Hardar.	Khankóí.	Rájpura.
Sírwániu.	Turkhá.	Juriá.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 17th December 1876, and is hereby promulgated for general information :—

ACT No. XXI OF 1876.

An Act to amend the Land Improvement Act, 1871.

WHEREAS doubts have arisen as to the effect of certain provisions of the Land Improvement Act, 1871, and it is expedient, with a view to removing such doubts, to amend the said Act; It is hereby enacted as follows :— Preamble.

1. This Act extends to the whole of British India : Local extent.

It shall be read with, and taken as part of, the said Land Improvement Act, 1871, and it shall be deemed to have come into force on the twenty-eighth day of September 1871, being the day on which the said Act came into force. Construction. Commencement.

2. The definition of "improvement" in section one of the said Act includes works for the storage, supply or distribution of water for the use of men and cattle employed in agriculture. Definition of "improvement" explained.

3. To section fourteen of the said Act the following clause shall be added (namely)— Amendment of Act XXVI of 1871, section 14.

"(*e*). If such security consists of a charge upon land, the position, extent and boundaries of such land."

4. Section fifteen of the said Act is repealed, and instead thereof the following section shall be substituted :— Amendment of Act XXVI of 1871, section 15.

"15. All sums advanced under this Act shall, when they become due, be recoverable in all or any of the following ways :—

(*a*) from the borrower, as if they were arrears of land-revenue due from him :

(*b*) from the surety (if any), as if they were arrears of land-revenue due from him :

(*c*) out of the land to be improved, as if they were arrears of land-revenue due on account of such land :

(*d*) out of the property comprised in the collateral security (if any), according to the terms of such security :

Provided—

(*e*) that if the borrower is the landlord, any proprietary or cultivating interest which a tenant may have in the land to be improved shall not, unless the tenant has given such interest as collateral security for the advance, be liable to sale for the recovery of such advance :

(*f*) that if the borrower is such a tenant as is mentioned in section seven, the landlord's interest in the land to be improved shall not be liable to sale for the recovery of the advance :

(*g*) and if the advance is recovered from the surety or out of his property, to the exoneration of the borrower or of the land to be improved, the surety shall have the same rights against the borrower and the land to be improved, as the Government had when the advance was due, and may enforce such rights by ordinary process of law."

5. The Local Government may authorize the Collector (as defined in the said Act) to delegate to any officer subordinate to him such of his powers under the said Act as the Local Government may from time to time prescribe. Power to authorize Collector to delegate certain powers.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 17th December 1876, and is hereby promulgated for general information :—

ACT No. XXII OF 1876.

An Act to provide for the management of the Public Museum at Calcutta.

WHEREAS, by Act No. XVII of 1866, reciting that it was expedient to provide for the establishment of a Public Museum at Calcutta, to be called the Indian Museum, it was enacted that the Governor General in Council should cause to be erected at the expense of the Government of India a suitable building in Calcutta, to be devoted in part to collections illustrative of Indian Archæology and of the several branches of Natural History, in part to the preservation and exhibition of other objects of interest, whether historical, physical or Preamble.

economical, in part to the records and offices of the Geological Survey of India, and in part to the fit accommodation of the Asiatic Society of Bengal and to the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that the Government of India should keep the said building in repair and pay and defray the salaries, allowances and pensions of the officers and servants, and all other expenses connected with the said Museum; and by the Act now in recital certain officials and other persons therein mentioned or referred to, to the number of thirteen, and their successors, were constituted a Body Corporate by the name of the Trustees of the Indian Museum, and the said Trustees were empowered to receive bequests, donations and subscriptions, and to deal with the same in the manner therein mentioned for the purposes of their trusts therein mentioned; and it was also enacted that the said Trustees should have the exclusive possession, occupation and control, for the purposes of such trusts, of the said building, other than those portions thereof which, upon its completion, should be set apart by the said Trustees for the records and offices of the said Geological Survey and for the accommodation of the said Asiatic Society and the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that all officers and servants, salaried or otherwise, employed in the care or management of the trust-property, should be appointed, and might be removed or suspended, by the said Trustees, subject to such regulations and conditions as the said Trustees should think proper; and it was also enacted that the Council of the said Asiatic Society should cause the collections belonging to such Society, and illustrative of Indian Archæology and the several branches of Natural History, and all additions that might be made thereto, to be removed to and deposited in the said building at the expense of the Government of India as soon as the same should be completed so far as to be in a condition to receive the said collections, and that an inventory of the articles in such collections should be made by the said Society, one copy whereof was to be signed by the said Trustees and kept by the said Society, and another copy was to be signed by the said Society and kept by the said Trustees, and that the said Society should continue to have the same exclusive property in and control over their said library, manuscripts, maps, coins, busts, pictures and engravings which they then possessed, and that the Council of the said Society should have the exclusive possession, occupation and control, for the purposes of the said Society, of those portions of the said building which should be set apart for the accommodation of the said Society and the reception of their Library and other property thereinbefore mentioned;

And whereas the Government of India has caused the said building to be erected, and the Council of the said Society has caused the said collections belonging to the same Society to be removed to and deposited in the said building at the expense of the Government of India; and an inventory of the articles in such collections has been made by the said Society, one copy whereof has been signed by the said Trustees and delivered to the said Society, and another copy has been signed by the Council of the said Society and delivered to the said Trustees

And whereas the said Trustees have, in pursuance of the said Act, set apart certain portions of the said building for the said records and offices of the Geological Survey of India;

And whereas, in consideration of a sum of one hundred and fifty thousand rupees paid to them by the Government of India, the Council of the said Society has relinquished the exclusive possession, occupation and control secured to them by the said Act, of the portions of the said building which, under the said Act, were to be set apart for the accommodation of the said Society and the reception of their said Library and other property;

And whereas it is expedient to alter the constitution of the said Body Corporate and to amend the law relating to the appointment and salaries of the said officers :

And whereas under the circumstances aforesaid it is expedient to repeal the said Act, and to re-enact it with the modifications hereinafter appearing; It is hereby enacted as follows :—

Preliminary.

1. This Act may be called "The Indian Museum Act, 1876." Short title.

2. Act No. XVII of 1866 (*to provide for the establishment of a Public Museum at Calcutta*) shall be repealed. But all persons nominated under the said Act as Trustees of the Indian Museum, and all officers and servants appointed under the same Act and now holding office, shall be deemed to have been respectively nominated and appointed under this Act. Repeal of Act No. XVII of 1866.

Incorporation of the Trustees.

3. The Trustees of the said Indian Museum shall be— Trustees of the Indian Museum incorporated.

such Secretary to the Government of India as the Governor General in Council from time to time directs in this behalf,

the Accountant General,

five other persons to be nominated by the Governor General of India in Council,

the President of the Asiatic Society of Bengal and four other Members of the Council of the said Society for the time being, to be nominated by the Council of the said Society,

the Superintendent of the Geological Survey of India,

and three other persons to be elected by the Trustees for the time being and appointed under their common seal;

and such Trustees and their successors shall, subject to the provisions hereinafter contained, be and are hereby constituted a Body Corporate by the name of the "Trustees of the Indian Museum," and shall have a common seal, and by such name shall have perpetual succession; and all the powers of the said Corporation may be exercised so long and so often as there shall exist seven Members thereof.

4. The persons for the time being holding the offices respectively mentioned in section three shall be *ex officio* Members of the said Body Corporate, *Ex officio* Members.

and shall cease to be such Members respectively upon ceasing to hold the said offices respectively.

Provided that, whenever the said Secretary to the Government of India, Accountant General or Superintendent of the Geological Survey of India is also the President of the said Society, the Council of the said Society may nominate any other person, being a Member of the said Society, to be a Trustee under this Act so long as such Presidency is held by the said Secretary, Accountant General or Superintendent.

5. If any of the said Trustees for the time being dies or is absent from India for more than twelve consecutive months, or desires to be discharged, or refuses or becomes incapable to act, or not having been an *ex officio* Member of the said Body Corporate becomes such, or if any of the Trustees to be nominated by the Council of the said Society ceases to be a Member of such Council, then and in every such case the authority which appoints the Trustee so dying, being absent from India, desiring to be discharged, refusing or becoming incapable to act, or becoming an *ex officio* Member as aforesaid, or ceasing to be such Member of Council as aforesaid, may appoint a new Trustee in his place according to the provisions of section three,

Power to appoint new Trustees.

and every Trustee so appointed shall thereupon become and be a Member of the said Body Corporate as fully and effectually as if he had been hereby constituted a Trustee.

Powers of the Trustees.

6. It shall be lawful for the said Trustees (*a*) to receive bequests, donations and subscriptions of land, buildings, money and any such objects of interest as aforesaid, and (*b*) to hold the same and to lay out such money for the maintenance, improvement and enlargement of the collections deposited in, presented to, or purchased for, the said Indian Museum, and otherwise for the purposes of the same Museum;

Trustees empowered to receive bequests, donations and subscriptions.

and all such collections shall become the property of the said Trustees for the purposes of their trusts herein mentioned;

and the said Trustees shall have the exclusive possession, occupation and control, for the purposes of such trusts, of the whole of the said building, other than those portions thereof which have been set apart by the said Trustees for the records and offices of the Geological Survey of India.

7. The said Trustees may from time to time make bye-laws consistent with this Act—

Power to Trustees to make bye-laws.

(*a*) for the management of the said Museum;

(*b*) for the summoning, holding and adjournment of General and Special Meetings of the said Trustees;

(*c*) for securing their attendance at such meetings;

(*d*) for the provision and keeping of minute-books and account-books;

(*e*) for the compiling of catalogues, and

(*f*) for all other purposes necessary for the execution of their trusts.

8. Subject to such regulations and conditions as the Trustees think fit, they shall appoint, and may remove or suspend, all officers and servants, salaried or otherwise, employed in the care or management of the trust-property: provided—

Power to Trustees to appoint officers and servants.

(*a*) that no officer be appointed without the approval of the Governor General in Council if such officer be, at the date of his appointment, in India, or without the approval of the Secretary of State for India in Council if such officer be not then in India;

(*b*) that no new office be created, and no salaries of officers be altered, without the previous sanction of the Governor General in Council.

9. The said Trustees may from time to time order any duplicates of printed books, medals, coins, specimens of Natural History or other curiosities deposited in the Indian Museum to be exchanged for manuscripts, books or other objects of interest, or direct any such duplicates to be sold and the money to arise from such sale to be laid out in the purchase of manuscripts, books, maps, medals, coins, specimens of Natural History or other curiosities that may be proper for the said Museum.

Trustees may exchange or sell duplicates.

10. At all meetings of the said Trustees three shall be a quorum for the transaction of business and for the exercise of any of the powers conferred upon them by this Act.

Quorum.

Duties of the Trustees.

11. The said Trustees shall furnish to the Government of India, on or before the first day of December in each year, a report of their several proceedings for the past twelve months, and further shall furnish, on or before the same day in each year, to such Auditor as the Governor General in Council appoints in this behalf, accounts of all moneys expended by the Trustees during the past twelve months, supported by the necessary vouchers.

Trustees shall furnish annual reports and accounts.

The said Trustees shall cause such report and accounts to be annually published for general information.

12. The said Trustees shall cause every article in the said collections belonging to the Asiatic Society, and all additions that may hereafter be made thereto otherwise than by purchase under section six, to be marked and numbered, and (subject to the provisions contained in sections nine and fifteen) to be kept and preserved in the said Indian Museum with such marks and numbers; and an inventory of such additions shall be made by the said Society, one copy whereof shall be signed by the said Trustees and delivered to the said Society, and another copy shall be signed by the Council of the said Society and delivered to the said Trustees, and shall be kept by them along with the inventory already delivered to the said Trustees as aforesaid.

Collections of Asiatic Society to be kept distinguished in the Museum.

13. All objects taken in exchange under section nine for, and all moneys payable on sale under the same section of, any of such articles, shall be held on trusts and subject to powers and declarations corresponding as nearly as may be with the trusts, powers and declarations by this Act limited and declared concerning the same articles.

Articles received in exchange and moneys paid on sale to be held on trust.

Miscellaneous.

14. All officers and servants appointed under this Act shall be considered public servants within the meaning of the Indian Penal Code; and so far as regards their salaries, allowances and pensions and their leave of absence from duty, they shall be subject to the rules for the time being applicable to uncovenanted civil servants of the Government of India.

Officers under Act to be public servants.

Their salaries, pensions and leave.

15. In the event of the trust hereby constituted being determined, all collections then in the said Indian Museum, other than those next hereinafter mentioned, shall become the property of the Government of India, and the collections and additions mentioned in section twelve shall become the property of the said Society or their assigns.

In case of determination of trust, Asiatic Society may reclaim their collections.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 19th December 1876, and is hereby promulgated for general information:—

ACT NO. XXIII OF 1876.

THE OPIUM ACT, 1876.

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   Commencement.
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   Amendment of Act No. VII of 1836, s. 1.
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4. Import of opium.
5. Export of opium.
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7. Warehousing opium.
8. Power to make rules as to poppy-cultivation, opium, &c.
9. Prohibition of poppy-cultivation and possession, &c., of opium.
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21. Report of arrests and seizures.
22. Procedure in case of illegal poppy-cultivation.
23. Recovery of arrears of taxes and opium-revenue.

SCHEDULE.

An Act to amend the law relating to Opium.

WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Preamble.

1. This Act may be called "The Opium Act, 1876:"

Short title.

It extends to the whole of British India;

Local extent.

And it shall come into force on the first day of April 1877.

Commencement.

2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Repeal of enactments.

And in Acts No. XI of 1849, No. XXI of 1856, and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Acts.

The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Amendment of Act VII of 1836, s. 1.

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

Interpretation-clause.

"Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Opium."

"Magistrate" means, in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class or (when specially empowered by the Local Government to try cases under this Act) a Magistrate of the second class.

"Magistrate."

4. No opium shall be imported, by land or by sea, into any part of British India unless—

Import of opium.

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875, or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(*c*) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the import of opium, or of any kind of opium, by land, into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Export of opium.

5. No opium shall be exported by land or by sea from any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(*b*) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or

(*c*) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the export of opium, by land or by sea, from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Customs laws applied to opium.

6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land.

Warehousing opium.

7. The Governor General in Council may, by order notified in the *Gazette of India*,

(*a*) authorize any Local Government to establish warehouses for opium legally imported into, or intended to be exported from, the territories subject to such Local Government, and

(*b*) cancel any such order.

So long as such order remains in force, the Local Government may, by notification published in the official Gazette,

(*c*) declare any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence, and

(*d*) cancel any such declaration.

An order under clause (*b*) shall cancel all previous declarations under clause (*c*) of this section relating to places in the territories to which such order referred.

So long as such declaration remains in force, the owner of all such opium shall be bound to deposit it in such warehouse.

Power to make rules as to poppy-cultivation, opium, &c.

8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit, within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

(*a*) the cultivation of the poppy;

(*b*) the manufacture of opium;

(*c*) the possession of opium;

(*d*) the transport of opium from one place to another within British India;

(*e*) the importation or exportation of opium into or out of British India;

(*f*) the sale of opium;

and to regulate, within the whole or any specified part of such territories, all or any of the matters aforesaid, and also

(*g*) the safe custody of opium warehoused under section seven; the levy of fees for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty leviable on it be not paid within twelve months from the date of warehousing the same;

(*h*) the disposal of all things confiscated under this Act;

(*i*) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Such rules shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction shall be published in the local official Gazette, and shall thereupon have the force of law.

Prohibition of poppy-cultivation and possession, &c., of opium.

9. Unless in accordance with this Act, or with any other enactment relating to opium for the time being in force, or with rules framed under this Act, no one shall—

(*a*) cultivate the poppy;

(*b*) manufacture opium;

(*c*) possess opium;

(*d*) transport opium from one place to another within British India;

(*e*) import or export opium into or out of British India; or

(*f*) sell opium.

Penalty for illegal cultivation of poppy, &c.

10. Whoever, in contravention of this Act, or of rules made and published under section eight,

(*a*) cultivates the poppy, or

(*b*) manufactures opium, or

(*c*) possesses opium, or

(*d*) omits to warehouse opium when bound to do so under section seven, or

(*e*) transports opium from one place to another within British India, or

(*f*) imports or exports opium into or out of British India, or

(*g*) sells opium, or otherwise contravenes the said rules relating to sales,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term

which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

Presumption as to opium.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Confiscation of opium.

12. In any case in which an offence under section ten has been committed—

(*a*) the poppy so cultivated;

(*b*) the opium in respect of which any offence under the same section has been committed;

(*c*) where, in the case of an offence under clause (*e*) or (*f*) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting;

(*d*) where, in the case of an offence under clause (*g*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and

(*e*) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it,

shall be liable to confiscation.

Order of confiscation by whom to be made.

13. When the offender is convicted, or when the person charged with an offence in respect of any opium is acquitted, but the Magistrate decides that the opium is liable to confiscation, such confiscation may be ordered by the Magistrate.

Whenever confiscation is authorised by this Act, the officer adjudging it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the officer thinks fit.

When an offence against this Act has been committed, but the offender is not known or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

Power to enter, arrest and search on information that opium is unlawfully kept in any enclosed place.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf, and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

(*a*) enter into any such building, vessel or place;

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry;

(*c*) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(*d*) detain and search, and if he think proper arrest, any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Power to seize opium in open places.

15. Any officer of any of the said departments may

(*a*) seize in any open place, or in transit, any opium or other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

(*b*) detain and search any person whom he has reason to believe to be guilty of any offence against this or any other such law, and, if such person has opium in his possession, arrest him and any other persons in his company.

Power to detain, search and arrest.

Searches how made.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

Officers to assist each other.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Vexatious entries, searches, seizures and arrests.

18. Any officer of any of the said departments who, without reasonable ground of suspicion, enters or searches, or causes to be entered or searched, any building, vessel or place

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

Issue of warrants.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally, or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

Disposal of person arrested or thing seized.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police-station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

Report of arrests and seizures.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Procedure in case of illegal poppy-cultivation.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Provided that, wherever Act No. XIII of 1857 *(An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal)* or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

Recovery of arrears of taxes and opium-revenue.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkári Revenue of Calcutta	In section 5, the word "opium."
		In section 6, the word "opium" and the last thirty-one words.
		In section 15, from and including the words "except in the case", to the end of the section.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *continued.*

Number and year.	Subject	Extent of repeal.
		In section 33, from and including the words "except opium" down to and including the words "each seer;" and the words "or in the case of opium as aforesaid, a reward of one rupee eight annas for each seer."
Act III of 1852.	Spirituous liquors, Bombay ...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkári Act ...	In section 28, the word "opium."
		Sections 34, 51, 52, 53 and 87.
		In section 35, the words "or opium."
		In section 49, the words "except opium."
		Section 59, so far as it relates to opium.
		In section 75, the words "except opium" and from and including the words "opium seized," down to the end.
		In section 76, from and including the words "except opium," down to and including the words "each seer;" and from and including the words "or, in," down to and including the words "each seer."
		In paragraph 8 of section 90, the words "and opium."

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *continued.*

Number and year.	Subject.	Extent of repeal.
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.
Act X of 1871	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium."
		Sections 18, 65, 66, 67 and 87.
		In section 19, the words "or opium."
		Section 46, so far as it relates to opium.
		In section 46, paragraph 3, from and including the words "as well as," down to and including the words "dealings in opium."
		In section 63, the words "except opium."
		In section 78, the words "except opium," and paragraph 2.
		In section 79, from and including the words "except opium," down to and including the words "each ser," and from and including the words "or in," down to and including the words "each ser."

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *concluded.*

Number and year.	Subject.	Extent of repeal.
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827	Duty on opium	The preamble, from and including the words "with the combined," down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 13, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 19th December 1876, and is hereby promulgated for general information :—

ACT No. XXIII OF 1876.

THE OPIUM ACT, 1876.

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PREAMBLE.

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1. Short title.
   Local extent.
   Commencement.
2. Repeal of enactments.
   Amendment of Act No. VII of 1836, s. 1.
3. Interpretation-clause.
4. Import of opium.
5. Export of opium.
6. Customs laws applied to opium.
7. Warehousing opium.
8. Power to make rules as to poppy-cultivation, opium, &c.
9. Prohibition of poppy-cultivation and possession, &c., of opium.
10. Penalty for illegal cultivation of poppy, &c.
11. Presumption as to opium.
12. Confiscation of opium.
13. Order of confiscation by whom to be made.
14. Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.
15. Power to seize opium in open places.
    Power to detain, search and arrest.
16. Searches how made.
17. Officers to assist each other.
18. Vexatious entries, searches, seizures and arrests.
19. Idem.
20. Disposal of person arrested or thing seized.
21. Report of arrests and seizures.
22. Procedure in case of illegal poppy-cultivation.
23. Recovery of arrears of taxes and opium-revenue.

SCHEDULE.

An Act to amend the law relating to Opium.

WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows :—

Preamble.

1. This Act may be called "The Opium Act, 1876:"

Short title.

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force on the first day of April 1877.

2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Repeal of enactments.

And in Acts No. XI of 1849, No. XXI of 1856, and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Acts.

The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Amendment of Act VII of 1836, s. 1.

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

Interpretation-clause.

"Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy :

"Opium."

"Magistrate" means, in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class or (when

"Magistrate."

specially empowered by the Local Government to try cases under this Act) a Magistrate of the second class.

Import of opium.

4. No opium shall be imported, by land or by sea, into any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875, or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(*c*) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the import of opium, or of any kind of opium, by land, into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Export of opium.

5. No opium shall be exported by land or by sea from any part of British India unless—

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(*b*) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or

(*c*) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the export of opium, by land or by sea, from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Customs laws applied to opium.

6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land.

Warehousing opium.

7. The Governor General in Council may, by order notified in the *Gazette of India*,

(*a*) authorize any Local Government to establish warehouses for opium legally imported into, or intended to be exported from, the territories subject to such Local Government, and

(*b*) cancel any such order.

So long as such order remains in force, the Local Government may, by notification published in the official Gazette,

(*c*) declare any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence, and

(*d*) cancel any such declaration.

An order under clause (*b*) shall cancel all previous declarations under clause (*c*) of this section relating to places in the territories to which such order referred.

So long as such declaration remains in force, the owner of all such opium shall be bound to deposit it in such warehouse.

Power to make rules as to poppy-cultivation, opium, &c.

8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit, within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

(*a*) the cultivation of the poppy;

(*b*) the manufacture of opium;

(*c*) the possession of opium;

(*d*) the transport of opium from one place to another within British India;

(*e*) the importation or exportation of opium into or out of British India;

(*f*) the sale of opium;

and to regulate, within the whole or any specified part of such territories, all or any of the matters aforesaid, and also

(*g*) the safe custody of opium warehoused under section seven; the levy of fees for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty leviable on it be not paid within twelve months from the date of warehousing the same;

(*h*) the disposal of all things confiscated under this Act;

(*i*) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Such rules shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction shall be published in the local official Gazette, and shall thereupon have the force of law.

Prohibition of poppy-cultivation and possession, &c., of opium.

9. Unless in accordance with this Act, or with any other enactment relating to opium for the time being in force, or with rules framed under this Act, no one shall—

(*a*) cultivate the poppy;

(*b*) manufacture opium;

(*c*) possess opium;

(*d*) transport opium from one place to another within British India;

(*e*) import or export opium into or out of British India; or

(*f*) sell opium.

Penalty for illegal cultivation of poppy, &c.

10. Whoever, in contravention of this Act, or of rules made and published under section eight,

(*a*) cultivates the poppy, or

(*b*) manufactures opium, or

(*c*) possesses opium, or

(*d*) omits to warehouse opium when bound to do so under section seven, or

(*e*) transports opium from one place to another within British India, or

(*f*) imports or exports opium into or out of British India, or

(*g*) sells opium, or otherwise contravenes the said rules relating to sales,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for

a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

Presumption as to opium.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Confiscation of opium.

12. In any case in which an offence under section ten has been committed—

(*a*) the poppy so cultivated;

(*b*) the opium in respect of which any offence under the same section has been committed;

(*c*) where, in the case of an offence under clause (*e*) or (*f*) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting;

(*d*) where, in the case of an offence under clause (*g*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and

(*e*) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it,

shall be liable to confiscation.

Order of confiscation by whom to be made.

13. When the offender is convicted, or when the person charged with an offence in respect of any opium is acquitted, but the Magistrate decides that the opium is liable to confiscation, such confiscation may be ordered by the Magistrate.

Whenever confiscation is authorised by this Act, the officer adjudging it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the officer thinks fit.

When an offence against this Act has been committed, but the offender is not known or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf, and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

(*a*) enter into any such building, vessel or place;

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry;

(*c*) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(*d*) detain and search, and if he think proper arrest, any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Power to seize opium in open places.

15. Any officer of any of the said departments may

(*a*) seize in any open place, or in transit, any opium or other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

Power to detain, search and arrest.

(*b*) detain and search any person whom he has reason to believe to be guilty of any offence against this or any other such law, and, if such person has opium in his possession, arrest him and any other persons in his company.

Searches how made.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

Officers to assist each other.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Vexatious entries, searches, seizures and arrests.

18. Any officer of any of the said departments who, without reasonable ground of suspicion, enters or searches, or causes to be entered or searched, any building, vessel or place

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

Issue of warrants.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

Disposal of person arrested or thing seized.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police-station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

Report of arrests and seizures.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Procedure in case of illegal poppy-cultivation.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Provided that, wherever Act No. XIII of 1857 *(An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal)* or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

Recovery of arrears of taxes and opium-revenue.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkárí Revenue of Calcutta	In section 5, the word "opium." In section 6, the word "opium" and the last thirty-one words. In section 15, from and including the words "except in the case", to the end of the section.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *continued.*

Number and year.	Subject	Extent of repeal.
		In section 33, from and including the words "except opium" down to and including the words "each seer;" and the words "or in the case of opium as aforesaid, a reward of one rupee eight annas for each seer."
Act III of 1852.	Spirituous liquors, Bombay ...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkárí Act ...	In section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In section 35, the words "or opium." In section 49, the words "except opium." Section 59, so far as it relates to opium. In section 75, the words "except opium" and from and including the words "opium seized," down to the end. In section 76, from and including the words "except opium," down to and including the words "each seer;" and from and including the words "or, in," down to and including the words "each seer." In paragraph 8 of section 90, the words "and opium."

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *continued.*

Number and year.	Subject.	Extent of repeal.
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.
Act X of 1871	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium." Sections 18, 65, 66, 67 and 87. In section 19, the words "or opium." Section 46, so far as it relates to opium. In section 46, paragraph 3, from and including the words "as well as," down to and including the words "dealings in opium." In section 63, the words "except opium." In section 78, the words "except opium," and paragraph 2. In section 79, from and including the words "except opium," down to and including the words "each ser," and from and including the words "or in," down to and including the words "each ser."

ACTS OF THE GOVERNOR GENERAL IN COUNCIL — *concluded.*

Number and year.	Subject.	Extent of repeal.
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827	Duty on opium	The preamble, from and including the words "with the combined," down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th February 1877, and is hereby promulgated for general information :—

ACT I OF 1877.

THE SPECIFIC RELIEF ACT, 1877.

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SCHEDULE.—Enactments repealed.

An Act to define and amend the Law relating to certain kinds of Specific Relief.

WHEREAS it is expedient to define and amend the law relating to certain kinds of specific relief obtainable in civil suits; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Specific Relief Act, 1877:" Short title.

It extends to the whole of British India, except the Scheduled Districts as defined in Act No. XIV of 1874; Local extent.

And it shall come into force on the first day of May 1877. Commencement.

2. On and from that day the Acts specified in the schedule hereto annexed shall be repealed to the extent mentioned in its third column. Repeal of enactments.

3. In this Act, unless there be something repugnant in the subject or context,— Interpretation-clause.

'obligation' includes every duty enforceable by law: 'obligation.'

'trust' includes every species of express, implied, or constructive fiduciary ownership: 'trust.'

'trustee' includes every person holding, expressly, by implication, or constructively, a fiduciary character: 'trustee.'

Illustrations.

(*a*). Z bequeaths land to A, 'not doubting that he will pay thereout an annuity of Rs. 1,000 to B for his life.' A accepts the bequest. A is a trustee within the meaning of this Act for B to the extent of the annuity.

(*b*). A is the legal, medical, or spiritual adviser of B. By availing himself of his situation as such adviser, A gains some pecuniary advantage which might otherwise have accrued to B. A is a trustee for B within the meaning of this Act of such advantage.

(*c*). A, being B's banker, discloses for his own purpose the state of B's account. A is a trustee within the meaning of this Act for B of the benefit gained by him by means of such disclosure.

(*d*). A, the mortgagee of certain leaseholds, renews the lease in his own name. A is a trustee within the meaning of this Act of the renewed lease for those interested in the original lease.

(*e*). A, one of several partners, is employed to purchase goods for the firm. A, unknown to his co-partners, supplies them, at the market-price, with goods previously bought by himself when the price was lower, and thus makes a considerable profit. A is a trustee, for his co-partners, within the meaning of this Act of the profit so made.

(*f*). A, the manager of B's indigo factory, becomes agent for C, a vendor of indigo-seed, and receives, without B's assent, commission on the seed purchased from C for the factory. A is a trustee, within the meaning of this Act, for B, of the commission so received.

(*g*). A buys certain land with notice that B has already contracted to buy it. A is a trustee, within the meaning of this Act, for B, of the land so bought.

(*h*). A buys land from B, having notice that C is in occupation of the land. A omits to make any inquiry as to the nature of C's interest therein. A is a trustee, within the meaning of this Act, for C, to the extent of that interest.

'settlement' means any instrument (other than a will or codicil as defined by the Indian Succession Act) whereby the destination or devolution of successive interests in moveable or immoveable property is disposed of or is agreed to be disposed of: 'settlement.'

and all words occurring in this Act, which are defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively assigned to them by that Act. Words defined in Contract Act.

4. Except where it is herein otherwise expressly enacted, nothing in this Act shall be deemed— Savings.

(*a*) to give any right to relief in respect of any agreement which is not a contract;

(*b*) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; or

(*c*) to affect the operation of the Indian Registration Act on documents.

5. Specific relief is given— Specific relief how given.

(*a*) by taking possession of certain property and delivering it to a claimant;

(*b*) by ordering a party to do the very act which he is under an obligation to do;

(*c*) by preventing a party from doing that which he is under an obligation not to do;

(*d*) by determining and declaring the rights of parties otherwise than by an award of compensation; or

(*e*) by appointing a Receiver.

6. Specific relief granted under clause (*c*) of section 5 is called preventive relief. Preventive relief.

7. Specific relief cannot be granted for the mere purpose of enforcing a penal law. Relief not granted to enforce penal law.

PART II.

OF SPECIFIC RELIEF.

CHAPTER I.

OF RECOVERING POSSESSION OF PROPERTY.

(*a*).—*Possession of Immoveable Property.*

8. A person entitled to the possession of specific immoveable property may recover it in the manner prescribed by the Code of Civil Procedure. Recovery of specific immoveable property.

9. If any person is dispossessed without his consent of immoveable property otherwise than in due course of law, he or any person claiming through him may, by suit instituted within six months from the date of the dispossession, recover possession thereof, notwithstanding any other title that may be set up in such suit. Suit by person dispossessed of immoveable property.

Nothing in this section shall bar any person from suing to establish his title to such property and to recover possession thereof.

No suit under this section shall be brought against the Government.'

No appeal shall lie from any order or decree passed in any suit instituted under this section, nor shall any review of any such order or decree be allowed.

(*b*). *Possession of Moveable Property.*

10. A person entitled to the possession of specific moveable property may recover the same in the manner prescribed by the Code of Civil Procedure. Recovery of specific moveable property.

EXPLANATION 1.—A trustee may sue under this section for the possession of property to the beneficial interest in which the person for whom he is trustee is entitled.

EXPLANATION 2.—A special or temporary right to the present possession of property is sufficient to support a suit under this section.

Illustrations.

(*a*). A bequeaths land to B for his life, with remainder to C. A dies. B enters on the land, but C, without B's consent, obtains possession of the title-deeds. B may recover them from C.

(*b*). A pledges certain jewels to B to secure a loan. B disposes of them before he is entitled to do so. A, without having paid or tendered the amount of the loan, sues B for possession of the jewels. The suit should be dismissed, as A is not entitled to their possession, whatever right he may have to secure their safe custody.

(*c*). A receives a letter addressed to him by B. B gets back the letter without A's consent. A has such a property therein as entitles him to recover it from B.

(*d*). A deposits books and papers for safe custody with B. B loses them and C finds them, but refuses to deliver them to B when demanded. B may recover them from C, subject to C's right, if any, under section 168 of the Indian Contract Act, 1872.

(*e*). A, a warehouse-keeper, is charged with the delivery of certain goods to Z, which B takes out of A's possession. A may sue B for the goods.

11. Any person having the possession or control of a particular article of moveable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession, in any of the following cases:— Liability of person in possession, not as owner, to deliver to person entitled to immediate possession.

(*a*) when the thing claimed is held by the defendant as the agent or trustee of the claimant;

(*b*) when compensation in money would not afford the claimant adequate relief for the loss of the thing claimed;

(*c*) when it would be extremely difficult to ascertain the actual damage caused by its loss;

(*d*) when the possession of the thing claimed has been wrongfully transferred from the claimant.

Illustrations

of clause (*a*).—A, proceeding to Europe, leaves his furniture in charge of B as his agent during his absence. B, without A's authority, pledges the furniture to C, and C, knowing that B had no right to pledge the furniture, advertises it for sale. C may be compelled to deliver the furniture to A, for he holds it as A's trustee.

of clause (*b*).—Z has got possession of an idol belonging to A's family, and of which A is the proper custodian. Z may be compelled to deliver the idol to A.

of clause (*c*).—A is entitled to a picture by a dead painter and a pair of rare China vases. B has possession of them. The articles are of too special a character to bear an ascertainable market-value. B may be compelled to deliver them to A.

CHAPTER II.

OF THE SPECIFIC PERFORMANCE OF CONTRACTS.

(*a*). *Contracts which may be specifically enforced.*

Cases in which specific performance enforceable.

12. Except as otherwise provided in this chapter, the specific performance of any contract may in the discretion of the Court be enforced—

(*a*) when the act agreed to be done is in the performance, wholly or partly, of a trust;

(*b*) when there exists no standard for ascertaining the actual damage caused by the non-performance of the act agreed to be done;

(*c*) when the act agreed to be done is such that pecuniary compensation for its non-performance would not afford adequate relief; or

(*d*) when it is probable that pecuniary compensation cannot be got for the non-performance of the act agreed to be done.

EXPLANATION.—Unless and until the contrary is proved, the Court shall presume that the breach of a contract to transfer immoveable property cannot be adequately relieved by compensation in money, and that the breach of a contract to transfer moveable property can be thus relieved.

Illustrations

of clause (*a*).—A holds certain stock in trust for B. A wrongfully disposes of the stock. The law creates an obligation on A to restore the same quantity of stock to B, and B may enforce specific performance of this obligation.

of clause (*b*).—A agrees to buy, and B agrees to sell, a picture by a dead painter and two rare China vases. A may compel B specifically to perform this contract, for there is no standard for ascertaining the actual damage which would be caused by its non-performance.

of clause (*c*).—A contracts with B to sell him a house for Rs. 1,000. B is entitled to a decree directing A to convey the house to him, he paying the purchase-money.

In consideration of being released from certain obligations imposed on it by its Act of incorporation, a railway company contract with Z to make an archway through their railway to connect lands of Z severed by the railway, to construct a road between certain specified points, to pay a certain annual sum towards the maintenance of this road, and also to construct a siding and a wharf as specified in the contract. Z is entitled to have this contract specifically enforced, for his interest in its performance cannot be adequately compensated for by money; and the Court may appoint a proper person to superintend the construction of the archway, road, siding and wharf.

A contracts to sell, and B contracts to buy, a certain number of railway-shares of a particular description. A refuses to complete the sale. B may compel A specifically to perform this agreement, for the shares are limited in number and not always to be had in the market, and their possession carries with it the status of a shareholder, which cannot otherwise be procured.

A contracts with B to paint a picture for B, who agrees to pay therefor Rs. 1,000. The picture is painted. B is entitled to have it delivered to him on payment or tender of the Rs. 1,000.

of clause (*d*).—A transfers without endorsement, but for valuable consideration, a promissory note to B. A becomes insolvent, and C is appointed his assignee. B may compel C to endorse the note, for C has succeeded to A's liabilities, and a decree for pecuniary compensation for not endorsing the note would be fruitless.

Contracts of which the subject has partially ceased to exist.

13. Notwithstanding anything contained in section 56 of the Indian Contract Act, a contract is not wholly impossible of performance, because a portion of its subject-matter existing at its date has ceased to exist at the time of the performance.

Illustrations.

(*a*). A contracts to sell a house to B for a lákh of rupees. The day after the contract is made, the house is destroyed by a cyclone. B may be compelled to perform his part of the contract by paying the purchase-money.

(*b*). In consideration of a sum of money payable by B, A contracts to grant an annuity to B for B's life. The day after the contract has been made, B is thrown from his horse and killed. B's representative may be compelled to pay the purchase-money.

Specific performance of part of contract where part unperformed is small.

14. Where a party to a contract is unable to perform the whole of his part of it, but the part which must be left unperformed bears only a small proportion to the whole in value, and admits of compensation in money, the Court may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency.

Illustrations.

(*a*). A contracts to sell B a piece of land consisting of 100 bighás. It turns out that 98 bighás of the land belong to A, and the two remaining bighás to a stranger, who refuses to part with them. The two bighás are not necessary for the use or enjoyment of the 98 bighás, nor so important for such use or enjoyment that the loss of them may not be made good in money. A may be directed at the suit of B to convey to B the 98 bighás and to make compensation to him for not conveying the two remaining bighás; or B may be directed, at the suit of A, to pay to A on receiving the conveyance and possession of the land, the stipulated purchase-money, less a sum awarded as compensation for the deficiency.

(*b*). In a contract for the sale and purchase of a house and lands for two lákhs of rupees, it is agreed that part of the furniture should be taken at a valuation. The Court may direct specific performance of the contract notwithstanding the parties are unable to agree as to the valuation of the furniture, and may either have the furniture valued in the suit and include it in the decree for specific performance, or may confine its decree to the house.

Specific performance of part of a contract where the part unperformed is large.

15. Where a party to a contract is unable to perform the whole of his part of it, and the part which must be left unperformed forms a considerable portion of the whole, or does not admit of compensation in money, he is not entitled to obtain a decree for specific performance. But the Court may, at the suit of the other party, direct the party in default to perform specifically so much of his part of the contract as he can perform, provided that the plaintiff relinquishes all claim to further performance, and all right to compensation, either for the deficiency, or for the loss or damage sustained by him through the default of the defendant.

Illustrations.

(*a*). A contracts to sell to B a piece of land consisting of 100 bighás. It turns out that 50 bighás of the land belong to A, and the other 50 bighás to a stranger, who refuses to part with them. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the 50 bighás which belong to A, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree directing A to convey those 50 bighás to him on payment of the purchase-money.

(*b*). A contracts to sell to B an estate with a house and garden for a lákh of rupees. The garden is important for the enjoyment of the house. It turns out that A is unable to convey the garden. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the estate and house without the garden, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree, directing A to convey the house to him on payment of the purchase-money.

Specific performance of independent part of a contract.

16. When a part of a contract which, taken by itself, can and ought to be specifically performed, stands on a separate and independent footing from another part of the same contract which cannot or ought not to be specifically performed, the Court may direct specific performance of the former part.

Bar in other cases of specific performance of part of contract.

17. The Court shall not direct the specific performance of a part of a contract except in cases coming under one or other of the three last preceding sections.

Purchaser's rights against vendor with imperfect title.

18. Where a person contracts to sell or let certain property, having only an imperfect title thereto, the purchaser or lessee (except as otherwise provided by this chapter) has the following rights:—

(*a*) if the vendor or lessor has subsequently to the sale or lease acquired any interest in the property, the purchaser or lessee may compel him to make good the contract out of such interest;

(*b*) where the concurrence of other persons is necessary to validate the title, and they are bound to convey at the vendor's or lessor's request, the purchaser or lessee may compel him to procure such concurrence;

(*c*) where the vendor professes to sell unincumbered property, but the property is mortgaged for an amount not exceeding the purchase-money, and the vendor has in fact only a right to redeem it, the purchaser may compel him to redeem the mortgage and to obtain a conveyance from the mortgagee;

(*d*) where the vendor or lessor sues for specific performance of the contract, and the suit is dismissed on the ground of his imperfect title, the defendant has a right to a return of his deposit (if any) with interest thereon, to his costs of the suit, and to a lien for such deposit, interest and costs on the interest of the vendor or lessor in the property agreed to be sold or let.

Power to award compensation in certain cases.

19. Any person suing for the specific performance of a contract, may also ask for compensation for its breach, either in addition to, or in substitution for, such performance.

If in any such suit the Court decides that specific performance ought not to be granted, but that there is a contract between the parties which has been broken by the defendant and that the plaintiff is entitled to compensation for that breach, it shall award him compensation accordingly.

If in any such suit the Court decides that specific performance ought to be granted, but that it is not sufficient to satisfy the justice of the case, and that some compensation for breach of the contract should also be made to the plaintiff, it shall award him such compensation accordingly.

Compensation awarded under this section may be assessed in such manner as the Court may direct.

EXPLANATION.—The circumstance that the contract has become incapable of specific performance, does not preclude the Court from exercising the jurisdiction conferred by this section.

Illustrations

of the second paragraph:—A contracts to sell a hundred maunds of rice to B. B brings a suit to compel A to perform the contract or to pay compensation. The Court is of opinion that A has made a valid contract and has broken it, without excuse, to the injury of B, but that specific performance is not the proper remedy. It shall award to B such compensation as it deems just.

of the third paragraph:—A contracts with B to sell him a house for Rs. 1,000, the price to be paid and the possession given on the 1st January 1877. A fails to perform his part of the contract, and B brings his suit for specific performance and compensation, which is decided in his favour on the 1st January 1878. The decree may, besides ordering specific performance, award to B compensation for any loss which he has sustained by A's refusal.

of the Explanation:—A, a purchaser, sues B, his vendor, for specific performance of a contract for the sale of a patent. Before the hearing of the suit, the patent expires. The Court may award A compensation for the non-performance of the contract and may, if necessary, amend the plaint for that purpose.

A sues for the specific performance of a resolution passed by the directors of a public company, under which he was entitled to have a certain number of shares allotted to him, and for compensation for the non-performance of the resolution. All the shares had been allotted before the institution of the suit. The Court may, under this section, award A compensation for the non-performance.

Liquidation of damages not a bar to specific performance.

20. A contract, otherwise proper to be specifically enforced, may be thus enforced, though a sum be named in it as the amount to be paid in case of its breach, and the party in default is willing to pay the same.

Illustration.

A contracts to grant B an underlease of property held by A under C, and that he will apply to C for a license necessary to the validity of the underlease and that, if the license is not procured, A will pay B Rs. 10,000. A refuses to apply for the license and offers to pay B the Rs. 10,000. B is nevertheless entitled to have the contract specifically enforced if C consents to give the license.

(*b*). *Contracts which cannot be specifically enforced.*

Contracts not specifically enforceable.

21. The following contracts cannot be specifically enforced:—

(*a*) a contract for the non-performance of which compensation in money is an adequate relief;

(*b*) a contract which runs into such minute or numerous details, or which is so dependent on the personal qualifications or volition of the parties, or otherwise from its nature is such, that the Court cannot enforce specific performance of its material terms;

(*c*) a contract the terms of which the Court cannot find with reasonable certainty;

(*d*) a contract which is in its nature revocable;

(*e*) a contract made by trustees either in excess of their powers or in breach of their trust;

(*f*) a contract made by or on behalf of a corporation or public company created for special purposes, or by the promoters of such company, which is in excess of its powers;

(*g*) a contract the performance of which involves the performance of a continuous duty extending over a longer period than three years from its date;

(*h*) a contract of which a material part of the subject-matter, supposed by both parties, to exist has, before it has been made, ceased to exist.

And save as provided by the Code of Civil Procedure, no contract to refer a controversy to arbitration shall be specifically enforced; but if any person who has made such a contract and has refused to perform it, sues in respect of any subject which he has contracted to refer, the existence of such contract shall bar the suit.

Illustrations

to (*a*).—A contracts to sell, and B contracts to buy, a lákh of rupees in the four per cent. loan of the Government of India.

A contracts to sell, and B contracts to buy, 40 chests of indigo at Rs. 1,000 per chest.

In consideration of certain property having been transferred by A to B, B contracts to open a credit in A's favour to the extent of Rs. 10,000, and to honour A's drafts to that amount.

The above contracts cannot be specifically enforced, for, in the first and the second both A and B, and in the third A would be reimbursed by compensation in money.

to (*b*).—A contracts to render personal service to B:

A contracts to employ B on personal service:

A, an author, contracts with B, a publisher, to complete a literary work.

B cannot enforce specific performance of these contracts.

A contracts to buy B's business at the amount of a valuation to be made by two valuers, one to be named by A and the other by B. A and B each name a valuer, but before the valuation is made, A instructs his valuer not to proceed.

By a charter party entered into in Calcutta between A, the owner of a ship, and B, the charterer, it is agreed that the ship shall proceed to Rangoon, and there load a cargo of rice, and thence proceed to London, freight to be paid, one-third on arrival at Rangoon, and two-thirds on delivery of the cargo in London.

A lets land to B and B contracts to cultivate it in a particular manner for three years next after the date of the lease.

A and B contract that, in consideration of annual advances to be made by A, B will for three years next after the date of the contract grow particular crops on the land in his possession and deliver them to A when cut and ready for delivery.

A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B, he will paint a picture for B.

A contracts with B to execute certain works which the Court cannot superintend.

A contracts to supply B with all the goods of a certain class which B may require.

A contracts with B to take from B a lease of a certain house for a specified term, at a specified rent, "if the drawing-room is handsomely decorated," even if it is held to have so much certainty that compensation can be recovered for its breach.

A contracts to marry B.

The above contracts cannot be specifically enforced.

to (*c*).—A, the owner of a refreshment-room, contracts with B to give him accommodation there for the sale of his goods and to furnish him with the necessary appliances. A refuses to perform his contract. The case is one for compensation and not for specific performance, the amount and nature of the accommodation and appliances being undefined.

to (*d*).—A and B contract to become partners in a certain business, the contract not specifying the duration of the proposed partnership. This contract cannot be specifically performed, for, if it were so performed, either A or B might at once dissolve the partnership.

to (*e*).—A is a trustee of land with power to lease it for seven years. He enters into a contract with B to grant a lease of the land for seven years, with a covenant to renew the lease at the expiry of the term. This contract cannot be specifically enforced.

The directors of a company have power to sell the concern with the sanction of a general meeting of the shareholders. They contract to sell it without any such sanction. This contract cannot be specifically enforced.

Two trustees, A and B, empowered to sell trust-property worth a lákh of rupees, contract to sell it to C for Rs. 30,000. The contract is so disadvantageous as to be a breach of trust. C cannot enforce its specific performance.

The promoters of a company for working mines contract that the company, when formed, shall purchase certain mineral property. They take no proper precautions to ascertain the value of such property and in fact agree to pay an extravagant price therefor. They also stipulate that the vendors shall give them a bonus out of the purchase-money. This contract cannot be specifically enforced.

to (*f*).—A company existing for the sole purpose of making and working a railway, contracts for the purchase of a piece of land for the purpose of erecting a cotton-mill thereon. This contract cannot be specifically enforced.

to (*g*).—A contracts to let for twenty-one years to B the right to use such part of a certain railway made by A as was upon B's land, and that B should have a right of running carriages over the whole line on certain terms, and might require A to supply the necessary engine-power, and that A should during the term keep the whole railway in good repair. Specific performance of this contract must be refused to B.

to (*h*).—A contracts to pay an annuity to B for the lives of C and D. It turns out that, at the date of the contract, C, though supposed by A and B to be alive, was dead. The contract cannot be specifically performed.

(*c*). *Of the Discretion of the Court.*

Discretion as to decreeing specific performance.

22. The jurisdiction to decree specific performance is discretionary, and the Court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the Court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a Court of appeal.

The following are cases in which the Court may properly exercise a discretion not to decree specific performance:—

I. Where the circumstances under which the contract is made are such as to give the plaintiff an unfair advantage over the defendant, though there may be no fraud or misrepresentation on the plaintiff's part.

Illustrations.

(*a*). A, a tenant for life of certain property, assigns his interest therein to B. C contracts to buy, and B contracts to sell, that interest. Before the contract is completed, A receives a mortal injury from the effects of which he dies the day after the contract is executed. If B and C were equally ignorant or equally aware of the fact, B is entitled to specific performance of the contract. If B knew the fact, and C did not, specific performance of the contract should be refused to B.

(*b*). A contracts to sell to B the interest of C in certain stock-in-trade. It is stipulated that the sale shall stand good, even though it should turn out that C's interest is worth nothing. In fact the value of C's interest depends on the result of certain partnership-accounts, on which he is heavily in debt to his partners. This indebtedness is known to A, but not to B. Specific performance of the contract should be refused to A.

(*c*). A contracts to sell, and B contracts to buy, certain land. To protect the land from floods, it is necessary for its owner to maintain an expensive embankment. B does not know of this circumstance, and A conceals it from him. Specific performance of the contract should be refused to A.

(*d*). A's property is put up to auction. B requests C, A's attorney, to bid for him. C does this inadvertently and in good faith. The persons present seeing the vendor's attorney bidding, think that he is a mere puffer and cease to compete. The lot is knocked down to B at a low price. Specific performance of the contract should be refused to B.

II. Where the performance of the contract would involve some hardship on the defendant which he did not foresee, whereas its non-performance would involve no such hardship on the plaintiff.

Illustrations.

(*e*). A is entitled to some land under his father's will on condition that, if he sells it within twenty-five years, half the purchase-money shall go to B. A, forgetting the condition, contracts, before the expiration of the twenty-five years, to sell the land to C. Here, the enforcement of the contract would operate so harshly on A, that the Court will not compel its specific performance in favour of C.

(*f*). A and B, trustees, join their beneficiary, C, in a contract to sell the trust-estate to D, and personally agree to exonerate the estate from heavy incumbrances to which it is subject. The purchase-money is not nearly enough to discharge those incumbrances, though, at the date of the contract, the vendors believed it to be sufficient. Specific performance of the contract should be refused to D.

(*g*). A, the owner of an estate, contracts to sell it to B, and stipulates that he, A, shall not be obliged to define its boundary. The estate really comprises a valuable property not known to either to be part of it. Specific performance of the contract should be refused to B, unless he waives his claim to the unknown property.

(*h*). A contracts with B to sell him certain land, and to make a road to it from a certain railway-station. It is found afterwards that A cannot make the road without exposing himself to litigation. Specific performance of the part of the contract relating to the road should be refused to B, even though it may be held that he is entitled to specific performance of the rest with compensation for loss of the road.

(*i*). A, a lessee of mines, contracts with B, his lessor, that at any time during the continuance of the lease B may give notice of his desire to take the machinery and plant used in and about the mines, and that he shall have the articles specified in his notice delivered to him at a valuation on the expiry of the lease. Such a contract might be most injurious to the lessee's business, and specific performance of it should be refused to B.

(*j*). A contracts to buy certain land from B. The contract is silent as to access to the land. No right of way to it can be shown to exist. Specific performance of the contract should be refused to B.

(*k*). A contracts with B to buy from B's manufactory and not elsewhere all the goods of a certain class used by A in his trade. The Court cannot compel B to supply the goods, but if he does not supply them, A may be ruined, unless he is allowed to buy them elsewhere. Specific performance of the contract should be refused to B.

III. Where the plaintiff has done substantial acts or suffered losses in consequence of a contract capable of specific performance.

Illustration.

A sells land to a railway company who contract to execute certain works for his convenience. The company take the land and use it for their railway. Specific performance of the contract to execute the works should be decreed in favour of A.

(*d*). *For whom Contracts may be specifically enforced.*

Who may obtain specific performance.

23. Except as otherwise provided by this chapter, the specific performance of a contract may be obtained by—

(*a*) any party thereto;

(*b*) the representative in interest, or the principal, of any party thereto: provided that, where the learning, skill, solvency or any personal quality of such party is a material ingredient in the contract, or where the contract provides that his interest shall not be assigned, his representative in interest or his principal shall not be entitled to specific performance of the contract, unless where his part thereof has already been performed;

(*c*) where the contract is a settlement on marriage, or a compromise of doubtful rights between members of the same family, any person beneficially entitled thereunder;

(*d*) where the contract has been entered into by a tenant for life in due exercise of a power, the remainderman;

(*e*) a reversioner in possession, where the agreement is a covenant entered into with his predecessor in title and the reversioner is entitled to the benefit of such covenant;

(*f*) a reversioner in remainder, where the agreement is such a covenant, and the reversioner is entitled to the benefit thereof and will sustain material injury by reason of its breach;

(*g*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*h*) when the promoters of a public company have, before its incorporation, entered into a contract for the purposes of the company, and such contract is warranted by the terms of the incorporation, the company.

(*e*). *For whom Contracts cannot be specifically enforced.*

Personal bars to the relief.

24. Specific performance of a contract cannot be enforced in favour of a person—

(*a*) who could not recover compensation for its breach;

(*b*) who has become incapable of performing, or violates, any essential term of the contract that on his part remains to be performed; or

(*c*) who has already chosen his remedy and obtained satisfaction for the alleged breach of contract;

(*d*) who, previously to the contract had notice that a settlement of the subject-matter thereof, (though not founded on any valuable consideration) had been made and was then in force.

Illustrations

to clause (*a*).—A, in the character of agent for B, enters into an agreement with C to buy C's house. A is in reality acting, not as agent for B, but on his own account. A cannot enforce specific performance of this contract.

to clause (*b*).—A contracts to sell B a house and to become tenant thereof for a term of fourteen years from the date of the sale at a specified yearly rent. A becomes insolvent. Neither he nor his assignee can enforce specific performance of the contract.

A contracts to sell B a house and garden in which there are ornamental trees, a material element in the value of the property as a residence. A, without B's consent, fells the trees. A cannot enforce specific performance of the contract.

A, holding land under a contract with B for a lease, commits waste, or treats the land in an unhusbandlike manner. A cannot enforce specific performance of the contract.

A contracts to let, and B contracts to take, an unfinished house, B contracting to finish the house and the lease to contain covenants on the part of A to keep the house in repair. B finishes the house in a very defective manner: he cannot enforce the contract specifically, though A and B may sue each other for compensation for breach of it.

to clause (*c*).—A contracts to let, and B contracts to take, a house for a specified term at a specified rent. B refuses to perform the contract. A thereupon sues for, and obtains, compensation for the breach. A cannot obtain specific performance of the contract.

Contracts to sell property by one who has no title, or who is a voluntary settler.

25. A contract for the sale or letting of property, whether moveable or immoveable, cannot be specifically enforced in favour of a vendor or lessor—

(*a*) who, knowing himself not to have any title to the property, has contracted to sell or let the same;

(*b*) who, though he entered into the contract believing that he had a good title to the property, cannot at the time fixed by the parties or by the Court for the completion of the sale or letting, give the purchaser or lessee a title free from reasonable doubt;

(*c*) who, previous to entering into the contract, has made a settlement (though not founded on any valuable consideration) of the subject-matter of the contract.

Illustrations.

(*a*). A, without C's authority, contracts to sell to B an estate which A knows to belong to C. A cannot enforce specific performance of this contract, even though C is willing to confirm it.

(*b*). A bequeaths his land to trustees, declaring that they may sell it with the consent in writing of B. B gives a general prospective assent in writing to any sale which the trustees may make. The trustees then enter into a contract with C to sell him the land. C refuses to carry out the contract. The trustees cannot specifically enforce this contract, as, in the absence of B's consent to the particular sale to C, the title which they can give C is, as the law stands, not free from reasonable doubt.

(*c*). A, being in possession of certain land, contracts to sell it to Z. On enquiry it turns out that A claims the land as heir of B, who left the country several years before, and is generally believed to be dead, but of whose death there is no sufficient proof. A cannot compel Z specifically to perform the contract.

(*d*). A, out of natural love and affection, makes a settlement of certain property on his brothers and their issue, and afterwards enters into a contract to sell the property to a stranger. A cannot enforce specific performance of this contract so as to override the settlement, and thus prejudice the interests of the persons claiming under it.

(*f*). *For whom Contracts cannot be specifically enforced except with a variation.*

Non-enforcement except with variation.

26. Where a plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation, the plaintiff cannot obtain the performance sought, except with the variation so set up, in the following cases (namely):—

(*a*) where by fraud or mistake of fact the contract of which performance is sought is in terms different from that which the defendant supposed it to be when he entered into it;

(*b*) where by fraud, mistake of fact, or surprise the defendant entered into the contract under a reasonable misapprehension as to its effect as between himself and the plaintiff;

(*c*) where the defendant, knowing the terms of the contract and understanding its effect, has entered into it relying upon some misrepresentation by the plaintiff, or upon some stipulation on the plaintiff's part, which adds to the contract, but which he refuses to fulfil;

(*d*) where the object of the parties was to produce a certain legal result, which the contract as framed is not calculated to produce;

(*e*) where the parties have, subsequently to the execution of the contract, contracted to vary it.

Illustrations.

(*a*). A, B and C sign a writing by which they purport to contract each to enter into a bond to D for Rs. 1,000. In a suit by D, to make A, B and C separately liable each to the extent of Rs. 1,000, they prove that the word 'each' was inserted by mistake; that the intention was that they should give a joint bond for Rs. 1,000. A can obtain the performance sought only with the variation thus set up.

(*b*). A sues B to compel specific performance of a contract in writing to buy a dwelling-house. B proves that he assumed that the contract included an adjoining yard, and the contract was so framed as to leave it doubtful whether the yard was so included or not. The Court will refuse to enforce the contract, except with the variation set up by B.

(*c*). A contracts in writing to let to B a wharf, together with a strip of A's land delineated in a map. Before signing the contract, B proposed orally that he should be at liberty to substitute for the strip mentioned in the contract another strip of A's land of the same dimensions, and to this A expressly assented. B then signed the written contract. A cannot obtain specific performance of the written contract, except with the variation set up by B.

(*d*). A and B enter into negotiations for the purpose of securing land to B for his life, with remainder to his issue. They execute a contract the terms of which are found to confer an absolute ownership on B. The contract so framed cannot be specifically enforced.

(*e*). A contracts in writing to let a house to B, for a certain term, at the rent of Rs. 100 per month, putting it first into tenantable repair. The house turns out to be not worth repairing, so, with B's consent, A pulls it down and erects a new house in its place: B contracting orally to pay rent at Rs. 120 per mensem. B then sues to enforce specific performance of the contract in writing. He cannot enforce it except with the variations made by the subsequent oral contract.

(*g*). *Against whom Contracts may be specifically enforced.*

Relief against parties and persons claiming under them by subsequent title.

27. Except as otherwise provided by this chapter, specific performance of a contract may be enforced against—

(*a*) either party thereto;

(*b*) any other person claiming under him by a title arising subsequently to the contract, except a transferee for value who has paid his money in good faith and without notice of the original contract;

(*c*) any person claiming under a title which, though prior to the contract and known to the plaintiff, might have been displaced by the defendant;

(*d*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*e*) when the promoters of a public company have, before its incorporation, entered into a contract, the company: provided that the company has ratified and adopted the contract and the contract is warranted by the terms of the incorporation.

Illustrations

to clause (*b*).—A contracts to convey certain land to B by a particular day. A dies intestate before that day without having conveyed the land. B may compel A's heir or other representative in interest to perform the contract specifically.

A contracts to sell certain land to B for Rs. 5,000. A afterwards conveys the land for Rs. 6,000 to C, who has notice of the original contract. B may enforce specific performance of the contract as against C.

A contracts to sell land to B for Rs. 5,000. B takes possession of the land. Afterwards A sells it to C for Rs. 6,000. C makes no enquiry of B relating to his interest in the land. B's possession is sufficient to affect C with notice of his interest, and he may enforce specific performance of the contract against C.

A contracts in consideration of Rs. 1,000, to bequeath certain of his lands to B. Immediately after the contract A dies intestate, and C takes out administration to his estate. B may enforce specific performance of the contract against C.

A contracts to sell certain land to B. Before the completion of the contract, A becomes a lunatic and C is appointed his committee. B may specifically enforce the contract against C.

to clause (*c*).—A, the tenant for life of an estate, with remainder to B, in due exercise of a power conferred by the settlement under which he is tenant for life, contracts to sell the estate to C, who has notice of the settlement. Before the sale is completed, A dies. C may enforce specific performance of the contract against B.

A and B are joint tenants of land, his undivided moiety of which either may alien in his lifetime, but which, subject to that right, devolves on the survivor. A contracts to sell his moiety to C and dies. C may enforce specific performance of the contract against B.

(*h*). *Against whom Contracts cannot be specifically enforced.*

What parties cannot be compelled to perform.

28. Specific performance of a contract cannot be enforced against a party thereto in any of the following cases:—

(*a*) if the consideration to be received by him is so grossly inadequate, with reference to the state of things existing at the date of the contract, as to be either by itself or coupled with other circumstances evidence of fraud or of undue advantage taken by the plaintiff;

(*b*) if his assent was obtained by the misrepresentation (whether wilful or innocent), concealment, circumvention, or unfair practices, of any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled;

(*c*) if his assent was given under the influence of mistake of fact, misapprehension or surprise: Provided that, when the contract provides for compensation in case of mistake, compensation may be made for a mistake within the scope of such provision and the contract may be specifically enforced in other respects if proper to be so enforced.

Illustrations

to clause (*c*).—A, one of two executors, in the erroneous belief that he had the authority of his co-executor, enters into an agreement for the sale to B of his testator's property. B cannot insist on the sale being completed.

A directs an auctioneer to sell certain land. A afterwards revokes the auctioneer's authority as to 20 bighás of this land, but the auctioneer inadvertently sells the whole to B, who has not notice of the revocation. B cannot enforce specific performance of the agreement.

(*i*). *The Effect of dismissing a Suit for Specific Performance.*

Bar of suit for breach after dismissal.

29. The dismissal of a suit for specific performance of a contract or part thereof shall bar the plaintiff's right to sue for compensation for the breach of such contract or part, as the case may be.

(*j*). *Awards and Directions to execute Settlements.*

Application of preceding sections to awards and testamentary directions to execute settlements.

30. The provisions of this chapter as to contracts shall, *mutatis mutandis*, apply to awards and to directions in a will or codicil to execute a particular settlement.

CHAPTER III.

OF THE RECTIFICATION OF INSTRUMENTS.

When instrument may be rectified.

31. When, through fraud or a mutual mistake of the parties, a contract or other instrument in writing does not truly express their intention, either party, or his representative in interest, may institute a suit to have the instrument rectified; and if the Court find it clearly proved that there has been fraud or mistake in framing the instrument, and ascertain the real intention of the parties in executing the same, the Court may in its discretion rectify the instrument, so as to express that intention, so far as this can be done without prejudice to rights acquired by third persons, in good faith and for value.

Illustrations.

(*a*). A, intending to sell to B his house and one of three godowns adjacent to it, executes a conveyance prepared by B, in which, through B's fraud, all three godowns are included. Of the two godowns which were fraudulently included, B gives one to C and lets the other to D for a rent, neither C nor D having any knowledge of the fraud. The conveyance may, as against B and C, be rectified so as to exclude from it the godown given to C; but it cannot be rectified so as to affect D's lease.

(*b*). By a marriage-settlement, A, the father of B, the intended wife, covenants with C, the intended husband, to pay to C, his executors, administrators and assigns, during A's life, an annuity of Rs. 5,000. C dies insolvent and the official assignee claims the annuity from A. The Court, on finding it clearly proved that the parties always intended that this annuity should be paid as a provision for B and her children, may rectify the settlement and decree that the assignee has no right to any part of the annuity.

Presumption as to intent of parties.

32. For the purpose of rectifying a contract in writing, the Court must be satisfied that all the parties thereto intended to make an equitable and conscientious agreement.

Principles of rectification.

33. In rectifying a written instrument, the Court may inquire what the instrument was intended to mean, and what were intended to be its legal consequences, and is not confined to the inquiry what the language of the instrument was intended to be.

Specific enforcement of rectified contract.

34. A contract in writing may be first rectified and then, if the plaintiff has so prayed in his plaint and the Court thinks fit, specifically enforced.

Illustration.

A contracts in writing to pay his attorney, B, a fixed sum in lieu of costs. The contract contains mistakes as to the name and rights of the client, which, if construed strictly, would exclude B from all rights under it. B is entitled, if the Court thinks fit, to have it rectified, and to an order for payment of the sum, as if at the time of its execution it had expressed the intention of the parties.

CHAPTER IV.

OF THE RESCISSION OF CONTRACTS.

When rescission may be adjudged.

35. Any person interested in a contract in writing may sue to have it rescinded, and such rescission may be adjudged by the Court in any of the following cases, namely:—

(*a*) where the contract is voidable or terminable by the plaintiff;

(*b*) where the contract is unlawful for [illegible] not apparent on its face, and the defendant is more to blame than the plaintiff;

(*c*) where a decree for specific performance of a contract of sale, or of a contract to [illegible], has been made, and the purchaser or lessee makes default in payment of the purchase-money or other sums which the Court has ordered him to pay.

When the purchaser or lessee is in possession of the subject-matter, and the Court finds that such possession is wrongful, the Court may also order him to pay to the vendor or lessor the rents and profits, if any, received by him as such possessor.

In the same case, the Court may by order in the suit in which the decree has been made and not complied with, rescind the contract either so far as regards the party in default, or altogether, as the justice of the case may require.

Illustrations

to (*a*).—A sells a field to B. There is a right of way over the field of which A has direct personal knowledge, but which he conceals from B. B is entitled to have the contract rescinded.

to (*b*).—A, an attorney, induces his client B, a Hindú widow, to transfer property to him for the purpose of defrauding B's creditors. Here the parties are not equally in fault, and B is entitled to have the instrument of transfer rescinded.

Rescission for mistake.

36. Rescission of a contract in writing cannot be adjudged for mere mistake, unless the party against whom it is adjudged can be restored to substantially the same position as if the contract had not been made.

Alternative prayer for rescission in suit for specific performance.

37. A plaintiff instituting a suit for the specific performance of a contract in writing may pray in the alternative that, if the contract cannot be specifically enforced, it may be rescinded and delivered up to be cancelled; and the Court, if it refuses to enforce the contract specifically, may direct it to be rescinded and delivered up accordingly.

Court may require party rescinding to do equity.

38. On adjudging the rescission of a contract, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER V.

OF THE CANCELLATION OF INSTRUMENTS.

When cancellation may be ordered.

39. Any person against whom a written instrument is void or voidable, who has reasonable apprehension that such instrument, if left outstanding, may cause him serious injury, may sue to have it adjudged void or voidable, and the Court may, in its discretion, so adjudge it and order it to be delivered up and cancelled.

If the instrument has been registered under the Indian Registration Act, the Court shall also send a copy of its decree to the officer in whose office the instrument has been so registered, and such officer shall note on the copy of the instrument contained in his books the fact of its cancellation.

Illustrations.

(*a*). A, the owner of a ship, by fraudulently representing her to be seaworthy, induces B, an underwriter, to insure her. B may obtain the cancellation of the policy.

(*b*). A conveys land to B, who bequeaths it to C and dies. Thereupon D gets possession of the land and produces a forged instrument stating that the conveyance was made to B in trust for him. C may obtain the cancellation of the forged instrument.

(*c*). A, representing that the tenants on his land were all at will, sells it to B, and conveys it to him by an instrument dated the 1st January 1877. Soon after that day, A fraudulently grants to C a lease of part of the lands dated the 1st October 1876, and procures the lease to be registered under the Indian Registration Act. B may obtain the cancellation of this lease.

(*d*). A agrees to sell and deliver a ship to B, to be paid for by B's acceptances of four bills of exchange, for sums amounting to Rs. 30,000, to be drawn by A on B. The bills are drawn and accepted, but the ship is not delivered, according to the agreement. A sues B on one of the bills. B may obtain the cancellation of all the bills.

What instruments may be partially cancelled.

40. Where an instrument is evidence of different rights or different obligations, the Court may, in a proper case, cancel it in part and allow it to stand for the residue.

Illustration.

A draws a bill on B, who endorses it to C, by whom it appears to be endorsed to D, who endorses it to E. C's endorsement is forged. C is entitled to have such endorsement cancelled, leaving the bill to stand in other respects.

Power to require party for whom instrument is cancelled to make compensation.

41. On adjudging the cancellation of an instrument, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER VI.

OF DECLARATORY DECREES.

Discretion of Court as to declarations of status or right.

42. Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the Court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief:

Bar to such declaration.

Provided that no Court shall make any such declaration where the plaintiff, being able to seek further relief than a mere declaration of title, omits to do so.

EXPLANATION.—A trustee of property is a 'person interested to deny' a title adverse to the title of some one who is not in existence, and for whom, if in existence, he would be a trustee.

Illustrations.

(*a*). A is lawfully in possession of certain land. The inhabitants of a neighbouring village claim a right of way across the land. A may sue for a declaration that they are not entitled to the right so claimed.

(*b*). A bequeaths his property to B, C and D, 'to be equally divided amongst all and each of them, if living at the time of my death, then amongst their surviving children.' No such children are in existence. In a suit against A's executor, the Court may declare whether B, C and D took the property absolutely, or only for their lives, and it may also declare the interests of the children before their rights are vested.

(*c*). A covenants that if he should at any time be entitled to property exceeding one lákh of rupees, he will settle it upon certain trusts. Before any such property accrues, or any persons entitled under the trusts are ascertained, he institutes a suit to obtain a declaration that the covenant is void for uncertainty. The Court may make the declaration.

(*d*). A alienates to B property in which A has merely a life-interest. The alienation is invalid as against C, who is entitled as reversioner. The Court may in a suit by C against A and B declare that C is so entitled.

(*e*). The widow of a soniless Hindú alienates part of the property of which she is in possession as such. The person presumptively entitled to possess the property if he survive her, may, in a suit against the alienee, obtain a declaration that the alienation was made without legal necessity and was therefore void beyond the widow's lifetime.

(*f*). A Hindú widow in possession of property adopts a son to her deceased husband. The person presumptively entitled to possession of the property on her death without a son may, in a suit against the adopted son, obtain a declaration that the adoption was invalid.

(*g*). A is in possession of certain property. B, alleging that he is the owner of the property, requires A to deliver it to him. A may obtain a declaration of his right to hold the property.

(*h*). A bequeaths property to B for his life, with remainder to B's wife and her children, if any, by B, but if B die without any wife or children, to C. B has a putative wife, D, and children, but C denies that B and D were ever lawfully married. D and her children may, in B's lifetime, institute a suit against C and obtain therein a declaration that they are truly the wife and children of B.

Effect of declaration.

43. A declaration made under this chapter is binding only on the parties to the suit, persons claiming through them respectively, and, where any of the parties are trustees, on the persons for whom, if in existence at the date of the declaration, such parties would be trustees.

Illustration.

A, a Hindú, in a suit to which B, his alleged wife, and her mother are defendants, seeks a declaration that his marriage was duly solemnized and an order for the restitution of his conjugal rights. The Court makes the declaration and order. C, claiming that B is his wife, then sues A for the recovery of B. The declaration made in the former suit is not binding upon C.

CHAPTER VII.

OF THE APPOINTMENT OF RECEIVERS.

Appointment of receivers discretionary.

44. The appointment of a Receiver pending a suit is a matter resting in the discretion of the Court.

Reference to Code of Civil Procedure.

The mode and effect of his appointment, and his rights, powers, duties and liabilities, are regulated by the Code of Civil Procedure.

CHAPTER VIII.

OF THE ENFORCEMENT OF PUBLIC DUTIES.

Power to order public servants and others to do certain specific acts.

45. Any of the High Courts of Judicature at Fort William, Madras and Bombay may make an order requiring any specific act to be done or forborne, within the local limits of its ordinary original civil jurisdiction, by any person holding a public office, whether of a permanent or a temporary nature, or by any corporation or inferior Court of Judicature: provided—

(*a*) that an application for such order be made by some person whose property, franchise, or personal right, would be injured by the forbearing or doing (as the case may be) of the said specific act;

(*b*) that such doing or forbearing is, under any law for the time being in force, clearly incumbent on such person or Court in his or its public character, or on such corporation in its corporate character;

(*c*) that, in the opinion of the High Court, such doing or forbearing is consonant to right and justice;

(*d*) that the applicant has no other specific and adequate legal remedy; and

(*e*) that the remedy given by the order applied for will be complete.

Exemptions from such powers.

Nothing in this section shall be deemed to authorize any High Court—

(*f*) to make any order binding on the Secretary of State for India in Council, on the Governor General in Council, on the Governor of Madras in Council, on the Governor of Bombay in Council, or on the Lieutenant-Governor of Bengal;

(*g*) to make any order on any other servant of the Crown, as such, merely to enforce the satisfaction of a claim upon the Crown; or

(*h*) to make any order which is otherwise expressly excluded by any law for the time being in force.

Application how made.

46. Every application under section 45 must be founded on an affidavit of the person injured, stating his right in the matter in question, his demand of justice and the denial thereof; and the

Procedure thereon.

High Court may, in its discretion, make the order applied for absolute in the first instance, or refuse it, or grant a rule to show cause why the order applied for should not be made.

Order in alternative.

If, in the last case, the person, Court or corporation complained of shows no sufficient cause, the High Court may first make an order in the alternative, either to do or forbear the act mentioned in the order, or to signify some reason to the contrary and make an answer thereto by such day as the High Court fixes in this behalf.

Peremptory order.

47. If the person, Court or corporation to whom or to which such order is directed makes no answer, or makes an insufficient or a false answer, the High Court may then issue a peremptory order to do or forbear the act absolutely.

Execution of, and appeal from, orders.

48. Every order under this chapter shall be executed, and may be appealed from, as if it were a decree made in the exercise of the ordinary original civil jurisdiction of the High Court.

Costs.

49. The costs of all applications and orders under this chapter shall be in the discretion of the High Court.

Bar to issue of *mandamus*.

50. Neither the High Court nor any Judge thereof shall hereafter issue any writ of *mandamus*.

Power to frame rules.

51. Each of the said High Courts shall, as soon as conveniently may be, frame rules to regulate the procedure under this chapter; and until such rules are framed, the practice of such Court as to applications for and grants of writs of *mandamus* shall apply, so far as may be practicable, to applications and orders under this chapter.

PART III.

OF PREVENTIVE RELIEF.

CHAPTER IX.

OF INJUNCTIONS GENERALLY.

Preventive relief how granted.

52. Preventive relief is granted at the discretion of the Court by injunction, temporary or perpetual.

53. Temporary injunctions are such as are to continue until a specified time, or until the further order of the Court. They may be granted at any period of a suit, and are regulated by the Code of Civil Procedure.

Temporary injunctions.

A perpetual injunction can only be granted by the decree made at the hearing and upon the merits of the suit: the defendant is thereby perpetually enjoined from the assertion of a right, or from the commission of an act, which would be contrary to the rights of the plaintiff.

Perpetual injunctions.

CHAPTER X.

OF PERPETUAL INJUNCTIONS.

54. Subject to the other provisions contained in, or referred to by, this chapter, a perpetual injunction may be granted to prevent the breach of an obligation existing in favour of the applicant, whether expressly or by implication.

Perpetual injunctions when granted.

When such obligation arises from contract, the Court shall be guided by the rules and provisions contained in Chapter II of this Act.

When the defendant invades or threatens to invade the plaintiff's right to, or enjoyment of, property, the Court may grant a perpetual injunction in the following cases (namely):—

(*a*) where the defendant is trustee of the property for the plaintiff;

(*b*) where there exists no standard for ascertaining the actual damage caused, or likely to be caused, by the invasion;

(*c*) where the invasion is such that pecuniary compensation would not afford adequate relief;

(*d*) where it is probable that pecuniary compensation cannot be got for the invasion;

(*e*) where the injunction is necessary to prevent a multiplicity of judicial proceedings.

EXPLANATION.—For the purpose of this section a trademark is property.

Illustrations.

(*a*). A lets certain land to B, and B contracts not to dig sand or gravel thereout. A may sue for an injunction to restrain B from digging in violation of his contract.

(*b*). A trustee threatens a breach of trust. His co-trustees if any, should, and the beneficial owners may, sue for an injunction to prevent the breach.

(*c*). The directors of a public company are about to pay a dividend out of capital or borrowed money. Any of the shareholders may sue for an injunction to restrain them.

(*d*). The directors of a fire and life-insurance company are about to engage in marine insurances. Any of the shareholders may sue for an injunction to restrain them.

(*e*). A, an executor, through misconduct or insolvency, is bringing the property of the deceased into danger. The Court may grant an injunction to restrain him from getting in the assets.

(*f*). A, a trustee for B, is about to make an imprudent sale of a small part of the trust-property. B may sue for an injunction to restrain the sale, even though compensation in money would have afforded him adequate relief.

(*g*). A makes a settlement (not founded on marriage or other valuable consideration) of an estate on B and his children. A then contracts to sell the estate to C. B or any of his children may sue for an injunction to restrain the sale.

(*h*). In the course of A's employment as a vakíl, certain papers belonging to his client, B, come into his possession. A threatens to make these papers public, or to communicate their contents to a stranger. B may sue for an injunction to restrain A from so doing.

(*i*). A is B's medical adviser. He demands money of B which B declines to pay. A then threatens to make known the effect of B's communications to him as a patient. This is contrary to A's duty, and B may sue for an injunction to restrain him from so doing.

(*j*). A, the owner of two adjoining houses, lets one to B and afterwards lets the other to C. A and C begin to make such alterations in the house let to C as will prevent the comfortable enjoyment of the house let to B. B may sue for an injunction to restrain them from so doing.

(*k*). A lets certain arable lands to B for purposes of husbandry, but without any express contract as to the mode of cultivation. Contrary to the mode of cultivation customary in the district, B threatens to sow the lands with seed injurious thereto and requiring many years to eradicate. A may sue for an injunction to restrain B from sowing the lands in contravention of his implied contract to use them in a husbandlike manner.

(*l*). A, B and C are partners, the partnership being determinable at will. A threatens to do an act tending to the destruction of the partnership-property. B and C may, without seeking a dissolution of the partnership, sue for an injunction to restrain A from doing the act.

(*m*). A, a Hindú widow in possession of her deceased husband's property, commits destruction of the property without any cause sufficient to justify her in so doing. The heir-expectant may sue for an injunction to restrain her.

(*n*). A, B and C are members of an undivided Hindú family. A cuts timber growing on the family-property, and threatens to destroy part of the family-house and to sell some of the family-utensils. B and C may sue for an injunction to restrain him.

(*o*). A, the owner of certain houses in Calcutta, becomes insolvent. B buys them from the official assignee and enters into possession. A persists in trespassing on and damaging the houses, and B is thereby compelled, at considerable expense, to employ men to protect the possession. B may sue for an injunction to restrain further acts of trespass.

(*p*). The inhabitants of a village claim a right of way over A's land. In a suit against several of them, A obtains a declaratory decree that his land is subject to no such right. Afterwards each of the other villagers sues A for obstructing his alleged right of way over the land. A may sue for an injunction to restrain them.

(*q*). A, in an administration-suit to which a creditor, B, is not a party, obtains a decree for the administration of C's assets. B proceeds against C's estate for his debt. A may sue for an injunction to restrain B.

(*r*). A and B are in possession of contiguous lands and of the mines underneath them. A works his mine so as to extend under B's mine and threatens to remove certain pillars which help to support B's mine. B may sue for an injunction to restrain him from so doing.

(*s*). A rings bells or makes some other unnecessary noise so near a house as to interfere materially and unreasonably with the physical comfort of the occupier, B. B may sue for an injunction restraining A from making the noise.

(*t*). A pollutes the air with smoke so as to interfere materially with the physical comfort of B and C, who carry on business in a neighbouring house. B and C may sue for an injunction to restrain the pollution.

(*u*). A infringes B's patent. If the Court is satisfied that the patent is valid and has been infringed, B may obtain an injunction to restrain the infringement.

(*v*). A pirates B's copyright. B may obtain an injunction to restrain the piracy, unless the work of which copyright is claimed is libellous or obscene.

(*w*). A improperly uses the trademark of B. B may obtain an injunction to restrain the user, provided that B's use of the trademark is honest.

(*x*). A, a tradesman, holds out B as his partner against the wish and without the authority of B. B may sue for an injunction to restrain A from so doing.

(*y*). A, a very eminent man, writes letters on family-topics to B. After the death of A and B, C, who is B's residuary legatee, proposes to make money by publishing A's letters. D, who is A's executor, has a property in the letters, and may sue for an injunction to restrain C from publishing them.

(*z*). A carries on a manufactory and B is his assistant. In the course of his business, A imparts to B a secret process of value. B afterwards demands money of A, threatening, in case of refusal, to disclose the process to C, a rival manufacturer. A may sue for an injunction to restrain B from disclosing the process.

55. When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the Court is capable of enforcing, the Court may in its discretion grant an injunction to prevent the breach complained of, and also to compel performance of the requisite acts.

Mandatory injunctions.

Illustrations.

(*a*). A, by new buildings, obstructs lights to the access and use of which B has acquired a right under the Indian Limitation Act, Part IV. B may obtain an injunction, not only to restrain A from going on with the buildings, but also to pull down so much of them as obstructs B's lights.

(*b*). A builds a house with eaves projecting over B's land. B may sue for an injunction to pull down so much of the eaves as so project.

(*c*). In the case put as illustration (*i*) to section 54, the Court may also order all written communications made by B, as patient, to A, as medical adviser, to be destroyed.

(*d*). In the case put as illustration (*y*) to section 54, the Court may also order A's letters to be destroyed.

(*e*). A threatens to publish statements concerning B which would be punishable under Chapter XXI of the Indian Penal Code. The Court may grant an injunction to restrain the publication, even though it may be shown not to be injurious to B's property.

(*f*). A, being B's medical adviser, threatens to publish B's written communications with him, showing that B has led an immoral life. B may obtain an injunction to restrain the publication.

(*g*). In the cases put as illustrations (*v*) and (*w*) to section 54, and as illustrations (*e*) and (*f*) to this section, the Court may also order the copies produced by piracy, and the trademarks, statements and communications therein respectively mentioned, to be given up or destroyed.

56. An injunction cannot be granted—

Injunction when refused.

(*a*) to stay a judicial proceeding pending at the institution of the suit in which the injunction is sought, unless such restraint is necessary to prevent a multiplicity of proceedings;

(*b*) to stay proceedings in a Court not subordinate to that from which the injunction is sought;

(*c*) to restrain persons from applying to any legislative body;

(*d*) to interfere with the public duties of any department of the Government of India or the Local Government, or with the sovereign acts of a Foreign Government;

(*e*) to stay proceedings in any criminal matter;

(*f*) to prevent the breach of a contract the performance of which would not be specifically enforced;

(*g*) to prevent, on the ground of nuisance, an act of which it is not reasonably clear that it will be a nuisance;

(*h*) to prevent a continuing breach in which the applicant has acquiesced;

(*i*) when equally efficacious relief can certainly be obtained by any other usual mode of proceeding, except in case of breach of trust;

(*j*) when the conduct of the applicant or his agents has been such as to disentitle him to the assistance of the Court;

(*k*) where the applicant has no personal interest in the matter.

Illustrations.

(*a*). A holds an injunction to restrain his partner, B, from receiving the partnership-debts and effects. It appears that A had improperly possessed himself of the books of the firm and refused B access to them. The Court will refuse the injunction.

(*b*). A manufactures and sells crucibles, designating them as "patent plumbago crucibles," though, in fact, they have never been patented. B pirates the designation. A cannot obtain an injunction to restrain the piracy.

(*c*). A sells an article called "Mexican Balm," stating that it is compounded of divers rare essences, and has sovereign medicinal qualities. B commences to sell a similar article to which he gives a name and description such as to lead people into the belief that they are buying A's Mexican Balm. A sues B for an injunction to restrain the sale. B shows that A's Mexican Balm consists of nothing but scented hog's lard. A's use of his description is not an honest one, and he cannot obtain an injunction.

57. Notwithstanding section 56, clause (*f*), where a contract comprises an affirmative agreement to do a certain act, coupled with a negative agreement, express or implied, not to do a certain act, the circumstance that the Court is unable to compel specific performance of the affirmative agreement, shall not preclude it from granting an injunction to perform the negative agreement; provided that the applicant has not failed to perform the contract so far as it is binding on him.

Injunctions to perform negative agreement.

Illustrations.

(*a*). A contracts to sell to B for Rs. 1,000 the good-will of a certain business unconnected with business-premises, and further agrees not to carry on that business in Calcutta. B pays A the Rs. 1,000, but A carries on the business in Calcutta. The Court cannot compel A to send his customers to B, but B may obtain an injunction restraining A from carrying on the business in Calcutta.

(*b*). A contracts to sell to B the good-will of a business. A then sets up a similar business close by B's shop, and solicits his old customers to deal with him. This is contrary to his implied contract, and B may obtain an injunction to restrain A from soliciting the customers, and from doing any act whereby their good-will may be withdrawn from B.

(*c*). A contracts with B to sing for twelve months at B's theatre and not to sing in public elsewhere. B cannot obtain specific performance of the contract to sing, but he is entitled to an injunction restraining A from singing at any other place of public entertainment.

(*d*). B contracts with A that he will serve him faithfully for twelve months as a clerk. A is not entitled to a decree for specific performance of this contract. But he is entitled to an injunction restraining B from serving a rival-house as clerk.

(*e*). A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B on a day fixed, he will not set up a certain business within a specified distance. B fails to pay the money. A cannot be restrained from carrying on the business within the specified distance.

SCHEDULE.

(*See section* 2.)

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
VIII of 1859	Civil Procedure ...	Sections 15 and 16.
XIV of 1859	Limitation	Section 14.
XXIII of 1861	Civil Procedure ...	Section 23.
IX of 1872	Contract	[illegible]

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

The Gazette of India.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th February 1877, and is hereby promulgated for general information :—

ACT I OF 1877.

THE SPECIFIC RELIEF ACT, 1877.

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SCHEDULE.—Enactments repealed.

An Act to define and amend the Law relating to certain kinds of Specific Relief.

WHEREAS it is expedient to define and amend the law relating to certain kinds of specific relief obtainable in civil suits; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Specific Relief Act, 1877:" Short title.

It extends to the whole of British India, except the Scheduled Districts as defined in Act No. XIV of 1874; Local extent.

And it shall come into force on the first day of May 1877. Commencement.

2. On and from that day the Acts specified in the schedule hereto annexed shall be repealed to the extent mentioned in its third column. Repeal of enactments.

3. In this Act, unless there be something repugnant in the subject or context,— Interpretation-clause.

'obligation' includes every duty enforceable by law: 'obligation.'

'trust' includes every species of express, implied, or constructive fiduciary ownership: 'trust.'

'trustee' includes every person holding, expressly, by implication, or constructively, a fiduciary character: 'trustee.'

Illustrations.

(*a*). Z bequeaths land to A, 'not doubting that he will pay thereout an annuity of Rs. 1,000 to B for his life.' A accepts the bequest. A is a trustee within the meaning of this Act for B to the extent of the annuity.

(*b*). A is the legal, medical, or spiritual adviser of B. By availing himself of his situation as such adviser, A gains some pecuniary advantage which might otherwise have accrued to B. A is a trustee for B within the meaning of this Act of such advantage.

(*c*). A, being B's banker, discloses for his own purpose the state of B's account. A is a trustee within the meaning of this Act for B of the benefit gained by him by means of such disclosure.

(*d*). A, the mortgagee of certain leaseholds, renews the lease in his own name. A is a trustee within the meaning of this Act of the renewed lease for those interested in the original lease.

(*e*). A, one of several partners, is employed to purchase goods for the firm. A, unknown to his co-partners, supplies them, at the market-price, with goods previously bought by himself when the price was lower, and thus makes a considerable profit. A is a trustee, for his co-partners, within the meaning of this Act of the profit so made.

(*f*). A, the manager of B's indigo factory, becomes agent for C, a vendor of indigo-seed, and receives, without B's assent, commission on the seed purchased from C for the factory. A is a trustee, within the meaning of this Act, for B, of the commission so received.

(*g*). A buys certain land with notice that B has already contracted to buy it. A is a trustee, within the meaning of this Act, for B, of the land so bought.

(*h*). A buys land from B, having notice that C is in occupation of the land. A omits to make any inquiry as to the nature of C's interest therein. A is a trustee, within the meaning of this Act, for C, to the extent of that interest.

'settlement' means any instrument (other than a will or codicil as defined by the Indian Succession Act) whereby the destination or devolution of successive interests in moveable or immoveable property is disposed of or is agreed to be disposed of: 'settlement.'

and all words occurring in this Act, which are defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively assigned to them by that Act. Words defined in Contract Act.

4. Except where it is herein otherwise expressly enacted, nothing in this Act shall be deemed— Savings.

(*a*) to give any right to relief in respect of any agreement which is not a contract;

(*b*) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; or

(*c*) to affect the operation of the Indian Registration Act on documents.

5. Specific relief is given— Specific relief how given.

(*a*) by taking possession of certain property and delivering it to a claimant;

(*b*) by ordering a party to do the very act which he is under an obligation to do;

(*c*) by preventing a party from doing that which he is under an obligation not to do;

(*d*) by determining and declaring the rights of parties otherwise than by an award of compensation; or

(*e*) by appointing a Receiver.

6. Specific relief granted under clause (*c*) of section 5 is called preventive relief. Preventive relief.

7. Specific relief cannot be granted for the mere purpose of enforcing a penal law. Relief not granted to enforce penal law.

PART II.

OF SPECIFIC RELIEF.

CHAPTER I.

OF RECOVERING POSSESSION OF PROPERTY.

(*a*).—*Possession of Immoveable Property.*

8. A person entitled to the possession of specific immoveable property may recover it in the manner prescribed by the Code of Civil Procedure. Recovery of specific immoveable property.

9. If any person is dispossessed without his consent of immoveable property otherwise than in due course of law, he or any person claiming through him may, by suit instituted within six months from the date of the dispossession, recover possession thereof, notwithstanding any other title that may be set up in such suit. Suit by person dispossessed of immoveable property.

Nothing in this section shall bar any person from suing to establish his title to such property and to recover possession thereof.

No suit under this section shall be brought against the Government.

No appeal shall lie from any order or decree passed in any suit instituted under this section, nor shall any review of any such order or decree be allowed.

(*b*). *Possession of Moveable Property.*

10. A person entitled to the possession of specific moveable property may recover the same in the manner prescribed by the Code of Civil Procedure. Recovery of specific moveable property.

EXPLANATION 1.—A trustee may sue under this section for the possession of property to the beneficial interest in which the person for whom he is trustee is entitled.

EXPLANATION 2.—A special or temporary right to the present possession of property is sufficient to support a suit under this section.

Illustrations.

(*a*). A bequeaths land to B for his life, with remainder to C. A dies. B enters on the land, but C, without B's consent, obtains possession of the title-deeds. B may recover them from C.

(*b*). A pledges certain jewels to B to secure a loan. B disposes of them before he is entitled to do so. A, without having paid or tendered the amount of the loan, sues B for possession of the jewels. The suit should be dismissed, as A is not entitled to their possession, whatever right he may have to secure their safe custody.

(*c*). A receives a letter addressed to him by B. B gets back the letter without A's consent. A has such a property therein as entitles him to recover it from B.

(*d*). A deposits books and papers for safe custody with B. B loses them and C finds them, but refuses to deliver them to B when demanded. B may recover them from C, subject to C's right, if any, under section 168 of the Indian Contract Act, 1872.

(*e*). A, a warehouse-keeper, is charged with the delivery of certain goods to Z, which B takes out of A's possession. A may sue B for the goods.

11. Any person having the possession or control of a particular article of moveable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession, in any of the following cases:— Liability of person in possession, not as owner, to deliver to person entitled to immediate possession.

(*a*) when the thing claimed is held by the defendant as the agent or trustee of the claimant;

(*b*) when compensation in money would not afford the claimant adequate relief for the loss of the thing claimed;

(*c*) when it would be extremely difficult to ascertain the actual damage caused by its loss;

(*d*) when the possession of the thing claimed has been wrongfully transferred from the claimant.

Illustrations

of clause (*a*).—A, proceeding to Europe, leaves his furniture in charge of B as his agent during his absence. B, without A's authority, pledges the furniture to C, and C, knowing that B had no right to pledge the furniture, advertises it for sale. C may be compelled to deliver the furniture to A, for he holds it as A's trustee.

of clause (*b*).—Z has got possession of an idol belonging to A's family, and of which A is the proper custodian. Z may be compelled to deliver the idol to A.

of clause (*c*).—A is entitled to a picture by a dead painter and a pair of rare China vases. B has possession of them. The articles are of too special a character to bear an ascertainable market-value. B may be compelled to deliver them to A.

CHAPTER II.

OF THE SPECIFIC PERFORMANCE OF CONTRACTS.

(*a*). *Contracts which may be specifically enforced.*

Cases in which specific performance enforceable.

12. Except as otherwise provided in this chapter, the specific performance of any contract may in the discretion of the Court be enforced—

(*a*) when the act agreed to be done is in the performance, wholly or partly, of a trust;

(*b*) when there exists no standard for ascertaining the actual damage caused by the non-performance of the act agreed to be done;

(*c*) when the act agreed to be done is such that pecuniary compensation for its non-performance would not afford adequate relief; or

(*d*) when it is probable that pecuniary compensation cannot be got for the non-performance of the act agreed to be done.

EXPLANATION.—Unless and until the contrary is proved, the Court shall presume that the breach of a contract to transfer immoveable property cannot be adequately relieved by compensation in money, and that the breach of a contract to transfer moveable property can be thus relieved.

Illustrations

of clause (*a*).—A holds certain stock in trust for B. A wrongfully disposes of the stock. The law creates an obligation on A to restore the same quantity of stock to B, and B may enforce specific performance of this obligation.

of clause (*b*).—A agrees to buy, and B agrees to sell, a picture by a dead painter and two rare China vases. A may compel B specifically to perform this contract, for there is no standard for ascertaining the actual damage which would be caused by its non-performance.

of clause (*c*).—A contracts with B to sell him a house for Rs. 1,000. B is entitled to a decree directing A to convey the house to him, he paying the purchase-money.

In consideration of being released from certain obligations imposed on it by its Act of incorporation, a railway company contract with Z to make an archway through their railway to connect lands of Z severed by the railway, to construct a road between certain specified points, to pay a certain annual sum towards the maintenance of this road, and also to construct a siding and a wharf as specified in the contract. Z is entitled to have this contract specifically enforced, for his interest in its performance cannot be adequately compensated for by money; and the Court may appoint a proper person to superintend the construction of the archway, road, siding and wharf.

A contracts to sell, and B contracts to buy, a certain number of railway-shares of a particular description. A refuses to complete the sale. B may compel A specifically to perform this agreement, for the shares are limited in number and not always to be had in the market, and their possession carries with it the status of a shareholder, which cannot otherwise be procured.

A contracts with B to paint a picture for B, who agrees to pay therefor Rs. 1,000. The picture is painted. B is entitled to have it delivered to him on payment or tender of the Rs. 1,000.

of clause (*d*).—A transfers without endorsement, but for valuable consideration, a promissory note to B. A becomes insolvent, and C is appointed his assignee. B may compel C to endorse the note, for C has succeeded to A's liabilities, and a decree for pecuniary compensation for not endorsing the note would be fruitless.

Contracts of which the subject has partially ceased to exist.

13. Notwithstanding anything contained in section 56 of the Indian Contract Act, a contract is not wholly impossible of performance, because a portion of its subject-matter existing at its date has ceased to exist at the time of the performance.

Illustrations.

(*a*). A contracts to sell a house to B for a lákh of rupees. The day after the contract is made, the house is destroyed by a cyclone. B may be compelled to perform his part of the contract by paying the purchase-money.

(*b*). In consideration of a sum of money payable by B, A contracts to grant an annuity to B for B's life. The day after the contract has been made, B is thrown from his horse and killed. B's representative may be compelled to pay the purchase-money.

Specific performance of part of contract where part unperformed is small.

14. Where a party to a contract is unable to perform the whole of his part of it, but the part which must be left unperformed bears only a small proportion to the whole in value, and admits of compensation in money, the Court may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency.

Illustrations.

(*a*). A contracts to sell B a piece of land consisting of 100 bighás. It turns out that 98 bighás of the land belong to A, and the two remaining bighás to a stranger, who refuses to part with them. The two bighás are not necessary for the use or enjoyment of the 98 bighás, nor so important for such use or enjoyment that the loss of them may not be made good in money. A may be directed at the suit of B to convey to B the 98 bighás and to make compensation to him for not conveying the two remaining bighás; or B may be directed, at the suit of A, to pay to A on receiving the conveyance and possession of the land, the stipulated purchase-money, less a sum awarded as compensation for the deficiency.

(*b*). In a contract for the sale and purchase of a house and lands for two lákhs of rupees, it is agreed that part of the furniture should be taken at a valuation. The Court may direct specific performance of the contract notwithstanding the parties are unable to agree as to the valuation of the furniture, and may either have the furniture valued in the suit and include it in the decree for specific performance, or may confine its decree to the house.

Specific performance of part of a contract where the part unperformed is large.

15. Where a party to a contract is unable to perform the whole of his part of it, and the part which must be left unperformed forms a considerable portion of the whole, or does not admit of compensation in money, he is not entitled to obtain a decree for specific performance. But the Court may, at the suit of the other party, direct the party in default to perform specifically so much of his part of the contract as he can perform, provided that the plaintiff relinquishes all claim to further performance, and all right to compensation, either for the deficiency, or for the loss or damage sustained by him through the default of the defendant.

Illustrations.

(*a*). A contracts to sell to B a piece of land consisting of 100 bighás. It turns out that 50 bighás of the land belong to A, and the other 50 bighás to a stranger, who refuses to part with them. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the 50 bighás which belong to A, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree directing A to convey those 50 bighás to him on payment of the purchase-money.

(*b*). A contracts to sell to B an estate with a house and garden for a lákh of rupees. The garden is important for the enjoyment of the house. It turns out that A is unable to convey the garden. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the estate and house without the garden, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree, directing A to convey the house to him on payment of the purchase-money.

Specific performance of independent part of a contract.

16. When a part of a contract which, taken by itself, can and ought to be specifically performed, stands on a separate and independent footing from another part of the same contract which cannot or ought not to be specifically performed, the Court may direct specific performance of the former part.

Bar in other cases of specific performance of part of contract.

17. The Court shall not direct the specific performance of a part of a contract except in cases coming under one or other of the three last preceding sections.

Purchaser's rights against vendor with imperfect title.

18. Where a person contracts to sell or let certain property, having only an imperfect title thereto, the purchaser or lessee (except as otherwise provided by this chapter) has the following rights:—

(*a*) if the vendor or lessor has subsequently to the sale or lease acquired any interest in the property, the purchaser or lessee may compel him to make good the contract out of such interest;

(*b*) where the concurrence of other persons is necessary to validate the title, and they are bound to convey at the vendor's or lessor's request, the purchaser or lessee may compel him to procure such concurrence;

(*c*) where the vendor professes to sell unincumbered property, but the property is mortgaged for an amount not exceeding the purchase-money, and the vendor has in fact only a right to redeem it, the purchaser may compel him to redeem the mortgage and to obtain a conveyance from the mortgagee;

(*d*) where the vendor or lessor sues for specific performance of the contract, and the suit is dismissed on the ground of his imperfect title, the defendant has a right to a return of his deposit (if any) with interest thereon, to his costs of the suit, and to a lien for such deposit, interest and costs on the interest of the vendor or lessor in the property agreed to be sold or let.

Power to award compensation in certain cases.

19. Any person suing for the specific performance of a contract, may also ask for compensation for its breach, either in addition to, or in substitution for, such performance.

If in any such suit the Court decides that specific performance ought not to be granted, but that there is a contract between the parties which has been broken by the defendant and that the plaintiff is entitled to compensation for that breach, it shall award him compensation accordingly.

If in any such suit the Court decides that specific performance ought to be granted, but that it is not sufficient to satisfy the justice of the case, and that some compensation for breach of the contract should also be made to the plaintiff, it shall award him such compensation accordingly.

Compensation awarded under this section may be assessed in such manner as the Court may direct.

EXPLANATION.—The circumstance that the contract has become incapable of specific performance, does not preclude the Court from exercising the jurisdiction conferred by this section.

Illustrations

of the second paragraph:—A contracts to sell a hundred maunds of rice to B. B brings a suit to compel A to perform the contract or to pay compensation. The Court is of opinion that A has made a valid contract and has broken it, without excuse, to the injury of B, but that specific performance is not the proper remedy. It shall award to B such compensation as it deems just.

of the third paragraph:—A contracts with B to sell him a house for Rs. 1,000, the price to be paid and the possession given on the 1st January 1877. A fails to perform his part of the contract, and B brings his suit for specific performance and compensation, which is decided in his favour on the 1st January 1878. The decree may, besides ordering specific performance, award to B compensation for any loss which he has sustained by A's refusal.

of the Explanation:—A, a purchaser, sues B, his vendor, for specific performance of a contract for the sale of a patent. Before the hearing of the suit, the patent expires. The Court may award A compensation for the non-performance of the contract and may, if necessary, amend the plaint for that purpose.

A sues for the specific performance of a resolution passed by the directors of a public company, under which he was entitled to have a certain number of shares allotted to him, and for compensation for the non-performance of the resolution. All the shares had been allotted before the institution of the suit. The Court may, under this section, award A compensation for the non-performance.

Liquidation of damages not a bar to specific performance.

20. A contract, otherwise proper to be specifically enforced, may be thus enforced, though a sum be named in it as the amount to be paid in case of its breach, and the party in default is willing to pay the same.

Illustration.

A contracts to grant B an underlease of property held by A under C, and that he will apply to C for a license necessary to the validity of the underlease and that, if the license is not procured, A will pay B Rs. 10,000. A refuses to apply for the license and offers to pay B the Rs. 10,000. B is nevertheless entitled to have the contract specifically enforced if C consents to give the license.

(*b*). *Contracts which cannot be specifically enforced.*

Contracts not specifically enforceable.

21. The following contracts cannot be specifically enforced:—

(*a*) a contract for the non-performance of which compensation in money is an adequate relief;

(*b*) a contract which runs into such minute or numerous details, or which is so dependent on the personal qualifications or volition of the parties, or otherwise from its nature is such, that the Court cannot enforce specific performance of its material terms;

(*c*) a contract the terms of which the Court cannot find with reasonable certainty;

(*d*) a contract which is in its nature revocable;

(*e*) a contract made by trustees either in excess of their powers or in breach of their trust;

(*f*) a contract made by or on behalf of a corporation or public company created for special purposes, or by the promoters of such company, which is in excess of its powers;

(*g*) a contract the performance of which involves the performance of a continuous duty extending over a longer period than three years from its date;

(*h*) a contract of which a material part of the subject-matter, supposed by both parties, to exist has, before it has been made, ceased to exist.

And save as provided by the Code of Civil Procedure, no contract to refer a controversy to arbitration shall be specifically enforced; but if any person who has made such a contract and has refused to perform it, sues in respect of any subject which he has contracted to refer, the existence of such contract shall bar the suit.

Illustrations

to (*a*).—A contracts to sell, and B contracts to buy, a lákh of rupees in the four per cent. loan of the Government of India.

A contracts to sell, and B contracts to buy, 40 chests of indigo at Rs. 1,000 per chest.

In consideration of certain property having been transferred by A to B, B contracts to open a credit in A's favour to the extent of Rs. 10,000, and to honour A's drafts to that amount.

The above contracts cannot be specifically enforced, for, in the first and the second both A and B, and in the third A would be reimbursed by compensation in money.

to (*b*).—A contracts to render personal service to B:

A contracts to employ B on personal service:

A, an author, contracts with B, a publisher, to complete a literary work.

B cannot enforce specific performance of these contracts.

A contracts to buy B's business at the amount of a valuation to be made by two valuers, one to be named by A and the other by B. A and B each name a valuer, but before the valuation is made, A instructs his valuer not to proceed.

By a charter party entered into in Calcutta between A, the owner of a ship, and B, the charterer, it is agreed that the ship shall proceed to Rangoon, and there load a cargo of rice, and thence proceed to London, freight to be paid, one-third on arrival at Rangoon, and two-thirds on delivery of the cargo in London.

A lets land to B and B contracts to cultivate it in a particular manner for three years next after the date of the lease.

A and B contract that, in consideration of annual advances to be made by A, B will for three years next after the date of the contract grow particular crops on the land in his possession and deliver them to A when cut and ready for delivery.

A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B, he will paint a picture for B.

A contracts with B to execute certain works which the Court cannot superintend.

A contracts to supply B with all the goods of a certain class which B may require.

A contracts with B to take from B a lease of a certain house for a specified term, at a specified rent, "if the drawing-room is handsomely decorated," even if it is held to have so much certainty that compensation can be recovered for its breach.

A contracts to marry B.

The above contracts cannot be specifically enforced.

to (*c*).—A, the owner of a refreshment-room, contracts with B to give him accommodation there for the sale of his goods and to furnish him with the necessary appliances. A refuses to perform his contract. The case is one for compensation and not for specific performance, the amount and nature of the accommodation and appliances being undefined.

to (*d*).—A and B contract to become partners in a certain business, the contract not specifying the duration of the proposed partnership. This contract cannot be specifically performed, for, if it were so performed, either A or B might at once dissolve the partnership.

to (*e*).—A is a trustee of land with power to lease it for seven years. He enters into a contract with B to grant a lease of the land for seven years, with a covenant to renew the lease at the expiry of the term. This contract cannot be specifically enforced.

The directors of a company have power to sell the concern with the sanction of a general meeting of the shareholders. They contract to sell it without any such sanction. This contract cannot be specifically enforced.

Two trustees, A and B, empowered to sell trust-property worth a lákh of rupees, contract to sell it to C for Rs. 30,000. The contract is so disadvantageous as to be a breach of trust. C cannot enforce its specific performance.

The promoters of a company for working mines contract that the company, when formed, shall purchase certain mineral property. They take no proper precautions to ascertain the value of such property and in fact agree to pay an extravagant price therefor. They also stipulate that the vendors shall give them a bonus out of the purchase-money. This contract cannot be specifically enforced.

to (*f*).—A company existing for the sole purpose of making and working a railway, contracts for the purchase of a piece of land for the purpose of erecting a cotton-mill thereon. This contract cannot be specifically enforced.

to (*g*).—A contracts to let for twenty-one years to B the right to use such part of a certain railway made by A as was upon B's land, and that B should have a right of running carriages over the whole line on certain terms, and might require A to supply the necessary engine-power, and that A should during the term keep the whole railway in good repair. Specific performance of this contract must be refused to B.

to (*h*).—A contracts to pay an annuity to B for the lives of C and D. It turns out that, at the date of the contract, C, though supposed by A and B to be alive, was dead. The contract cannot be specifically performed.

(*c*). *Of the Discretion of the Court.*

22. The jurisdiction to decree specific performance is discretionary, and the Court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the Court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a Court of appeal.

Discretion as to decreeing specific performance.

The following are cases in which the Court may properly exercise a discretion not to decree specific performance:—

I. Where the circumstances under which the contract is made are such as to give the plaintiff an unfair advantage over the defendant, though there may be no fraud or misrepresentation on the plaintiff's part.

Illustrations.

(*a*). A, a tenant for life of certain property, assigns his interest therein to B. C contracts to buy, and B contracts to sell, that interest. Before the contract is completed, A receives a mortal injury from the effects of which he dies the day after the contract is executed. If B and C were equally ignorant or equally aware of the fact, B is entitled to specific performance of the contract. If B knew the fact, and C did not, specific performance of the contract should be refused to B.

(*b*). A contracts to sell to B the interest of C in certain stock-in-trade. It is stipulated that the sale shall stand good, even though it should turn out that C's interest is worth nothing. In fact the value of C's interest depends on the result of certain partnership-accounts, on which he is heavily in debt to his partners. This indebtedness is known to A, but not to B. Specific performance of the contract should be refused to A.

(*c*). A contracts to sell, and B contracts to buy, certain land. To protect the land from floods, it is necessary for its owner to maintain an expensive embankment. B does not know of this circumstance, and A conceals it from him. Specific performance of the contract should be refused to A.

(*d*). A's property is put up to auction. B requests C, A's attorney, to bid for him. C does this inadvertently and in good faith. The persons present seeing the vendor's attorney bidding, think that he is a mere puffer and cease to compete. The lot is knocked down to B at a low price. Specific performance of the contract should be refused to B.

II. Where the performance of the contract would involve some hardship on the defendant which he did not foresee, whereas its non-performance would involve no such hardship on the plaintiff.

Illustrations.

(*e*). A is entitled to some land under his father's will on condition that, if he sells it within twenty-five years, half the purchase-money shall go to B. A, forgetting the condition, contracts, before the expiration of the twenty-five years, to sell the land to C. Here, the enforcement of the contract would operate so harshly on A, that the Court will not compel its specific performance in favour of C.

(*f*). A and B, trustees, join their beneficiary, C, in a contract to sell the trust-estate to D, and personally agree to exonerate the estate from heavy incumbrances to which it is subject. The purchase-money is not nearly enough to discharge those incumbrances, though, at the date of the contract, the vendors believed it to be sufficient. Specific performance of the contract should be refused to D.

(*g*). A, the owner of an estate, contracts to sell it to B, and stipulates that he, A, shall not be obliged to define its boundary. The estate really comprises a valuable property not known to either to be part of it. Specific performance of the contract should be refused to B, unless he waives his claim to the unknown property.

(*h*). A contracts with B to sell him certain land, and to make a road to it from a certain railway-station. It is found afterwards that A cannot make the road without exposing himself to litigation. Specific performance of the part of the contract relating to the road should be refused to B, even though it may be held that he is entitled to specific performance of the rest with compensation for loss of the road.

(*i*). A, a lessee of mines, contracts with B, his lessor, that at any time during the continuance of the lease B may give notice of his desire to take the machinery and plant used in and about the mines, and that he shall have the articles specified in his notice delivered to him at a valuation on the expiry of the lease. Such a contract might be most injurious to the lessee's business, and specific performance of it should be refused to B.

(*j*). A contracts to buy certain land from B. The contract is silent as to access to the land. No right of way to it can be shown to exist. Specific performance of the contract should be refused to B.

(*k*). A contracts with B to buy from B's manufactory and not elsewhere all the goods of a certain class used by A in his trade. The Court cannot compel B to supply the goods, but if he does not supply them, A may be ruined, unless he is allowed to buy them elsewhere. Specific performance of the contract should be refused to B.

III. Where the plaintiff has done substantial acts or suffered losses in consequence of a contract capable of specific performance.

Illustration.

A sells land to a railway company who contract to execute certain works for his convenience. The company take the land and use it for their railway. Specific performance of the contract to execute the works should be decreed in favour of A.

(*d*). *For whom Contracts may be specifically enforced.*

23. Except as otherwise provided by this chapter, the specific performance of a contract may be obtained by—

Who may obtain specific performance.

(*a*) any party thereto;

(*b*) the representative in interest, or the principal, of any party thereto: provided that, where the learning, skill, solvency or any personal quality of such party is a material ingredient in the contract, or where the contract provides that his interest shall not be assigned, his representative in interest or his principal shall not be entitled to specific performance of the contract, unless where his part thereof has already been performed;

(*c*) where the contract is a settlement on marriage, or a compromise of doubtful rights between members of the same family, any person beneficially entitled thereunder;

(*d*) where the contract has been entered into by a tenant for life in due exercise of a power, the remainderman;

(*e*) a reversioner in possession, where the agreement is a covenant entered into with his predecessor in title and the reversioner is entitled to the benefit of such covenant;

(*f*) a reversioner in remainder, where the agreement is such a covenant, and the reversioner is entitled to the benefit thereof and will sustain material injury by reason of its breach;

(*g*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*h*) when the promoters of a public company have, before its incorporation, entered into a contract for the purposes of the company, and such contract is warranted by the terms of the incorporation, the company.

(*e*). *For whom Contracts cannot be specifically enforced.*

24. Specific performance of a contract cannot be enforced in favour of a person—

Personal bars to the relief.

(*a*) who could not recover compensation for its breach;

(*b*) who has become incapable of performing, or violates, any essential term of the contract that on his part remains to be performed; or

(*c*) who has already chosen his remedy and obtained satisfaction for the alleged breach of contract;

(*d*) who, previously to the contract had notice that a settlement of the subject-matter thereof, (though not founded on any valuable consideration) had been made and was then in force.

Illustrations

to clause (*a*).—A, in the character of agent for B, enters into an agreement with C to buy C's house. A is in reality acting, not as agent for B, but on his own account. A cannot enforce specific performance of this contract.

to clause (*b*).—A contracts to sell B a house and to become tenant thereof for a term of fourteen years from the date of the sale at a specified yearly rent. A becomes insolvent. Neither he nor his assignee can enforce specific performance of the contract.

A contracts to sell B a house and garden in which there are ornamental trees, a material element in the value of the property as a residence. A, without B's consent, fells the trees. A cannot enforce specific performance of the contract.

A, holding land under a contract with B for a lease, commits waste, or treats the land in an unhusbandlike manner. A cannot enforce specific performance of the contract.

A contracts to let, and B contracts to take, an unfinished house, B contracting to finish the house and the lease to contain covenants on the part of A to keep the house in repair. B finishes the house in a very defective manner; he cannot enforce the contract specifically, though A and B may sue each other for compensation for breach of it.

to clause (*c*).—A contracts to let, and B contracts to take, a house for a specified term at a specified rent. B refuses to perform the contract. A thereupon sues for, and obtains, compensation for the breach. A cannot obtain specific performance of the contract.

Contracts to sell property by one who has no title, or who is a voluntary settler.

25. A contract for the sale or letting of property, whether moveable or immoveable, cannot be specifically enforced in favour of a vendor or lessor—

(*a*) who, knowing himself not to have any title to the property, has contracted to sell or let the same;

(*b*) who, though he entered into the contract believing that he had a good title to the property, cannot at the time fixed by the parties or by the Court for the completion of the sale or letting, give the purchaser or lessee a title free from reasonable doubt;

(*c*) who, previous to entering into the contract, has made a settlement (though not founded on any valuable consideration) of the subject-matter of the contract.

Illustrations.

(*a*). A, without C's authority, contracts to sell to B an estate which A knows to belong to C. A cannot enforce specific performance of this contract, even though C is willing to confirm it.

(*b*). A bequeaths his land to trustees, declaring that they may sell it with the consent in writing of B. B gives a general prospective assent in writing to any sale which the trustees may make. The trustees then enter into a contract with C to sell him the land. C refuses to carry out the contract. The trustees cannot specifically enforce this contract, as, in the absence of B's consent to the particular sale to C, the title which they can give C is, as the law stands, not free from reasonable doubt.

(*c*). A, being in possession of certain land, contracts to sell it to Z. On enquiry it turns out that A claims the land as heir of B, who left the country several years before, and is generally believed to be dead, but of whose death there is no sufficient proof. A cannot compel Z specifically to perform the contract.

(*d*). A, out of natural love and affection, makes a settlement of certain property on his brothers and their issue, and afterwards enters into a contract to sell the property to a stranger. A cannot enforce specific performance of this contract so as to override the settlement, and thus prejudice the interests of the persons claiming under it.

(*f*). *For whom Contracts cannot be specifically enforced except with a variation.*

Non-enforcement except with variation.

26. Where a plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation, the plaintiff cannot obtain the performance sought, except with the variation so set up, in the following cases (namely):—

(*a*) where by fraud or mistake of fact the contract of which performance is sought is in terms different from that which the defendant supposed it to be when he entered into it;

(*b*) where by fraud, mistake of fact, or surprise the defendant entered into the contract under a reasonable misapprehension as to its effect as between himself and the plaintiff;

(*c*) where the defendant, knowing the terms of the contract and understanding its effect, has entered into it relying upon some misrepresentation by the plaintiff, or upon some stipulation on the plaintiff's part, which adds to the contract, but which he refuses to fulfil;

(*d*) where the object of the parties was to produce a certain legal result, which the contract as framed is not calculated to produce;

(*e*) where the parties have, subsequently to the execution of the contract, contracted to vary it.

Illustrations.

(*a*). A, B and C sign a writing by which they purport to contract each to enter into a bond to D for Rs. 1,000. In a suit by D, to make A, B and C separately liable each to the extent of Rs. 1,000, they prove that the word 'each' was inserted by mistake; that the intention was that they should give a joint bond for Rs. 1,000. A can obtain the performance sought only with the variation thus set up.

(*b*). A sues B to compel specific performance of a contract in writing to buy a dwelling-house. B proves that he assumed that the contract included an adjoining yard, and the contract was so framed as to leave it doubtful whether the yard was so included or not. The Court will refuse to enforce the contract, except with the variation set up by B.

(*c*). A contracts in writing to let to B a wharf, together with a strip of A's land delineated in a map. Before signing the contract, B proposed orally that he should be at liberty to substitute for the strip mentioned in the contract another strip of A's land of the same dimensions, and to this A expressly assented. B then signed the written contract. A cannot obtain specific performance of the written contract, except with the variation set up by B.

(*d*). A and B enter into negotiations for the purpose of securing land to B for his life, with remainder to his issue. They execute a contract the terms of which are found to confer an absolute ownership on B. The contract so framed cannot be specifically enforced.

(*e*). A contracts in writing to let a house to B, for a certain term, at the rent of Rs. 100 per month, putting it first into tenantable repair. The house turns out to be not worth repairing, so, with B's consent, A pulls it down and erects a new house in its place: B contracting orally to pay rent at Rs. 120 per mensem. B then sues to enforce specific performance of the contract in writing. He cannot enforce it except with the variations made by the subsequent oral contract.

(*g*). *Against whom Contracts may be specifically enforced.*

Relief against parties and persons claiming under them by subsequent title.

27. Except as otherwise provided by this chapter, specific performance of a contract may be enforced against—

(*a*) either party thereto;

(*b*) any other person claiming under him by a title arising subsequently to the contract, except a transferee for value who has paid his money in good faith and without notice of the original contract;

(*c*) any person claiming under a title which, though prior to the contract and known to the plaintiff, might have been displaced by the defendant;

(*d*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*e*) when the promoters of a public company have, before its incorporation, entered into a contract, the company: provided that the company has ratified and adopted the contract and the contract is warranted by the terms of the incorporation.

Illustrations

to clause (*b*).—A contracts to convey certain land to B by a particular day. A dies intestate before that day without having conveyed the land. B may compel A's heir or other representative in interest to perform the contract specifically.

A contracts to sell certain land to B for Rs. 5,000. A afterwards conveys the land for Rs. 6,000 to C, who has notice of the original contract. B may enforce specific performance of the contract as against C.

A contracts to sell land to B for Rs. 5,000. B takes possession of the land. Afterwards A sells it to C for Rs. 6,000. C makes no enquiry of B relating to his interest in the land. B's possession is sufficient to affect C with notice of his interest, and he may enforce specific performance of the contract against C.

A contracts in consideration of Rs. 1,000, to bequeath certain of his lands to B. Immediately after the contract A dies intestate, and C takes out administration to his estate. B may enforce specific performance of the contract against C.

A contracts to sell certain land to B. Before the completion of the contract, A becomes a lunatic and C is appointed his committee. B may specifically enforce the contract against C.

to clause (*c*).—A, the tenant for life of an estate, with remainder to B, in due exercise of a power conferred by the settlement under which he is tenant for life, contracts to sell the estate to C, who has notice of the settlement. Before the sale is completed, A dies. C may enforce specific performance of the contract against B.

A and B are joint tenants of land, his undivided moiety of which either may alien in his lifetime, but which, subject to that right, devolves on the survivor. A contracts to sell his moiety to C and dies. C may enforce specific performance of the contract against B.

(*h*). *Against whom Contracts cannot be specifically enforced.*

What parties cannot be compelled to perform.

28. Specific performance of a contract cannot be enforced against a party thereto in any of the following cases:—

(*a*) if the consideration to be received by him is so grossly inadequate, with reference to the state of things existing at the date of the contract, as to be either by itself or coupled with other circumstances evidence of fraud or of undue advantage taken by the plaintiff;

(*b*) if his assent was obtained by the misrepresentation (whether wilful or innocent), concealment, circumvention, or unfair practices, of any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled;

(*c*) if his assent was given under the influence of mistake of fact, misapprehension or surprise: Provided that, when the contract provides for compensation in case of mistake, compensation may be made for a mistake within the scope of such provision and the contract may be specifically enforced in other respects if proper to be so enforced.

Illustrations

to clause (*c*).—A, one of two executors, in the erroneous belief that he had the authority of his co-executor, enters into an agreement for the sale to B of his testator's property. B cannot insist on the sale being completed.

A directs an auctioneer to sell certain land. A afterwards revokes the auctioneer's authority as to 20 bighás of this land, but the auctioneer inadvertently sells the whole to B, who has not notice of the revocation. B cannot enforce specific performance of the agreement.

(*i*). *The Effect of dismissing a Suit for Specific Performance.*

Bar of suit for breach after dismissal.

29. The dismissal of a suit for specific performance of a contract or part thereof shall bar the plaintiff's right to sue for compensation for the breach of such contract or part, as the case may be.

(*j*). *Awards and Directions to execute Settlements.*

Application of preceding sections to awards and testamentary directions to execute settlements.

30. The provisions of this chapter as to contracts shall, *mutatis mutandis*, apply to awards and to directions in a will or codicil to execute a particular settlement.

CHAPTER III.

OF THE RECTIFICATION OF INSTRUMENTS.

When instrument may be rectified.

31. When, through fraud or a mutual mistake of the parties, a contract or other instrument in writing does not truly express their intention, either party, or his representative in interest, may institute a suit to have the instrument rectified; and if the Court find it clearly proved that there has been fraud or mistake in framing the instrument, and ascertain the real intention of the parties in executing the same, the Court may in its discretion rectify the instrument, so as to express that intention, so far as this can be done without prejudice to rights acquired by third persons, in good faith and for value.

Illustrations.

(*a*). A, intending to sell to B his house and one of three godowns adjacent to it, executes a conveyance prepared by B, in which, through B's fraud, all three godowns are included. Of the two godowns which were fraudulently included, B gives one to C and lets the other to D for a rent, neither C nor D having any knowledge of the fraud. The conveyance may, as against B and C, be rectified so as to exclude from it the godown given to C; but it cannot be rectified so as to affect D's lease.

(*b*). By a marriage-settlement, A, the father of B, the intended wife, covenants with C, the intended husband, to pay to C, his executors, administrators and assigns, during A's life, an annuity of Rs. 5,000. C dies insolvent and the official assignee claims the annuity from A. The Court, on finding it clearly proved that the parties always intended that this annuity should be paid as a provision for B and her children, may rectify the settlement and decree that the assignee has no right to any part of the annuity.

Presumption as to intent of parties.

32. For the purpose of rectifying a contract in writing, the Court must be satisfied that all the parties thereto intended to make an equitable and conscientious agreement.

Principles of rectification.

33. In rectifying a written instrument, the Court may inquire what the instrument was intended to mean, and what were intended to be its legal consequences, and is not confined to the inquiry what the language of the instrument was intended to be.

Specific enforcement of rectified contract.

34. A contract in writing may be first rectified and then, if the plaintiff has so prayed in his plaint and the Court thinks fit, specifically enforced.

Illustration.

A contracts in writing to pay his attorney, B, a fixed sum in lieu of costs. The contract contains mistakes as to the name and rights of the client, which, if construed strictly, would exclude B from all rights under it. B is entitled, if the Court thinks fit, to have it rectified, and to an order for payment of the sum, as if at the time of its execution it had expressed the intention of the parties.

CHAPTER IV.

OF THE RESCISSION OF CONTRACTS.

When rescission may be adjudged.

35. Any person interested in a contract in writing may sue to have it rescinded, and such rescission may be adjudged by the Court in any of the following cases, namely:—

(*a*) where the contract is voidable or terminable by the plaintiff;

(*b*) where the contract is unlawful for causes not apparent on its face, and the defendant is more to blame than the plaintiff;

(*c*) where a decree for specific performance of a contract of sale, or of a contract to take a lease, has been made, and the purchaser or lessee makes default in payment of the purchase-money or other sums which the Court has ordered him to pay.

When the purchaser or lessee is in possession of the subject-matter, and the Court finds that such possession is wrongful, the Court may also order him to pay to the vendor or lessor the rents and profits, if any, received by him as such possessor.

In the same case, the Court may by order in the suit in which the decree has been made and not complied with, rescind the contract either so far as regards the party in default, or altogether, as the justice of the case may require.

Illustrations

to (*a*).—A sells a field to B. There is a right of way over the field of which A has direct personal knowledge, but which he conceals from B. B is entitled to have the contract rescinded.

to (*b*).—A, an attorney, induces his client B, a Hindú widow, to transfer property to him for the purpose of defrauding B's creditors. Here the parties are not equally in fault, and B is entitled to have the instrument of transfer rescinded.

Rescission for mistake.

36. Rescission of a contract in writing cannot be adjudged for mere mistake, unless the party against whom it is adjudged can be restored to substantially the same position as if the contract had not been made.

Alternative prayer for rescission in suit for specific performance.

37. A plaintiff instituting a suit for the specific performance of a contract in writing may pray in the alternative that, if the contract cannot be specifically enforced, it may be rescinded and delivered up to be cancelled; and the Court, if it refuses to enforce the contract specifically, may direct it to be rescinded and delivered up accordingly.

Court may require party rescinding to do equity.

38. On adjudging the rescission of a contract, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER V.

OF THE CANCELLATION OF INSTRUMENTS.

When cancellation may be ordered.

39. Any person against whom a written instrument is void or voidable, who has reasonable apprehension that such instrument, if left outstanding, may cause him serious injury, may sue to have it adjudged void or voidable, and the Court may, in its discretion, so adjudge it and order it to be delivered up and cancelled.

If the instrument has been registered under the Indian Registration Act, the Court shall also send a copy of its decree to the officer in whose office the instrument has been so registered, and such officer shall note on the copy of the instrument contained in his books the fact of its cancellation.

Illustrations.

(*a*). A, the owner of a ship, by fraudulently representing her to be seaworthy, induces B, an underwriter, to insure her. B may obtain the cancellation of the policy.

(*b*). A conveys land to B, who bequeaths it to C and dies. Thereupon D gets possession of the land and produces a forged instrument stating that the conveyance was made to B in trust for him. C may obtain the cancellation of the forged instrument.

(*c*). A, representing that the tenants on his land were all at will, sells it to B, and conveys it to him by an instrument dated the 1st January 1877. Soon after that day, A fraudulently grants to C a lease of part of the lands dated the 1st October 1876, and procures the lease to be registered under the Indian Registration Act. B may obtain the cancellation of this lease.

(*d*). A agrees to sell and deliver a ship to B, to be paid for by B's acceptances of four bills of exchange, for sums amounting to Rs. 30,000, to be drawn by A on B. The bills are drawn and accepted, but the ship is not delivered, according to the agreement. A sues B on one of the bills. B may obtain the cancellation of all the bills.

What instruments may be partially cancelled.

40. Where an instrument is evidence of different rights or different obligations, the Court may, in a proper case, cancel it in part and allow it to stand for the residue.

Illustration.

A draws a bill on B, who endorses it to C, by whom it appears to be endorsed to D, who endorses it to E. C's endorsement is forged. C is entitled to have such endorsement cancelled, leaving the bill to stand in other respects.

Power to require party for whom instrument is cancelled to make compensation.

41. On adjudging the cancellation of an instrument, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER VI.

OF DECLARATORY DECREES.

Discretion of Court as to declarations of status or right.

42. Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the Court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief:

Bar to such declaration.

Provided that no Court shall make any such declaration where the plaintiff, being able to seek further relief than a mere declaration of title, omits to do so.

EXPLANATION.—A trustee of property is a 'person interested to deny' a title adverse to the title of some one who is not in existence, and for whom, if in existence, he would be a trustee.

Illustrations.

(*a*). A is lawfully in possession of certain land. The inhabitants of a neighbouring village claim a right of way across the land. A may sue for a declaration that they are not entitled to the right so claimed.

(*b*). A bequeaths his property to B, C and D, 'to be equally divided amongst all and each of them, if living at the time of my death, then amongst their surviving children.' No such children are in existence. In a suit against A's executor, the Court may declare whether B, C and D took the property absolutely, or only for their lives, and it may also declare the interests of the children before their rights are vested.

(*c*). A covenants that if he should at any time be entitled to property exceeding one lákh of rupees, he will settle it upon certain trusts. Before any such property accrues, or any persons entitled under the trusts are ascertained, he institutes a suit to obtain a declaration that the covenant is void for uncertainty. The Court may make the declaration.

(*d*). A alienates to B property in which A has merely a life-interest. The alienation is invalid as against C, who is entitled as reversioner. The Court may in a suit by C against A and B declare that C is so entitled.

(*e*). The widow of a sonless Hindú alienates part of the property of which she is in possession as such. The person presumptively entitled to possess the property if he survive her, may, in a suit against the alienee, obtain a declaration that the alienation was made without legal necessity and was therefore void beyond the widow's lifetime.

(*f*). A Hindú widow in possession of property adopts a son to her deceased husband. The person presumptively entitled to possession of the property on her death without a son may, in a suit against the adopted son, obtain a declaration that the adoption was invalid.

(*g*). A is in possession of certain property. B, alleging that he is the owner of the property, requires A to deliver it to him. A may obtain a declaration of his right to hold the property.

(*h*). A bequeaths property to B for his life, with remainder to B's wife and her children, if any, by B, but if B die without any wife or children, to C. B has a putative wife, D, and children, but C denies that B and D were ever lawfully married. D and her children may, in B's lifetime, institute a suit against C and obtain therein a declaration that they are truly the wife and children of B.

Effect of declaration.

43. A declaration made under this chapter is binding only on the parties to the suit, persons claiming through them respectively, and, where any of the parties are trustees, on the persons for whom, if in existence at the date of the declaration, such parties would be trustees.

Illustration.

A, a Hindú, in a suit to which B, his alleged wife, and her mother are defendants, seeks a declaration that his marriage was duly solemnized and an order for the restitution of his conjugal rights. The Court makes the declaration and order. C, claiming that B is his wife, then sues A for the recovery of B. The declaration made in the former suit is not binding upon C.

CHAPTER VII.

OF THE APPOINTMENT OF RECEIVERS.

Appointment of receivers discretionary.

44. The appointment of a Receiver pending a suit is a matter resting in the discretion of the Court.

Reference to Code of Civil Procedure.

The mode and effect of his appointment, and his rights, powers, duties and liabilities, are regulated by the Code of Civil Procedure.

CHAPTER VIII.

OF THE ENFORCEMENT OF PUBLIC DUTIES.

Power to order public servants and others to do certain specific acts.

45. Any of the High Courts of Judicature at Fort William, Madras and Bombay may make an order requiring any specific act to be done or forborne, within the local limits of its ordinary original civil jurisdiction, by any person holding a public office, whether of a permanent or a temporary nature, or by any corporation or inferior Court of Judicature: provided—

(*a*) that an application for such order be made by some person whose property, franchise, or personal right, would be injured by the forbearing or doing (as the case may be) of the said specific act;

(*b*) that such doing or forbearing is, under any law for the time being in force, clearly incumbent on such person or Court in his or its public character, or on such corporation in its corporate character;

(*c*) that, in the opinion of the High Court, such doing or forbearing is consonant to right and justice;

(*d*) that the applicant has no other specific and adequate legal remedy; and

(*e*) that the remedy given by the order applied for will be complete.

Exemptions from such power.

Nothing in this section shall be deemed to authorize any High Court—

(*f*) to make any order binding on the Secretary of State for India in Council, on the Governor General in Council, on the Governor of Madras in Council, on the Governor of Bombay in Council, or on the Lieutenant-Governor of Bengal;

(*g*) to make any order on any other servant of the Crown, as such, merely to enforce the satisfaction of a claim upon the Crown; or

(*h*) to make any order which is otherwise expressly excluded by any law for the time being in force.

Application how made.

46. Every application under section 45 must be founded on an affidavit of the person injured, stating his right in the matter in question, his demand of justice and the denial thereof; and the

Procedure thereon.

High Court may, in its discretion, make the order applied for absolute in the first instance, or refuse it, or grant a rule to show cause why the order applied for should not be made.

Order in alternative.

If, in the last case, the person, Court or corporation complained of shows no sufficient cause, the High Court may first make an order in the alternative, either to do or forbear the act mentioned in the order, or to signify some reason to the contrary and make an answer thereto by such day as the High Court fixes in this behalf.

Peremptory order.

47. If the person, Court or corporation to whom or to which such order is directed makes no answer, or makes an insufficient or a false answer, the High Court may then issue a peremptory order to do or forbear the act absolutely.

Execution of, and appeal from, orders.

48. Every order under this chapter shall be executed, and may be appealed from, as if it were a decree made in the exercise of the ordinary original civil jurisdiction of the High Court.

Costs.

49. The costs of all applications and orders under this chapter shall be in the discretion of the High Court.

Bar to issue of *mandamus*.

50. Neither the High Court nor any Judge thereof shall hereafter issue any writ of *mandamus*.

Power to frame rules.

51. Each of the said High Courts shall, as soon as conveniently may be, frame rules to regulate the procedure under this chapter; and until such rules are framed, the practice of such Court as to applications for and grants of writs of *mandamus* shall apply, so far as may be practicable, to applications and orders under this chapter.

PART III.

OF PREVENTIVE RELIEF.

CHAPTER IX.

OF INJUNCTIONS GENERALLY.

Preventive relief how granted.

52. Preventive relief is granted at the discretion of the Court by injunction, temporary or perpetual.

53. Temporary injunctions are such as are to continue until a specified time, or until the further order of the Court. They may be granted at any period of a suit, and are regulated by the Code of Civil Procedure.

Temporary injunctions.

A perpetual injunction can only be granted by the decree made at the hearing and upon the merits of the suit: the defendant is thereby perpetually enjoined from the assertion of a right, or from the commission of an act, which would be contrary to the rights of the plaintiff.

Perpetual injunctions.

CHAPTER X.

OF PERPETUAL INJUNCTIONS.

54. Subject to the other provisions contained in, or referred to by, this chapter, a perpetual injunction may be granted to prevent the breach of an obligation existing in favour of the applicant, whether expressly or by implication.

Perpetual injunctions when granted.

When such obligation arises from contract, the Court shall be guided by the rules and provisions contained in Chapter II of this Act.

When the defendant invades or threatens to invade the plaintiff's right to, or enjoyment of, property, the Court may grant a perpetual injunction in the following cases (namely):—

(*a*) where the defendant is trustee of the property for the plaintiff;

(*b*) where there exists no standard for ascertaining the actual damage caused, or likely to be caused, by the invasion;

(*c*) where the invasion is such that pecuniary compensation would not afford adequate relief;

(*d*) where it is probable that pecuniary compensation cannot be got for the invasion;

(*e*) where the injunction is necessary to prevent a multiplicity of judicial proceedings.

EXPLANATION.—For the purpose of this section a trademark is property.

Illustrations.

(*a*). A lets certain land to B, and B contracts not to dig sand or gravel thereout. A may sue for an injunction to restrain B from digging in violation of his contract.

(*b*). A trustee threatens a breach of trust. His co-trustees if any, should, and the beneficial owners may, sue for an injunction to prevent the breach.

(*c*). The directors of a public company are about to pay a dividend out of capital or borrowed money. Any of the shareholders may sue for an injunction to restrain them.

(*d*). The directors of a fire and life-insurance company are about to engage in marine insurances. Any of the shareholders may sue for an injunction to restrain them.

(*e*). A, an executor, through misconduct or insolvency, is bringing the property of the deceased into danger. The Court may grant an injunction to restrain him from getting in the assets.

(*f*). A, a trustee for B, is about to make an imprudent sale of a small part of the trust-property. B may sue for an injunction to restrain the sale, even though compensation in money would have afforded him adequate relief.

(*g*). A makes a settlement (not founded on marriage or other valuable consideration) of an estate on B and his children. A then contracts to sell the estate to C. B or any of his children may sue for an injunction to restrain the sale.

(*h*). In the course of A's employment as a vakíl, certain papers belonging to his client, B, come into his possession. A threatens to make these papers public, or to communicate their contents to a stranger. B may sue for an injunction to restrain A from so doing.

(*i*). A is B's medical adviser. He demands money of B which B declines to pay. A then threatens to make known the effect of B's communications to him as a patient. This is contrary to A's duty, and B may sue for an injunction to restrain him from so doing.

(*j*). A, the owner of two adjoining houses, lets one to B and afterwards lets the other to C. A and C begin to make such alterations in the house let to C as will prevent the comfortable enjoyment of the house let to B. B may sue for an injunction to restrain them from so doing.

(*k*). A lets certain arable lands to B for purposes of husbandry, but without any express contract as to the mode of cultivation. Contrary to the mode of cultivation customary in the district, B threatens to sow the lands with seed injurious thereto and requiring many years to eradicate. A may sue for an injunction to restrain B from sowing the lands in contravention of his implied contract to use them in a husbandlike manner.

(*l*). A, B and C are partners, the partnership being determinable at will. A threatens to do an act tending to the destruction of the partnership-property. B and C may, without seeking a dissolution of the partnership, sue for an injunction to restrain A from doing the act.

(*m*). A, a Hindú widow in possession of her deceased husband's property, commits destruction of the property without any cause sufficient to justify her in so doing. The heir-expectant may sue for an injunction to restrain her.

(*n*). A, B and C are members of an undivided Hindú family. A cuts timber growing on the family-property, and threatens to destroy part of the family-house and to sell some of the family-utensils. B and C may sue for an injunction to restrain him.

(*o*). A, the owner of certain houses in Calcutta, becomes insolvent. B buys them from the official assignee and enters into possession. A persists in trespassing on and damaging the houses, and B is thereby compelled, at considerable expense, to employ men to protect the possession. B may sue for an injunction to restrain further acts of trespass.

(*p*). The inhabitants of a village claim a right of way over A's land. In a suit against several of them, A obtains a declaratory decree that his land is subject to no such right. Afterwards each of the other villagers sues A for obstructing his alleged right of way over the land. A may sue for an injunction to restrain them.

(*q*). A, in an administration-suit to which a creditor, B, is not a party, obtains a decree for the administration of C's assets. B proceeds against C's estate for his debt. A may sue for an injunction to restrain B.

(*r*). A and B are in possession of contiguous lands and of the mines underneath them. A works his mine so as to extend under B's mine and threatens to remove certain pillars which help to support B's mine. B may sue for an injunction to restrain him from so doing.

(*s*). A rings bells or makes some other unnecessary noise so near a house as to interfere materially and unreasonably with the physical comfort of the occupier, B. B may sue for an injunction restraining A from making the noise.

(*t*). A pollutes the air with smoke so as to interfere materially with the physical comfort of B and C, who carry on business in a neighbouring house. B and C may sue for an injunction to restrain the pollution.

(*u*). A infringes B's patent. If the Court is satisfied that the patent is valid and has been infringed, B may obtain an injunction to restrain the infringement.

(*v*). A pirates B's copyright. B may obtain an injunction to restrain the piracy, unless the work of which copyright is claimed is libellous or obscene.

(*w*). A improperly uses the trademark of B. B may obtain an injunction to restrain the user, provided that B's use of the trademark is honest.

(*x*). A, a tradesman, holds out B as his partner against the wish and without the authority of B. B may sue for an injunction to restrain A from so doing.

(*y*). A, a very eminent man, writes letters on family-topics to B. After the death of A and B, C, who is B's residuary legatee, proposes to make money by publishing A's letters. D, who is A's executor, has a property in the letters, and may sue for an injunction to restrain C from publishing them.

(*z*). A carries on a manufactory and B is his assistant. In the course of his business, A imparts to B a secret process of value. B afterwards demands money of A, threatening, in case of refusal, to disclose the process to C, a rival manufacturer. A may sue for an injunction to restrain B from disclosing the process.

55. When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the Court is capable of enforcing, the Court may in its discretion grant an injunction to prevent the breach complained of, and also to compel performance of the requisite acts.

Mandatory injunctions.

Illustrations.

(*a*). A, by new buildings, obstructs lights to the access and use of which B has acquired a right under the Indian Limitation Act, Part IV. B may obtain an injunction, not only to restrain A from going on with the buildings, but also to pull down so much of them as obstructs B's lights.

(*b*). A builds a house with eaves projecting over B's land. B may sue for an injunction to pull down so much of the eaves as so project.

(*c*). In the case put as illustration (*i*) to section 54, the Court may also order all written communications made by B, as patient, to A, as medical adviser, to be destroyed.

(*d*). In the case put as illustration (*y*) to section 54, the Court may also order A's letters to be destroyed.

(*e*). A threatens to publish statements concerning B which would be punishable under Chapter XXI of the Indian Penal Code. The Court may grant an injunction to restrain the publication, even though it may be shown not to be injurious to B's property.

(*f*). A, being B's medical adviser, threatens to publish B's written communications with him, showing that B has led an immoral life. B may obtain an injunction to restrain the publication.

(*g*). In the cases put as illustrations (*v*) and (*w*) to section 54, and as illustrations (*e*) and (*f*) to this section, the Court may also order the copies produced by piracy, and the trademarks, statements and communications therein respectively mentioned, to be given up or destroyed.

56. An injunction cannot be granted—

Injunction when refused.

(*a*) to stay a judicial proceeding pending at the institution of the suit in which the injunction is sought, unless such restraint is necessary to prevent a multiplicity of proceedings;

(*b*) to stay proceedings in a Court not subordinate to that from which the injunction is sought;

(*c*) to restrain persons from applying to any legislative body;

(*d*) to interfere with the public duties of any department of the Government of India or the Local Government, or with the sovereign acts of a Foreign Government;

(*e*) to stay proceedings in any criminal matter;

(*f*) to prevent the breach of a contract the performance of which would not be specifically enforced;

(*g*) to prevent, on the ground of nuisance, an act of which it is not reasonably clear that it will be a nuisance;

(*h*) to prevent a continuing breach in which the applicant has acquiesced;

(*i*) when equally efficacious relief can certainly be obtained by any other usual mode of proceeding, except in case of breach of trust;

(*j*) when the conduct of the applicant or his agents has been such as to disentitle him to the assistance of the Court;

(*k*) where the applicant has no personal interest in the matter.

Illustrations.

(*a*). A seeks an injunction to restrain his partner, B, from receiving the partnership-debts and effects. It appears that A had improperly possessed himself of the books of the firm and refused B access to them. The Court will refuse the injunction.

(*b*). A manufactures and sells crucibles, designating them as "patent plumbago crucibles," though, in fact, they have never been patented. B pirates the designation. A cannot obtain an injunction to restrain the piracy.

(*c*). A sells an article called "Mexican Balm," stating that it is compounded of divers rare essences, and has sovereign medicinal qualities. B commences to sell a similar article to which he gives a name and description such as to lead people into the belief that they are buying A's Mexican Balm. A sues B for an injunction to restrain the sale. B shows that A's Mexican Balm consists of nothing but scented hog's lard. A's use of his description is not an honest one, and he cannot obtain an injunction.

57. Notwithstanding section 56, clause (*f*), where a contract comprises an affirmative agreement to do a certain act, coupled with a negative agreement, express or implied, not to do a certain act, the circumstance that the Court is unable to compel specific performance of the affirmative agreement, shall not preclude it from granting an injunction to perform the negative agreement; provided that the applicant has not failed to perform the contract so far as it is binding on him.

Injunctions to perform negative agreement.

Illustrations.

(*a*). A contracts to sell to B for Rs. 1,000 the good-will of a certain business unconnected with business-premises, and further agrees not to carry on that business in Calcutta. B pays A the Rs. 1,000, but A carries on the business in Calcutta. The Court cannot compel A to send his customers to B, but B may obtain an injunction restraining A from carrying on the business in Calcutta.

(*b*). A contracts to sell to B the good-will of a business. A then sets up a similar business close by B's shop, and solicits his old customers to deal with him. This is contrary to his implied contract, and B may obtain an injunction to restrain A from soliciting the customers, and from doing any act whereby their good-will may be withdrawn from B.

(*c*). A contracts with B to sing for twelve months at B's theatre and not to sing in public elsewhere. B cannot obtain specific performance of the contract to sing, but he is entitled to an injunction restraining A from singing at any other place of public entertainment.

(*d*). B contracts with A that he will serve him faithfully for twelve months as a clerk. A is not entitled to a decree for specific performance of this contract. But he is entitled to an injunction restraining B from serving a rival-house as clerk.

(*e*). A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B on a day fixed, he will not set up a certain business within a specified distance. B fails to pay the money. A cannot be restrained from carrying on the business within the specified distance.

SCHEDULE.

(*See section* 2.)

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
VIII of 1859	Civil Procedure ...	Sections 15 and 192.
XIV of 1859	Limitation	Section 15.
XXIII of 1861	Civil Procedure ...	Section 26.
IX of 1872	Contract	In section 28, the second clause of Exception 1.

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

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information :—

ACT No. II OF 1877.

An Act to amend Act No. XIII of 1875.

Preamble.

WHEREAS it is expedient to define the expression 'High Court' as used in Act No. XIII of 1875 (*to amend the law relating to Probates and Letters of Administration*), sections 2, 3 and 4; It is hereby enacted as follows :—

'High Court' defined in Act XIII of 1875, sections 2, 3 and 4.

1. The expression 'High Court' in each of the said sections shall mean, and be deemed to have always meant—

(*a*) a High Court for the time being established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 :

(*b*) the Chief Court of the Panjáb :

(*c*) the Court of the Recorder of Rangoon.

Saving of certain grants of probate and administration.

2. Nothing in this Act shall be deemed to affect the validity of any grant of probate or letters of administration with effect throughout the whole of British India heretofore made by any Court other than the Courts specified in section one.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information :—

ACT No. III OF 1877.

THE INDIAN REGISTRATION ACT, 1877.

ARRANGEMENT OF SECTIONS.

PREAMBLE.

PART I.

PRELIMINARY.

SECTIONS.

1. Short title.
   Local extent.
   Commencement.
2. Repeal of enactments.
3. Interpretation-clause.

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OF THE REGISTRATION ESTABLISHMENT.

4. Inspector General of Registration.
   Branch Inspector General of Sindh.
5. Districts and Sub-Districts.
6. Registrars and Sub-Registrars.
7. Offices of Registrar and Sub-Registrar.
8. Inspectors of Registration Offices.
9. Military Cantonments may be declared Sub-Districts or Districts.
10. Absence of Registrar from his District or vacancy in his office.
11. Absence of Registrar on duty in his District.
12. Absence of Sub-Registrar or vacancy in his office.
13. Appointments under section 10, 11 or 12 to be reported to Government.
    Suspension, removal and dismissal of Officers.
14. Remuneration and establishments of registering officers.
15. Seals of registering officers.
16. Register-books.
    Forms.
    Fire-proof boxes.

PART III.

OF REGISTRABLE DOCUMENTS.

17. Documents of which registration is compulsory.
    Exception of composition-deeds;
    and of transfers of shares and debentures in Land Companies.
    Authorities to adopt.
18. Documents of which registration is optional.
19. Documents in language not understood by registering officer.
20. Documents containing interlineations, blanks, erasures or alterations.
21. Description of parcels.
    Documents containing maps or plans.
22. Failure to comply with rules as to description of houses and land.

PART IV.

OF THE TIME OF PRESENTATION.

23. Time for presenting documents.
24. Provision where delay in presentation is unavoidable.
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26. Provision where office is closed on last day of period for presentation.
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28. Place for registering documents relating to land.
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PART VI.

OF PRESENTING DOCUMENTS FOR REGISTRATION.

32. Persons to present documents for registration.
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38. Persons exempt from appearance at Registration Office.
39. Law as to summonses, commissions and witnesses.

PART VIII.

OF PRESENTING WILLS AND AUTHORITIES TO ADOPT.

40. Persons entitled to present Wills and Authorities to adopt.
41. Registration of Wills and Authorities to adopt.

PART IX.

OF THE DEPOSIT OF WILLS.

42. Deposit of Wills.
43. Procedure on deposit of Wills.
44. Withdrawal of sealed cover deposited under section 42.
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OF THE DUTIES AND POWERS OF REGISTERING OFFICERS.

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53. Entries to be numbered consecutively.
54. Current Indexes and entries therein.
55. Indexes to be made by registering officers.
    Extra particulars in Indexes.
56. Copy of entries in Indexes Nos. I and II to be sent by Sub-Registrar to Registrar.
    Such copy to be filed by Registrar.
57. Registering officers to allow inspection of certain Books and Indexes, and to give certified copies of entries.

(*B.*) *As to the Procedure on admitting to Registration.*

58. Particulars to be endorsed on documents admitted to registration.
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61. Endorsements and certificate to be copied.
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62. Procedure on presenting document in language unknown to registering officer.
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(*C.*) *Special Duties of Sub-Registrar.*

64. Procedure on registration of document relating to land situate in several Sub-Districts.
65. Procedure where document relates to land situate in several Districts.

(*D.*) *Special Duties of Registrar.*

66. Procedure on registering documents relating to land.
67. Procedure on registration under section 30, clause (*b*).

(*E.*) *Of the Controlling Powers of Registrars and Inspectors General.*

68. Registrar to superintend and control Sub-Registrars.
69. Inspector General to superintend Registration Offices.
    His power to make rules.
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71. Reasons for refusal to register to be recorded.
72. Power to reverse or alter orders of Sub-Registrar refusing registration on ground other than denial of execution.
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74. Procedure of Registrar on such application.
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78. Fees to be fixed by Local Government.
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81. Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.

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PART XV.

MISCELLANEOUS.

85. Destruction of unclaimed documents.
86. Registering officer not liable for thing *bonâ fide* done or refused in his official capacity.
87. Nothing so done invalidated by defect in appointment or procedure.
88. Registration of documents executed by Government officers or certain public functionaries.
89. Certificates under Land Improvement Act, 1871.

Exemptions from Act.

90. Exemption of certain documents executed by or in favour of Government.
91. Inspection and copies of such documents.
92. Burmese registration rules confirmed.

An Act for the Registration of Documents.

Preamble. WHEREAS it is expedient to amend the law relating to the registration of documents; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. 1. This Act may be called "The Indian Registration Act, 1877:"

Local extent. It extends to the whole of British India, except such districts or tracts of country as the Local Government may from time to time, with the previous sanction of the Governor General in Council, exclude from its operation;

Commencement. And it shall come into force on the first day of April 1877.

Repeal of enactments. 2. On and from that day Act No. VIII of 1871 shall be repealed.

But all appointments, notifications, rules and orders made, and all Districts and Sub-districts formed, and all offices established, and all tables of fees prepared, under such Act or any of the enactments thereby repealed shall be deemed to have been respectively made, formed, established and prepared under this Act, except in so far as such rules and orders may be inconsistent herewith.

References made in Acts passed before the first day of April 1877, to the said Act, or to any enactment thereby repealed, shall be read as if made to the corresponding section of this Act.

Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context—

"Lease." "Lease" includes a counterpart, kabúliyat, an undertaking to cultivate or occupy, and an agreement to lease:

"Signature." "Signed." "Signature" and "signed" include and apply to the affixing of a mark:

"Immoveable property." "Immoveable property" includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth or permanently fastened to any thing which is attached to the earth, but not standing timber, growing crops, nor grass:

"Moveable property." "Moveable property" includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immoveable property:

"Book." "Book" includes a portion of a Book and also any number of sheets connected together with a view of forming a Book or portion of a Book:

"Endorsement." "Endorsed." "Endorsement" and "endorsed" include and apply to an entry in writing by a Registering Officer on a rider or covering slip to any document tendered for registration under this Act:

"Minor." "Minor" means a person who, according to the personal law to which he is subject, has not attained majority:

"Representative." "Representative" includes the guardian of a minor and the Committee or other legal curator of a lunatic or idiot:

"Addition." "Addition" means the place of residence, and the profession, trade, rank and title (if any) of a person described, and, in the case of a Native, his caste (if any) and his father's name, or where he is usually described as the son of his mother, then his mother's name:

"District Court." "District Court" includes the High Court in its ordinary original civil jurisdiction; and

"District." "Sub-District." "District" and "Sub-District" respectively mean a District and Sub-District formed under this Act.

PART II.

OF THE REGISTRATION ESTABLISHMENT.

Inspector General of Registration. 4. The Local Government shall appoint an officer to be the Inspector General of Registration for the territories subject to such Government,

or may, instead of making such appointment, direct that all or any of the powers and duties hereinafter conferred and imposed upon the Inspector General shall be exercised and performed by such officer or officers, and within such local limits, as the Local Government from time to time appoints in this behalf.

Branch Inspector General of Sindh. The Governor of Bombay in Council may also, with the previous consent of the Governor General in Council, appoint an officer to be Branch Inspector General of Sindh, who shall have all the powers of an Inspector General under this Act other than the power to frame rules hereinafter conferred.

Any Inspector General or the Branch Inspector General of Sindh may hold simultaneously any other office under Government.

Districts and Sub-Districts. 5. For the purposes of this Act, the Local Government shall form Districts and Sub-Districts, and shall prescribe, and may from time to time alter, the limits of such Districts and Sub-Districts.

The Districts and Sub-Districts formed under this section, together with the limits thereof, and every alteration of such limits, shall be notified in the local official Gazette.

Every such alteration shall take effect on such day after the date of the notification as is therein mentioned.

Registrars and Sub-Registrars. 6. The Local Government may appoint such persons, whether public officers or not, as it thinks proper, to be Registrars of the several Districts, and to be Sub-Registrars of the several Sub-Districts, formed as aforesaid, respectively.

Offices of Registrar and Sub-Registrar. 7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar, or the Offices of the Joint Sub-Registrars, and may amalgamate with any office of a Registrar any office of a Sub-Registrar subordinate to such Registrar,

and may authorize any Sub-Registrar whose office has been so amalgamated to exercise and perform, in addition to his own powers and duties, all or any of the powers and duties of the Registrar to whom he is subordinate:

Provided that no such authorization shall enable a Sub-Registrar to hear an appeal against an order passed by himself under this Act.

Inspectors of Registration Offices. 8. The Local Government may also appoint officers to be called Inspectors of Registration Offices, and may from time to time prescribe the duties of such officers. Every such Inspector shall be subordinate to the Inspector General.

Military cantonments may be declared Sub-Districts or Districts. 9. Every military cantonment where there is a Cantonment Magistrate may (if the Local Government so directs) be, for the purposes of this Act, a Sub-District or a District, and such Magistrate shall be the Sub-Registrar or the Registrar of such Sub-District or District, as the case may be.

Whenever the Governor General in Council declares any military cantonment beyond the limits of British India to be a Sub-District or a District for the purposes of this Act, he shall also declare, in the case of a Sub-District, what authorities shall be Registrar of the District and Inspector General, and in the case of a District, what authority shall be Inspector General, with reference to such cantonment and the Sub-Registrar or Registrar thereof.

Absence of Registrar from his District or vacancy in his office. 10. Whenever any Registrar other than the Registrar of a District including a Presidency Town, is absent otherwise than on duty in his District, or when his office is temporarily vacant,

any person whom the Inspector General appoints in this behalf, or, in default of such appointment, the Judge of the District Court within the local limits of whose jurisdiction the Registrar's Office is situate,

shall be the Registrar during such absence or until the Local Government fills up the vacancy.

Whenever the Registrar of a District including a Presidency Town, is absent otherwise than on duty in his District, or when his office is temporarily vacant,

any person whom the Inspector General appoints in this behalf shall be the Registrar during such absence, or until the Local Government fills up the vacancy.

Absence of Registrar on duty in his District. 11. Whenever any Registrar is absent from his office on duty in his District, he may appoint any Sub-Registrar or other person in his District to perform, during such absence, all the duties of a Registrar, except those mentioned in sections 68 and 72.

Absence of Sub-Registrar or vacancy in his office. 12. Whenever any Sub-Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar of the District appoints in this behalf shall be Sub-Registrar during such absence, or until the Local Government fills up the vacancy.

Appointments under section 10, 11 or 12 to be reported to Government. 13. All appointments made under section 10, section 11, or section 12 shall be reported to the Local Government by the Inspector General. Such report shall be either special or general, as the Local Government directs.

Suspension, removal and dismissal of officers. The Local Government may suspend, remove or dismiss any person appointed under the provisions of this Act, and appoint another person in his stead.

Remuneration and establishments of registering officers. 14. Subject to the approval of the Governor General in Council, the Local Government may assign such salaries as such Government from time to time deems proper to the Registering Officers appointed under this Act, or provide for their remuneration by fees, or partly by fees and partly by salaries.

The Local Government may allow proper establishments for the several Offices under this Act.

Seals of registering officers. 15. The several Registrars and Sub-Registrars shall use a seal bearing the following inscription in English and in such other language as the Local Government directs:—"The seal of the Registrar (*or* of the Sub-Registrar) of ...".

Register-books. 16. The Local Government shall provide for the office of every Registering Officer the books necessary for the purposes of this Act.

The books so provided shall contain the forms from time to time prescribed by the Inspector General, with the sanction of the Local Government, and the pages of such books shall be consecutively numbered in print, and the number of pages in each book shall be certified on the title-page by the officer by whom such books are issued.

Forms.

The Local Government shall supply the office of every Registrar with a fire-proof box, and shall in each District make suitable provision for the safe custody of the records connected with the registration of documents in such District.

Fire-proof boxes.

PART III

OF REGISTRABLE DOCUMENTS.

17. The documents next hereinafter mentioned shall be registered, if the property to which they relate is situate in a District in which, and if they have been executed on or after the date on which, Act No. XVI of 1864, or Act No. XX of 1866, or Act No. VIII of 1871, or this Act came or comes into force (that is to say),—

Documents of which registration is compulsory.

(*a*) Instruments of gift of immoveable property:

(*b*) Other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immoveable property:

(*c*) Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest; and

(*d*) Leases of immoveable property from year to year, or for any term exceeding one year, or reserving a yearly rent:

Provided that the Local Government may, by order published in the official Gazette, exempt from the operation of the former part of this section any leases executed in any District, or part of a District, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

Exception of composition-deeds;

Nothing in clauses (*b*) and (*c*) of this section applies to

(*e*) any composition-deed,

(*f*) any instrument relating to shares in a Joint Stock Company, notwithstanding that the assets of such Company consist in whole or in part of immoveable property, or

and of transfers of shares and debentures in Land Companies.

(*g*) any endorsement upon or transfer of any debenture issued by any such Company,

(*h*) any document not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest of the value of one hundred rupees and upwards to or in immoveable property, but merely creating a right to obtain another document which will when executed create, declare, assign, limit or extinguish any such right, title or interest,

documents merely creating right to obtain other documents.

(*i*) decrees and orders of Courts and awards,

(*j*) grants of immoveable property by Government,

(*k*) instruments of partition made by revenue officers,

(*l*) certificates and instruments of collateral security granted under the Land Improvement Act, 1871.

Authorities to adopt a son, executed after the first day of January 1872 and not conferred by a will, shall also be registered.

Authorities to adopt.

18. Any of the documents next hereinafter mentioned may be registered under this Act (that is to say),

Documents of which registration is optional.

(*a*) Instruments (other than instruments of gift and wills) which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than one hundred rupees, to or in immoveable property:

(*b*) Instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest:

(*c*) Leases of immoveable property for any term not exceeding one year, and leases exempted under section 17:

(*d*) Instruments (other than wills) which purport or operate to create, declare, assign, limit or extinguish any right, title or interest to or in moveable property:

(*e*) Wills:

(*f*) All other documents not required by section 17 to be registered.

19. If any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the District, he shall refuse to register the document, unless it be accompanied by a true translation into a language commonly used in the District and also by a true copy.

Documents in language not understood by registering officer.

20. The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless the persons executing the document attest with their signatures or initials such interlineation, blank, erasure or alteration. If he register such document, he shall, at the time of registering the same, make a note in the register of such interlineation, blank, erasure or alteration.

Documents containing interlineations, blanks, erasures or alterations.

21. (*a*) No non-testamentary document relating to immoveable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.

Description of parcels.

(*b*) Houses in towns shall be described as situate on the north or other side of the street or road (mentioning it) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered. Other houses and lands shall be described by their name, if any, and as being in the territorial division in which they are situate, and by their superficial contents, the roads and other properties on which they abut, and their existing occupancies, and also, whenever it is practicable, by reference to a Government map or survey.

(*c*) No non-testamentary document containing a map or plan of any property comprised therein shall be accepted for registration unless it be accompanied by a true copy of the map

Documents containing maps or plans.

or plan, or, in case such property is situate in several Districts, by such number of true copies of the map or plan as are equal to the number of such Districts.

22. Failure to comply with the provisions contained in section 21, clause (*b*), shall not disentitle a document to be registered if the description of the property to which it relates is sufficient to identify such property.

Failure to comply with rules as to description of houses and land.

PART IV.

OF THE TIME OF PRESENTATION.

23. Subject to the provisions contained in sections 24, 25 and 26, no document other than a will, shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution,

Time for presenting documents.

or, in the case of a copy of a decree or order, within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final:

Provided that, where there are several persons executing a document at different times, such document may be presented for registration and re-registration within four months from the date of each execution.

24. If owing to urgent necessity or unavoidable accident, any document executed, or copy of a decree or order made, in British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registrar, in cases where the delay in presentation does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration fee, such document shall be accepted for registration.

Provision where delay in presentation is unavoidable.

Any application for such direction may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

25. When a document purporting to have been executed by all or any of the parties out of British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registering Officer, if satisfied,

Documents executed out of British India.

(*a*) that the instrument was so executed, and

(*b*) that it has been presented for registration within four months after its arrival in British India,

may, on payment of the proper registration fee, accept such document for registration.

26. Whenever a registration-office is closed on the last day of any period provided in this Act for the presentation of any document, such last day shall, for the purposes of this Act, be deemed to be the day on which the office re-opens.

Provision where office is closed on last day of period for presentation.

27. A will may at any time be presented for registration or deposited in manner hereinafter provided.

Wills may be presented or deposited at any time.

PART V.

OF THE PLACE OF REGISTRATION.

28. Save as in this Part otherwise provided, every document mentioned in section 17, clauses (*a*), (*b*), (*c*) and (*d*), and section 18, clauses (*a*), (*b*) and (*c*), shall be presented for registration in the office of a Sub-Registrar within whose Sub-District the whole or some portion of the property to which such document relates is situate.

Place for registering documents relating to land.

29. Every document other than a document referred to in section 28 and a copy of a decree or order, may be presented for registration either in the office of the Sub-Registrar in whose Sub-District the document was executed, or in the office of any other Sub-Registrar under the Local Government at which all the persons executing and claiming under the document desire the same to be registered.

Place for registering other documents.

A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose Sub-District the original decree or order was made, or, where the decree or order does not affect immoveable property, in the office of any other Sub-Registrar under the Local Government at which all the persons claiming under the decree or order desire the copy to be registered.

30. (*a*) Any Registrar may in his discretion receive and register any document which might be registered by any Sub-Registrar subordinate to him.

Registration by Registrar.

(*b*.) The Registrar of a District including a Presidency Town and the Registrar of the Lahore District may receive and register any document referred to in section 28 without regard to the situation in any part of British India of the property to which the document relates.

Registration by Registrar at Presidency Town and Lahore.

31. In ordinary cases the registration or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit.

Registration or acceptance for deposit at private residence.

But such officer may on special cause being shown attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will.

PART VI.

OF PRESENTING DOCUMENTS FOR REGISTRATION.

32. Except in the cases mentioned in section 31 and section 89, every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration office,

Persons to present documents for registration.

by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order,

or by the representative or assign of such person,

or by the agent of such person, representative or assign, duly authorized by power-of-attorney executed and authenticated in manner hereinafter mentioned.

33. For the purposes of section 32, the powers-of-attorney next hereinafter mentioned shall alone be recognized (that is to say),—

Powers of attorney recognizable for purposes of section 32.

(*a*) if the principal at the time of executing the power-of-attorney resides in any part of British India in which this Act is for the time being in force, a power-of-attorney executed before and authenticated by the Registrar or Sub-Registrar within whose District or Sub-District the principal resides:

(*b*) if the principal at the time aforesaid resides in any other part of British India, a power-of-attorney executed before and authenticated by any Magistrate:

(*c*) if the principal at the time aforesaid does not reside in British India, a power-of-attorney executed before and authenticated by a Notary Public, or any Court, Judge, Magistrate, British Consul or Vice-Consul, or representative of Her Majesty or of the Government of India:

Provided that the following persons shall not be required to attend at any registration-office or Court for the purpose of executing any such power-of-attorney as is mentioned in clauses (*a*) and (*b*) of this section:—

Proviso as to persons infirm, or in jail, or exempt from appearing in Court.

persons who by reason of bodily infirmity are unable without risk or serious inconvenience so to attend;

persons who are in jail under civil or criminal process; and

persons exempt by law from personal appearance in Court.

In every such case the Registrar or Sub-Registrar or Magistrate (as the case may be), if satisfied that the power-of-attorney has been voluntarily executed by the person purporting to be the principal, may attest the same without requiring his personal attendance at the office or Court aforesaid.

To obtain evidence as to the voluntary nature of the execution, the Registrar or Sub-Registrar or Magistrate may either himself go to the house of the person purporting to be the principal, or to the jail in which he is confined, and examine him, or issue a commission for his examination.

Any power-of-attorney mentioned in this section may be proved by the production of it without further proof, when it purports on the face of it to have been executed before and authenticated by the person or Court hereinbefore mentioned in that behalf.

34. Subject to the provisions contained in this Part and in sections 41, 43, 45, 69, 75, 77, 88 and 89, no document shall be registered under this Act, unless the persons executing such document, or their representatives, assigns or agents authorized as aforesaid, appear before the registering officer within the time allowed for presentation under sections 23, 24, 25 and 26:

Enquiry before registration by registering officer.

Provided that if owing to urgent necessity or unavoidable accident all such persons do not so appear, the Registrar, in cases where the delay in appearing does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration-fee in addition to the fine, if any, payable under section 24, the document may be registered.

Such appearances may be simultaneous or at different times.

The registering officer shall thereupon—

(*a*) enquire whether or not such document was executed by the persons by whom it purports to have been executed,

(*b*) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the document, and

(*c*) in the case of any person appearing as a representative, assign or agent, satisfy himself of the right of such person so to appear.

Any application for a direction under the proviso in this section may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

Nothing in this section applies to copies of decrees or orders.

35. If all the persons executing the document appear personally before the registering officer and are personally known to him, or if he be otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution of the document;

Procedure on admission of execution.

or, in the case of any person appearing by a representative, assign or agent, if such representative, assign or agent admits the execution;

or, if the person executing the document is dead, and his representative or assign appears before the registering officer, and admits the execution,

the registering officer shall register the document as directed in sections 58 to 61, inclusive.

The registering officer may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine any one present in his office.

If any of the persons by whom the document purports to be executed deny its execution,

Procedure on denial of execution, &c.

or if any such person appears to be a minor, an idiot, or a lunatic,

or if any person by whom the document purports to be executed is dead, and his representative or assign denies its execution,

the registering officer shall refuse to register the document: Provided that, where such officer is a Registrar, he shall follow the procedure prescribed in Part XII of this Act.

PART VII.

OF ENFORCING THE APPEARANCE OF EXECUTANTS AND WITNESSES.

36. If any person presenting any document for registration, or claiming under any document which is capable of being so presented, desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may, in his discretion, call upon such officer or Court as the Local Government from time to time directs in this behalf to issue a summons requiring him to appear at the registration office, either in person or by duly authorized agent, as in the summons may be mentioned, and at a time named therein.

Procedure where appearance of executant or witness is desired.

37. The officer or Court, upon receipt of the peon's fee payable in such cases, shall issue the summons accordingly, and cause it to be served upon the person whose appearance is so required.

Officer or Court to issue and cause service of summons.

38. A person who by reason of bodily infirmity is unable without risk or serious inconvenience to appear at the registration office,

Persons exempt from appearance at registration office.

a person in jail under civil or criminal process,

and persons exempt by law from personal appearance in Court, and who would but for the provision next hereinafter contained be required to appear in person at the registration office,

shall not be required so to appear.

In every such case, the registering officer shall either himself go to the house of such person, or to the jail in which he is confined, and examine him, or issue a commission for his examination.

39. The law in force for the time being as to summonses, commissions and compelling the attendance of witnesses, and for their remuneration in suits before Civil Courts shall, save as aforesaid and *mutatis mutandis*, apply to any summons or commission issued, and any person summoned to appear under the provisions of this Act.

Law as to summonses, commissions and witnesses.

PART VIII.

OF PRESENTING WILLS AND AUTHORITIES TO ADOPT.

40. The testator or after his death any person claiming as executor or otherwise under a will, may present it to any Registrar or Sub-Registrar for registration,

Persons entitled to present wills and authorities to adopt.

and the donor or after his death the donee of any authority to adopt, or the adoptive son, may present it to any Registrar or Sub-Registrar for registration.

41. A will or an authority to adopt, presented for registration by the testator or donor, may be registered in the same manner as any other document.

Registration of wills and authorities to adopt.

A will or authority to adopt presented for registration by any other person entitled to present it, shall be registered if the registering officer is satisfied,

(*a*) that the will or authority was executed by the testator or donor, as the case may be,

(*b*) that the testator or donor is dead, and

(*c*) that the person presenting the will or authority is, under section 40, entitled to present the same.

PART IX.

OF THE DEPOSIT OF WILLS.

42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any) and with a statement of the nature of the document.

Deposit of wills.

43. On receiving such cover, the Registrar, if satisfied that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register Book No. 5 the superscription aforesaid and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, and the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover.

Procedure on deposit of wills.

The Registrar shall then place and retain the sealed cover in his fire-proof box.

44. If the testator who has deposited such cover wishes to withdraw it, he may apply either personally or by duly authorized agent to the Registrar who holds it in deposit, and such Registrar, if satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly.

Withdrawal of sealed cover deposited under section 42.

45. If, on the death of a testator who has deposited a sealed cover under section 42, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall, in the applicant's presence, open the cover, and, at the applicant's expense, cause the contents thereof to be copied into his Book No. 3.

Proceedings on death of depositor.

When such copy has been made, the Registrar shall re-deposit the original will.

Re-deposit.

46. Nothing hereinbefore contained shall affect the provisions of the Indian Succession Act, section 259, or the power of any Court by order to compel the production of any will. But whenever any such order is made, the Registrar shall, unless the will has been already copied under section 45, open the cover and cause the will to be copied into his Book No. 3 and make a note on such copy that the original has been removed into Court in pursuance of the order aforesaid.

Saving of Act X of 1865, section 259.

PART X.

OF THE EFFECTS OF REGISTRATION AND NON-REGISTRATION.

47. A registered document shall operate from the time from which it would have commenced to operate if no registration thereof had been required or made, and not from the time of its registration.

Time from which registered document operates.

48. All non-testamentary documents duly registered under this Act, and relating to any property whether moveable or immoveable, shall take effect against any oral agreement or declaration relating to such property, unless where the agreement or declaration has been accompanied or followed by delivery of possession.

Registered documents relating to property when to take effect against oral agreements.

49. No document required by section 17 to be registered,

Effect of non-registration of documents required to be registered.

shall affect any immoveable property comprised therein,

or confer any power to adopt,

or be received as evidence of any transaction affecting such property or conferring such power,

unless it has been registered in accordance with the provisions of this Act.

Registered documents relating to land, of which registration is optional, to take effect against unregistered documents.

50. Every document of the kinds mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of section 17, and clauses (*a*) and (*b*) of section 18, shall, if duly registered, take effect as regards the property comprised therein, against every unregistered document relating to the same property, and not being a decree or order, whether such unregistered document be of the same nature as the registered document or not.

Nothing in the former part of this section applies to leases exempted under the proviso in section 17, or to the documents mentioned in clauses (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*) and (*l*) of the same section.

Explanation.—In cases where Act No. XVI of 1864 or Act No. XX of 1866 was in force in the place and at the time in and at which such unregistered document was executed, "unregistered" means not registered according to such Act, and, where the document is executed after the first day of July 1871, not registered under Act No. VIII of 1871 or this Act.

PART XI.

OF THE DUTIES AND POWERS OF REGISTERING OFFICERS.

(A). As to the Register-Books and Indexes.

Register-books to be kept in the several offices.

51. The following Books shall be kept in the several offices hereinafter named (that is to say)—

In all registration offices—

Book 1, "Register of non-testamentary documents relating to immoveable property;"

Book 2, "Record of reasons for refusal to register;"

Book 3, "Register of wills and authorities to adopt;" and

Book 4, "Miscellaneous Register."

In the offices of Registrars—

Book 5, "Register of deposits of wills."

In Book 1 shall be entered or filed all documents or memoranda registered under sections 17, 18 and 87 which relate to immoveable property, and are not wills.

In Book 4 shall be entered all documents registered under clauses (*d*) and (*f*) of section 18, which do not relate to immoveable property.

Nothing in the former part of this section shall be deemed to require more than one set of books where the Office of the Registrar has been amalgamated with the Office of a Sub-Registrar.

Endorsements on document presented. Receipt for document.

52. The day, hour and place of presentation, and the signature of every person presenting a document for registration, shall be endorsed on every such document at the time of presenting it: a receipt for such document shall be given by the registering officer to the person presenting the same; and, subject to the provisions contained in section 62, every document admitted to registration shall without unnecessary delay be copied in the book appropriated therefor according to the order of its admission.

Documents admitted to registration to be copied.

And all such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the Inspector General.

Entries to be numbered consecutively.

53. All entries in each book shall be numbered in a consecutive series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year.

Current indexes and entries therein.

54. In every office in which any of the books hereinbefore mentioned are kept, there shall be prepared current indexes of the contents of such books; and every entry in such indexes shall be made, so far as practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

Indexes to be made by registering officers.

55. Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III, and Index No. IV.

Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

Index No. II shall contain such particulars mentioned in section 21 relating to every such document and memorandum as the Inspector General from time to time directs in that behalf.

Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

Extra particulars in indexes.

Indexes Nos. I, II, III and IV shall contain such other particulars, and shall be prepared in such form, as the Inspector General from time to time directs.

Copy of entries in Indexes Nos. I, II and III to be sent by Sub-Registrar to Registrar.

56. Every Sub-Registrar shall send to the Registrar to whom he is subordinate, at such intervals as the Inspector General from time to time directs, a copy of all entries made by such Sub-Registrar, during the last of such intervals, in Indexes Nos. I, II and III.

Such copy to be filed by Registrar.

Every Registrar receiving such copy shall file it in his office.

Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries.

57. Subject to the previous payment of the fees payable in that behalf, the Books Nos. 1 and 2 and the indexes relating to Book No. 1 shall be at all times open to inspection by any person applying to inspect the same; and subject

to the provisions of section 62, copies of entries in such books shall be given to all persons applying for such copies.

Subject to the same provisions, copies of entries in Book No. 3 and in the index relating thereto shall be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies.

Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative. The requisite search under this section for entries in Books Nos. 3 and 4 shall be made only by the registering officer.

All copies given under this section shall be signed and sealed by the registering officer, and shall be admissible for the purpose of proving the contents of the original documents.

(B). As to the Procedure on admitting to Registration.

Particulars to be endorsed on documents admitted to registration.

58. On every document admitted to registration, other than a copy of a decree or order, or a copy of a certificate under the Land Improvement, Act, 1871, sent by the Collector to be registered, there shall be endorsed from time to time the following particulars (that is to say),—

(*a*) the signature and addition of every person admitting the execution of the document; and, if such execution has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;

(*b*) the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and

(*c*) any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.

If any person admitting the execution of a document refuses to endorse the same, the registering officer shall nevertheless register it, but shall at the same time endorse a note of such refusal.

Such endorsements to be dated and signed by registering officer.

59. The registering officer shall affix the date and his signature to all endorsements made under sections 52 and 58, relating to the same document and made in his presence on the same day.

Certificate showing that document has been registered, and number and page of book in which it has been copied.

60. After such of the provisions of sections 34, 35, 58 and 59 as apply to any document presented for registration have been complied with, the registering officer shall endorse thereon a certificate containing the word "registered," together with the number and page of the book in which the document has been copied.

Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsements referred to in section 59 have occurred as therein mentioned.

Endorsements and certificate to be copied.

61. The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the margin of the Register Book, and the copy of the map or plan (if any) mentioned in section 21 shall be filed in Book No. 1.

Document to be returned.

The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in section 52.

Procedure on presenting document in language unknown to registering officer.

62. When a document is presented for registration under section 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in section 19, shall be filed in the registration office.

The endorsements and certificate respectively mentioned in sections 59 and 60 shall be made on the original, and for the purpose of making the copies and memoranda required by sections 57, 64, 65 and 66, the translation shall be treated as if it were the original.

Power to administer oaths.

63. Every registering officer may at his discretion administer an oath to any person examined by him under the provisions of this Act.

Record of substance of statements.

He may also at his discretion record a note of the substance of the statement made by each such person, and such statement shall be read over, or (if made in a language with which such person is not acquainted) interpreted to him in a language with which he is acquainted, and if he admits the correctness of such note, it shall be signed by the registering officer.

Every such note so signed shall be admissible for the purpose of proving that the statements therein recorded were made by the persons and under the circumstances therein stated.

(C). Special Duties of Sub-Registrar.

Procedure on registration of document relating to land situate in several Sub-Districts.

64. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property not wholly situate in his own Sub-District, shall make a memorandum thereof and of the endorsement and certificate (if any) thereon, and send the same to every other Sub-Registrar subordinate to the same Registrar as himself in whose Sub-District any part of such property is situate, and such Sub-Registrar shall file the memorandum in his Book No. 1.

Procedure where document relates to land situate in several districts.

65. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property situate in more districts than one, shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21, to the Registrar of every district in which any part of such property is situate other than the district in which his own Sub-District is situate.

The Registrar on receiving the same shall file in his Book No. 1 the copy of the document and the copy of the map or plan (if any), and shall forward

a memorandum of the document to each of the Sub-Registrars subordinate to him within whose Sub-District any part of such property is situate; and every Sub-Registrar receiving such memorandum shall file it in his Book No. 1.

(D). Special Duties of Registrar.

Procedure on registering documents relating to land.

66. On registering any non-testamentary document relating to immoveable property, the Registrar shall forward a memorandum of such document to each Sub-Registrar subordinate to himself in whose Sub-District any part of the property is situate.

He shall also forward a copy of such document, together with a copy of the map or plan (if any) mentioned in section 21, to every other Registrar in whose district any part of such property is situate.

Such Registrar on receiving any such copy shall file it in his Book No. 1, and shall also send a memorandum of the copy to each of the Sub-Registrars subordinate to him within whose Sub-District any part of the property is situate.

Every Sub-Registrar receiving any memorandum under this section shall file it in his Book No. 1.

Procedure on registration under section 30, clause (*b*).

67. On any document being registered under section 30, clause (*b*), a copy of such document and of the endorsements and certificate thereon shall be forwarded to every Registrar within whose district any part of the property to which the instrument relates is situate, and the Registrar receiving such copy shall follow the procedure prescribed for him in the first clause of section 66.

(E). Of the controlling Powers of Registrars and Inspectors General.

Registrar to superintend and control Sub-Registrars.

68. Every Sub-Registrar shall perform the duties of his office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situate.

Every Registrar shall have authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him, or in respect of the rectification of any error regarding the book or the office in which any document shall have been registered.

Inspector General to superintend registration offices.

His power to make rules.

69. The Inspector General shall exercise a general superintendence over all the registration offices in the territories under the Local Government, and shall have power from time to time to make rules consistent with this Act—

providing for the safe custody of books, papers and documents, and also for the destruction of such books, papers and documents as need no longer be kept;

declaring what languages shall be deemed to be commonly used in each district;

declaring what territorial divisions shall be recognized under section 21;

regulating the amount of fines imposed under sections 24 and 34, respectively;

regulating the exercise of the discretion reposed in the registering officer by section 63;

regulating the form in which registering officers are to make memoranda of documents;

regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51;

declaring the particulars to be contained in Indexes Nos. I, II, III and IV, respectively;

declaring the holidays that shall be observed in the registration offices;

and, generally, regulating the proceedings of the Registrars and Sub-Registrars.

The rules so made shall be submitted to the Local Government for approval, and, after they have been approved, they shall be published in the official Gazette and shall then have the same force as if they were inserted in this Act.

His power to remit fines.

70. The Inspector General may also, in the exercise of his discretion, remit wholly or in part the difference between any fine levied under section 24 or section 34 and the amount of the proper registration fee.

PART XII.

OF REFUSAL TO REGISTER.

Reasons for refusal to register to be recorded.

71. Every Sub-Registrar refusing to register a document,

except on the ground that the property to which it relates is not situate within his Sub-District,

shall make an order of refusal and record his reasons for such order in his Book No. 2, and endorse the words "registration refused" on the document; and on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

Power to reverse or alter orders of Sub-Registrar refusing registration on ground other than denial of execution.

72. Except where the refusal is made on the ground of denial of execution, an appeal shall lie against an order of a Sub-Registrar refusing to admit a document to registration (whether the registration of such document is compulsory or optional) to the Registrar to whom such Sub-Registrar is subordinate, if presented to such Registrar within thirty days from the date of the order; and the Registrar may reverse or alter such order:

and if the order of the Registrar directs the document to be registered and the document is duly presented for registration within thirty days after the making of such order, the Sub-Registrar shall obey the same, and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60; and such registration shall take effect as if the document had been registered when it was first duly presented for registration.

Application where Sub-Registrar refuses to register on ground of denial of execution.

73. When a Sub-Registrar has refused to register a document on the ground that any person by whom it purports to be executed, or his representative or assign, denies its execution,

any person claiming under such document, or his representative, assign or agent authorized as aforesaid, may, within thirty days after the making of the order of refusal, apply to the Registrar to whom such Sub-Registrar is subordinate in order to establish his right to have the document registered.

Such application shall be in writing and shall be accompanied by a copy of the reason recorded under section 71, and the statements in the application shall be verified by the applicant in manner required by law for the verification of plaints.

Procedure of Registrar on such application.

74. In such case, and also where such denial as aforesaid is made before a Registrar in respect of a document presented for registration to him, he shall as soon as conveniently may be enquire—

(*a*) whether the document has been executed;

(*b*) whether the requirements of the law for the time being in force have been complied with on the part of the applicant or person presenting the document for registration as the case may be, so as to entitle the document to registration.

Order to register and procedure thereon.

75. If the Registrar finds that the document has been executed and that the said requirements have been complied with, he shall order the document to be registered.

And if the document be duly presented for registration within thirty days after the making of such order, the registering officer shall obey the same and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60.

Such registration shall take effect as if the document had been registered when it was first duly presented for registration.

The Registrar may, for the purpose of any enquiry under section 74, summon and enforce the attendance of witnesses, and compel them to give evidence as if he were a Civil Court, and he may also direct by whom the whole or any part of the costs of any such enquiry shall be paid, and such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure.

Refusal by Registrar.

76. Every Registrar refusing—

(*a*) to register a document except on the ground that the property to which it relates is not situate within his district or that the document ought to be registered in the office of a Sub-Registrar, or

(*b*) to direct the registration of a document under section 72 or section 75,

shall make an order of refusal and record the reasons for such order in his Book No. 2, and on application made by any person executing or claiming under the document, shall, without unnecessary delay, give him a copy of the reasons so recorded.

No appeal lies from any order under this section or section 72.

Suit in case of refusal.

77. Where the Registrar refuses to order the document to be registered, under section 72 or section 76, any person claiming under such document, or his representative, assign or agent, may, within thirty days after the making of the order of refusal, institute in the Civil Court within the local limits of whose original jurisdiction is situate the office in which the document is sought to be registered, a suit for a decree directing the document to be registered in such office, if it be duly presented for registration within thirty days after the passing of such decree; and the provisions contained in the second and third paragraphs of section 75, shall, *mutatis mutandis*, apply to all documents so presented, and notwithstanding anything contained in this Act, the document shall be receivable in evidence in such suit.

PART XIII.

OF THE FEES FOR REGISTRATION, SEARCHES AND COPIES.

Fees to be fixed by Local Government.

78. Subject to the approval of the Governor General in Council, the Local Government shall prepare a table of fees payable—

for the registration of documents:

for searching the registers:

for making or granting copies of reasons, entries or documents, before, on or after registration:

And of extra or additional fees payable—

for every registration under section thirty:

for the issue of commissions:

or filing translations:

for attending at private residences:

for the safe custody and return of documents:

and for such other matters as appear to the Local Government necessary to effect the purposes of this Act.

Alteration of fees.

The Local Government may from time to time, subject to the like approval, alter such table.

Publication of fees.

79. A table of the fees so payable shall be published in the official Gazette, and a copy thereof in English and the vernacular language of the district shall be exposed to public view in every registration office.

Fees payable on presentation.

80. All fees for the registration of documents under this Act shall be payable on the presentation of such documents.

PART XIV.

OF PENALTIES.

Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.

81. Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause, or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code to any person, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

Penalty for certain other offences.

82. Whoever commits any of the following offences shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both:

Making false statements before registering officer.

(*a*) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or inquiry under this Act,

Delivering false copy or translation.

(*b*) intentionally delivers to a registering officer in any proceeding under section 19 or section 21 a false copy or translation of a document, or a false copy of a map or plan,

(*e*) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued, or does any other act in any proceeding or enquiry under this Act,

False personation.

(*d*) abets within the meaning of the Indian Penal Code anything made punishable by this Act.

Abetment of offences under this Act.

83. A prosecution for any offence under this Act coming to the knowledge of a registering officer in his official capacity may be commenced by or with the permission of the Inspector General, the Branch Inspector General of Sindh, the Registrar or the Sub-Registrar, in whose territories, District or Sub-District, as the case may be, the offence has been committed.

Registering officer may commence prosecutions.

Offences punishable under this Act shall be triable by any Court or officer exercising powers not less than those of a Subordinate Magistrate of the first class:

Provided that, in imposing penalties under this Act, no such Court or officer shall exceed the limits of jurisdiction prescribed by the law for the time being in force as to such Court or officer.

All fines imposed under this Act may be recovered, if for offences committed outside the limits of the Presidency Towns, in the manner prescribed by the Code of Criminal Procedure, and if for offences committed within those limits, in the manner prescribed by any Act regulating the Police of such Towns for the time being in force.

84. Every registering officer appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Registering officers to be deemed public servants.

Every person shall be legally bound to furnish information to such registering officer when required by him to do so. And in section 228 of the same Code, the words "judicial proceeding" shall include any proceeding under this Act.

A Registrar shall, but a Sub-Registrar shall not, as such, be deemed a Court within the meaning of sections 435 and 436 of the Code of Criminal Procedure.

PART XV.

MISCELLANEOUS.

85. Documents (other than wills) remaining unclaimed in any registration office, for a period exceeding two years, may be destroyed.

Destruction of unclaimed documents.

86. No registering officer shall be liable to any suit, claim or demand by reason of anything in good faith done or refused in his official capacity.

Registering officer not liable for thing *bonâ fide* done or refused in his official capacity.

87. Nothing done in good faith pursuant to this Act, or any Act hereby repealed, by any registering officer, shall be deemed invalid merely by reason of any defect in his appointment or procedure.

Nothing so done invalidated by defect in appointment or procedure.

88. Notwithstanding anything herein contained, it shall not be necessary for any officer of Government, or for the Administrator General of Bengal, Madras or Bombay, or for any Official Trustee, or Official Assignee, or for the Sheriff, Receiver or Registrar of a High Court, to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed by him in his official capacity, or to sign as provided in section 58.

Registration of documents executed by Government officers or certain public functionaries.

But when any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he think fit, refer to any Secretary to Government or to such officer of Government, Administrator General, Official Trustee, Official Assignee, Sheriff, Receiver or Registrar, as the case may be, for information respecting the same, and, on being satisfied of the execution thereof, shall register the instrument.

89. Every officer granting a certificate under the Land Improvement Act, 1871, shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved, or of the land to be granted as collateral security, is situate, and such registering officer shall file the certificate in his book No. 1.

Certificates under Land Improvement Act, 1871.

Exemptions from Act.

90. Nothing contained in this Act or in Act No. VIII of 1871 or in any Act thereby repealed shall be deemed to require, or to have at any time required, the registration of any of the following documents or maps:—

Exemption of certain documents executed by or in favour of Government.

(*a*). **Documents issued, received or attested by any officer engaged in making a settlement or revision of settlement of land-revenue, and which form part of the records of such settlement.**

(*b*). Documents and maps issued, received or authenticated by any officer engaged on behalf of Government in making or revising the survey of any land, and which form part of the record of such survey.

(*c*). Documents which, under any law for the time being in force, or filed periodically in any revenue office by patwáris or other officers charged with the preparation of village-records.

(*d*). Sanads, inám title-deeds and other documents purporting to be or to evidence grants or assignments by Government of land or of any interest in land.

But all such documents and maps shall, for the purposes of sections 48 and 49, be deemed to have been and to be registered in accordance with the provisions of this Act.

91. Subject to such rules and the previous payment of such fees as the Local Government from time to time prescribes in this behalf, all documents and maps mentioned in section 90, clauses (*a*), (*b*) and (*c*), and all registers of the documents mentioned in clause (*d*), shall be open to the inspection of any person applying to inspect the same, and, subject as aforesaid, copies of such documents shall be given to all persons applying for such copies.

Inspection and copies of such documents.

92. All rules relating to registration heretofore enforced in British Burma shall be deemed to have had the force of law, and shall be maintained no suit or other proceeding against any officer or other person in respect of anything done under any of the said rules.

Burmese registration-rules confirmed.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 24, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th February 1877, and is hereby promulgated for general information:—

ACT I OF 1877.

THE SPECIFIC RELIEF ACT, 1877.

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SCHEDULE.—Enactments repealed.

An Act to define and amend the Law relating to certain kinds of Specific Relief.

WHEREAS it is expedient to define and amend the law relating to certain kinds of specific relief obtainable in civil suits; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Specific Relief Act, 1877:" Short title.

It extends to the whole of British India, except the Scheduled Districts as defined in Act No. XIV of 1874; Local extent.

And it shall come into force on the first day of May 1877. Commencement.

2. On and from that day the Acts specified in the schedule hereto annexed shall be repealed to the extent mentioned in its third column. Repeal of enactments.

3. In this Act, unless there be something repugnant in the subject or context,— Interpretation-clause.

'obligation' includes every duty enforceable by law: 'obligation.'

'trust' includes every species of express, implied, or constructive fiduciary ownership: 'trust.'

'trustee' includes every person holding, expressly, by implication, or constructively, a fiduciary character: 'trustee.'

Illustrations.

(*a*). Z bequeaths land to A, 'not doubting that he will pay thereout an annuity of Rs. 1,000 to B for his life.' A accepts the bequest. A is a trustee within the meaning of this Act for B to the extent of the annuity.

(*b*). A is the legal, medical, or spiritual adviser of B. By availing himself of his situation as such adviser, A gains some pecuniary advantage which might otherwise have accrued to B. A is a trustee for B within the meaning of this Act of such advantage.

(*c*). A, being B's banker, discloses for his own purpose the state of B's account. A is a trustee within the meaning of this Act for B of the benefit gained by him by means of such disclosure.

(*d*). A, the mortgagee of certain leaseholds, renews the lease in his own name. A is a trustee within the meaning of this Act of the renewed lease for those interested in the original lease.

(*e*). A, one of several partners, is employed to purchase goods for the firm. A, unknown to his co-partners, supplies them, at the market-price, with goods previously bought by himself when the price was lower, and thus makes a considerable profit. A is a trustee, for his co-partners, within the meaning of this Act of the profit so made.

(*f*). A, the manager of B's indigo factory, becomes agent for C, a vendor of indigo-seed, and receives, without B's assent, commission on the seed purchased from C for the factory. A is a trustee, within the meaning of this Act, for B, of the commission so received.

(*g*). A buys certain land with notice that B has already contracted to buy it. A is a trustee, within the meaning of this Act, for B, of the land so bought.

(*h*). A buys land from B, having notice that C is in occupation of the land. A omits to make any inquiry as to the nature of C's interest therein. A is a trustee, within the meaning of this Act, for C, to the extent of that interest.

'settlement' means any instrument (other than a will or codicil as defined by the Indian Succession Act) whereby the destination or devolution of successive interests in moveable or immoveable property is disposed of or is agreed to be disposed of: 'settlement.'

and all words occurring in this Act, which are defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively assigned to them by that Act. Words defined in Contract Act.

4. Except where it is herein otherwise expressly enacted, nothing in this Act shall be deemed— Savings.

(*a*) to give any right to relief in respect of any agreement which is not a contract;

(*b*) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; or

(*c*) to affect the operation of the Indian Registration Act on documents.

5. Specific relief is given— Specific relief how given.

(*a*) by taking possession of certain property and delivering it to a claimant;

(*b*) by ordering a party to do the very act which he is under an obligation to do;

(*c*) by preventing a party from doing that which he is under an obligation not to do;

(*d*) by determining and declaring the rights of parties otherwise than by an award of compensation; or

(*e*) by appointing a Receiver.

6. Specific relief granted under clause (*c*) of section 5 is called preventive relief. Preventive relief.

7. Specific relief cannot be granted for the mere purpose of enforcing a penal law. Relief not granted to enforce penal law.

PART II.

OF SPECIFIC RELIEF.

CHAPTER I.

OF RECOVERING POSSESSION OF PROPERTY.

(*a*).—*Possession of Immoveable Property.*

8. A person entitled to the possession of specific immoveable property may recover it in the manner prescribed by the Code of Civil Procedure. Recovery of specific immoveable property.

9. If any person is dispossessed without his consent of immoveable property otherwise than in due course of law, he or any person claiming through him may, by suit instituted within six months from the date of the dispossession, recover possession thereof, notwithstanding any other title that may be set up in such suit. Suit by person dispossessed of immoveable property.

Nothing in this section shall bar any person from suing to establish his title to such property and to recover possession thereof.

No suit under this section shall be brought against the Government.

No appeal shall lie from any order or decree passed in any suit instituted under this section, nor shall any review of any such order or decree be allowed.

(*b*). *Possession of Moveable Property.*

10. A person entitled to the possession of specific moveable property may recover the same in the manner prescribed by the Code of Civil Procedure. Recovery of specific moveable property.

EXPLANATION 1.—A trustee may sue under this section for the possession of property to the beneficial interest in which the person for whom he is trustee is entitled.

EXPLANATION 2.—A special or temporary right to the present possession of property is sufficient to support a suit under this section.

Illustrations.

(*a*). A bequeaths land to B for his life, with remainder to C. A dies. B enters on the land, but C, without B's consent, obtains possession of the title-deeds. B may recover them from C.

(*b*). A pledges certain jewels to B to secure a loan. B disposes of them before he is entitled to do so. A, without having paid or tendered the amount of the loan, sues B for possession of the jewels. The suit should be dismissed, as A is not entitled to their possession, whatever right he may have to secure their safe custody.

(*c*). A receives a letter addressed to him by B. B gets back the letter without A's consent. A has such a property therein as entitles him to recover it from B.

(*d*). A deposits books and papers for safe custody with B. B loses them and C finds them, but refuses to deliver them to B when demanded. B may recover them from C, subject to C's right, if any, under section 168 of the Indian Contract Act, 1872.

(*e*). A, a warehouse-keeper, is charged with the delivery of certain goods to Z, which B takes out of A's possession. A may sue B for the goods.

11. Any person having the possession or control of a particular article of moveable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession, in any of the following cases:— Liability of person in possession, not as owner, to deliver to person entitled to immediate possession.

(*a*) when the thing claimed is held by the defendant as the agent or trustee of the claimant;

(*b*) when compensation in money would not afford the claimant adequate relief for the loss of the thing claimed;

(*c*) when it would be extremely difficult to ascertain the actual damage caused by its loss;

(*d*) when the possession of the thing claimed has been wrongfully transferred from the claimant.

Illustrations

of clause (*a*).—A, proceeding to Europe, leaves his furniture in charge of B as his agent during his absence. B, without A's authority, pledges the furniture to C, and C, knowing that B had no right to pledge the furniture, advertises it for sale. C may be compelled to deliver the furniture to A, for he holds it as A's trustee.

of clause (*b*).—Z has got possession of an idol belonging to A's family, and of which A is the proper custodian. Z may be compelled to deliver the idol to A.

of clause (*c*).—A is entitled to a picture by a dead painter and a pair of rare China vases. B has possession of them. The articles are of too special a character to bear an ascertainable market-value. B may be compelled to deliver them to A.

CHAPTER II.

OF THE SPECIFIC PERFORMANCE OF CONTRACTS.

(*a*). *Contracts which may be specifically enforced.*

Cases in which specific performance enforceable.

12. Except as otherwise provided in this chapter, the specific performance of any contract may in the discretion of the Court be enforced—

(*a*) when the act agreed to be done is in the performance, wholly or partly, of a trust;

(*b*) when there exists no standard for ascertaining the actual damage caused by the non-performance of the act agreed to be done;

(*c*) when the act agreed to be done is such that pecuniary compensation for its non-performance would not afford adequate relief; or

(*d*) when it is probable that pecuniary compensation cannot be got for the non-performance of the act agreed to be done.

EXPLANATION.—Unless and until the contrary is proved, the Court shall presume that the breach of a contract to transfer immoveable property cannot be adequately relieved by compensation in money, and that the breach of a contract to transfer moveable property can be thus relieved.

Illustrations

of clause (*a*).—A holds certain stock in trust for B. A wrongfully disposes of the stock. The law creates an obligation on A to restore the same quantity of stock to B, and B may enforce specific performance of this obligation.

of clause (*b*).—A agrees to buy, and B agrees to sell, a picture by a dead painter and two rare China vases. A may compel B specifically to perform this contract, for there is no standard for ascertaining the actual damage which would be caused by its non-performance.

of clause (*c*).—A contracts with B to sell him a house for Rs. 1,000. B is entitled to a decree directing A to convey the house to him, he paying the purchase-money.

In consideration of being released from certain obligations imposed on it by its Act of incorporation, a railway company contract with Z to make an archway through their railway to connect lands of Z severed by the railway, to construct a road between certain specified points, to pay a certain annual sum towards the maintenance of this road, and also to construct a siding and a wharf as specified in the contract. Z is entitled to have this contract specifically enforced, for his interest in its performance cannot be adequately compensated for by money; and the Court may appoint a proper person to superintend the construction of the archway, road, siding and wharf.

A contracts to sell, and B contracts to buy, a certain number of railway-shares of a particular description. A refuses to complete the sale. B may compel A specifically to perform this agreement, for the shares are limited in number and not always to be had in the market, and their possession carries with it the status of a shareholder, which cannot otherwise be procured.

A contracts with B to paint a picture for B, who agrees to pay therefor Rs. 1,000. The picture is painted. B is entitled to have it delivered to him on payment or tender of the Rs. 1,000.

of clause (*d*).—A transfers without endorsement, but for valuable consideration, a promissory note to B. A becomes insolvent, and C is appointed his assignee. B may compel C to endorse the note, for C has succeeded to A's liabilities, and a decree for pecuniary compensation for not endorsing the note would be fruitless.

Contracts of which the subject has partially ceased to exist.

13. Notwithstanding anything contained in section 56 of the Indian Contract Act, a contract is not wholly impossible of performance, because a portion of its subject-matter existing at its date has ceased to exist at the time of the performance.

Illustrations.

(*a*). A contracts to sell a house to B for a lákh of rupees. The day after the contract is made, the house is destroyed by a cyclone. B may be compelled to perform his part of the contract by paying the purchase-money.

(*b*). In consideration of a sum of money payable by B, A contracts to grant an annuity to B for B's life. The day after the contract has been made, B is thrown from his horse and killed. B's representative may be compelled to pay the purchase-money.

Specific performance of part of contract where part unperformed is small.

14. Where a party to a contract is unable to perform the whole of his part of it, but the part which must be left unperformed bears only a small proportion to the whole in value, and admits of compensation in money, the Court may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency.

Illustrations.

(*a*). A contracts to sell B a piece of land consisting of 100 bighás. It turns out that 98 bighás of the land belong to A, and the two remaining bighás to a stranger, who refuses to part with them. The two bighás are not necessary for the use or enjoyment of the 98 bighás, nor so important for such use or enjoyment that the loss of them may not be made good in money. A may be directed at the suit of B to convey to B the 98 bighás and to make compensation to him for not conveying the two remaining bighás; or B may be directed, at the suit of A, to pay to A on receiving the conveyance and possession of the land, the stipulated purchase-money, less a sum awarded as compensation for the deficiency.

(*b*). In a contract for the sale and purchase of a house and lands for two lákhs of rupees, it is agreed that part of the furniture should be taken at a valuation. The Court may direct specific performance of the contract notwithstanding the parties are unable to agree as to the valuation of the furniture, and may either have the furniture valued in the suit and include it in the decree for specific performance, or may confine its decree to the house.

Specific performance of part of a contract where the part unperformed is large.

15. Where a party to a contract is unable to perform the whole of his part of it, and the part which must be left unperformed forms a considerable portion of the whole, or does not admit of compensation in money, he is not entitled to obtain a decree for specific performance. But the Court may, at the suit of the other party, direct the party in default to perform specifically so much of his part of the contract as he can perform, provided that the plaintiff relinquishes all claim to further performance, and all right to compensation, either for the deficiency, or for the loss or damage sustained by him through the default of the defendant.

Illustrations.

(*a*). A contracts to sell to B a piece of land consisting of 100 bighás. It turns out that 50 bighás of the land belong to A, and the other 50 bighás to a stranger, who refuses to part with them. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the 50 bighás which belong to A, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree directing A to convey those 50 bighás to him on payment of the purchase-money.

(*b*). A contracts to sell to B an estate with a house and garden for a lákh of rupees. The garden is important for the enjoyment of the house. It turns out that A is unable to convey the garden. A cannot obtain a decree against B for the specific performance of the contract; but if B is willing to pay the price agreed upon, and to take the estate and house without the garden, waiving all right to compensation either for the deficiency or for loss sustained by him through A's neglect or default, B is entitled to a decree, directing A to convey the house to him on payment of the purchase-money.

Specific performance of independent part of a contract.

16. When a part of a contract which, taken by itself, can and ought to be specifically performed, stands on a separate and independent footing from another part of the same contract which cannot or ought not to be specifically performed, the Court may direct specific performance of the former part.

Bar in other cases of specific performance of part of contract.

17. The Court shall not direct the specific performance of a part of a contract except in cases coming under one or other of the three last preceding sections.

Purchaser's rights against vendor with imperfect title.

18. Where a person contracts to sell or let certain property, having only an imperfect title thereto, the purchaser or lessee (except as otherwise provided by this chapter) has the following rights:—

(*a*) if the vendor or lessor has subsequently to the sale or lease acquired any interest in the property, the purchaser or lessee may compel him to make good the contract out of such interest;

(*b*) where the concurrence of other persons is necessary to validate the title, and they are bound to convey at the vendor's or lessor's request, the purchaser or lessee may compel him to procure such concurrence;

(*c*) where the vendor professes to sell unincumbered property, but the property is mortgaged for an amount not exceeding the purchase-money, and the vendor has in fact only a right to redeem it, the purchaser may compel him to redeem the mortgage and to obtain a conveyance from the mortgagee;

(*d*) where the vendor or lessor sues for specific performance of the contract, and the suit is dismissed on the ground of his imperfect title, the defendant has a right to a return of his deposit (if any) with interest thereon, to his costs of the suit, and to a lien for such deposit, interest and costs on the interest of the vendor or lessor in the property agreed to be sold or let.

Power to award compensation in certain cases.

19. Any person suing for the specific performance of a contract, may also ask for compensation for its breach, either in addition to, or in substitution for, such performance.

If in any such suit the Court decides that specific performance ought not to be granted, but that there is a contract between the parties which has been broken by the defendant and that the plaintiff is entitled to compensation for that breach, it shall award him compensation accordingly.

If in any such suit the Court decides that specific performance ought to be granted, but that it is not sufficient to satisfy the justice of the case, and that some compensation for breach of the contract should also be made to the plaintiff, it shall award him such compensation accordingly.

Compensation awarded under this section may be assessed in such manner as the Court may direct.

EXPLANATION.—The circumstance that the contract has become incapable of specific performance, does not preclude the Court from exercising the jurisdiction conferred by this section.

Illustrations

of the second paragraph:—A contracts to sell a hundred maunds of rice to B. B brings a suit to compel A to perform the contract or to pay compensation. The Court is of opinion that A has made a valid contract and has broken it, without excuse, to the injury of B, but that specific performance is not the proper remedy. It shall award to B such compensation as it deems just.

of the third paragraph:—A contracts with B to sell him a house for Rs. 1,000, the price to be paid and the possession given on the 1st January 1877. A fails to perform his part of the contract, and B brings his suit for specific performance and compensation, which is decided in his favour on the 1st January 1878. The decree may, besides ordering specific performance, award to B compensation for any loss which he has sustained by A's refusal.

of the Explanation:—A, a purchaser, sues B, his vendor, for specific performance of a contract for the sale of a patent. Before the hearing of the suit, the patent expires. The Court may award A compensation for the non-performance of the contract and may, if necessary, amend the plaint for that purpose.

A sues for the specific performance of a resolution passed by the directors of a public company, under which he was entitled to have a certain number of shares allotted to him, and for compensation for the non-performance of the resolution. All the shares had been allotted before the institution of the suit. The Court may, under this section, award A compensation for the non-performance.

Liquidation of damages not a bar to specific performance.

20. A contract, otherwise proper to be specifically enforced, may be thus enforced, though a sum be named in it as the amount to be paid in case of its breach, and the party in default is willing to pay the same.

Illustration.

A contracts to grant B an underlease of property held by A under C, and that he will apply to C for a license necessary to the validity of the underlease and that, if the license is not procured, A will pay B Rs. 10,000. A refuses to apply for the license and offers to pay B the Rs. 10,000. B is nevertheless entitled to have the contract specifically enforced if C consents to give the license.

(*b*). *Contracts which cannot be specifically enforced.*

Contracts not specifically enforceable.

21. The following contracts cannot be specifically enforced:—

(*a*) a contract for the non-performance of which compensation in money is an adequate relief;

(*b*) a contract which runs into such minute or numerous details, or which is so dependent on the personal qualifications or volition of the parties, or otherwise from its nature is such, that the Court cannot enforce specific performance of its material terms;

(*c*) a contract the terms of which the Court cannot find with reasonable certainty;

(*d*) a contract which is in its nature revocable;

(*e*) a contract made by trustees either in excess of their powers or in breach of their trust;

(*f*) a contract made by or on behalf of a corporation or public company created for special purposes, or by the promoters of such company, which is in excess of its powers;

(*g*) a contract the performance of which involves the performance of a continuous duty extending over a longer period than three years from its date;

(*h*) a contract of which a material part of the subject-matter, supposed by both parties, to exist has, before it has been made, ceased to exist.

And save as provided by the Code of Civil Procedure, no contract to refer a controversy to arbitration shall be specifically enforced; but if any person who has made such a contract and has refused to perform it, sues in respect of any subject which he has contracted to refer, the existence of such contract shall bar the suit.

Illustrations

to (*a*).—A contracts to sell, and B contracts to buy, a lákh of rupees in the four per cent. loan of the Government of India.

A contracts to sell, and B contracts to buy, 40 chests of indigo at Rs. 1,000 per chest.

In consideration of certain property having been transferred by A to B, B contracts to open a credit in A's favour to the extent of Rs. 10,000, and to honour A's drafts to that amount.

The above contracts cannot be specifically enforced, for, in the first and the second both A and B, and in the third A would be reimbursed by compensation in money.

to (*b*).—A contracts to render personal service to B:

A contracts to employ B on personal service:

A, an author, contracts with B, a publisher, to complete a literary work.

B cannot enforce specific performance of these contracts.

A contracts to buy B's business at the amount of a valuation to be made by two valuers, one to be named by A and the other by B. A and B each name a valuer, but before the valuation is made, A instructs his valuer not to proceed.

By a charter party entered into in Calcutta between A, the owner of a ship, and B, the charterer, it is agreed that the ship shall proceed to Rangoon, and there load a cargo of rice, and thence proceed to London, freight to be paid, one-third on arrival at Rangoon, and two-thirds on delivery of the cargo in London.

A lets land to B and B contracts to cultivate it in a particular manner for three years next after the date of the lease.

A and B contract that, in consideration of annual advances to be made by A, B will for three years next after the date of the contract grow particular crops on the land in his possession and deliver them to A when cut and ready for delivery.

A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B, he will paint a picture for B.

A contracts with B to execute certain works which the Court cannot superintend.

A contracts to supply B with all the goods of a certain class which B may require.

A contracts with B to take from B a lease of a certain house for a specified term, at a specified rent, "if the drawing-room is handsomely decorated," even if it is held to have so much certainty that compensation can be recovered for its breach.

A contracts to marry B.

The above contracts cannot be specifically enforced.

to (*c*).—A, the owner of a refreshment-room, contracts with B to give him accommodation there for the sale of his goods and to furnish him with the necessary appliances. A refuses to perform his contract. The case is one for compensation and not for specific performance, the amount and nature of the accommodation and appliances being undefined.

to (*d*).—A and B contract to become partners in a certain business, the contract not specifying the duration of the proposed partnership. This contract cannot be specifically performed, for, if it were so performed, either A or B might at once dissolve the partnership.

to (*e*).—A is a trustee of land with power to lease it for seven years. He enters into a contract with B to grant a lease of the land for seven years, with a covenant to renew the lease at the expiry of the term. This contract cannot be specifically enforced.

The directors of a company have power to sell the concern with the sanction of a general meeting of the shareholders. They contract to sell it without any such sanction. This contract cannot be specifically enforced.

Two trustees, A and B, empowered to sell trust-property worth a lákh of rupees, contract to sell it to C for Rs. 30,000. The contract is so disadvantageous as to be a breach of trust. C cannot enforce its specific performance.

The promoters of a company for working mines contract that the company, when formed, shall purchase certain mineral property. They take no proper precautions to ascertain the value of such property and in fact agree to pay an extravagant price therefor. They also stipulate that the vendors shall give them a bonus out of the purchase-money. This contract cannot be specifically enforced.

to (*f*).—A company existing for the sole purpose of making and working a railway, contracts for the purchase of a piece of land for the purpose of erecting a cotton-mill thereon. This contract cannot be specifically enforced.

to (*g*).—A contracts to let for twenty-one years to B the right to use such part of a certain railway made by A as was upon B's land, and that B should have a right of running carriages over the whole line on certain terms, and might require A to supply the necessary engine-power, and that A should during the term keep the whole railway in good repair. Specific performance of this contract must be refused to B.

to (*h*).—A contracts to pay an annuity to B for the lives of C and D. It turns out that, at the date of the contract, C, though supposed by A and B to be alive, was dead. The contract cannot be specifically performed.

(*c*). *Of the Discretion of the Court.*

22. The jurisdiction to decree specific performance is discretionary, and the Court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the Court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a Court of appeal.

Discretion as to decreeing specific performance.

The following are cases in which the Court may properly exercise a discretion not to decree specific performance:—

I. Where the circumstances under which the contract is made are such as to give the plaintiff an unfair advantage over the defendant, though there may be no fraud or misrepresentation on the plaintiff's part.

Illustrations.

(*a*). A, a tenant for life of certain property, assigns his interest therein to B. C contracts to buy, and B contracts to sell, that interest. Before the contract is completed, A receives a mortal injury from the effects of which he dies the day after the contract is executed. If B and C were equally ignorant or equally aware of the fact, B is entitled to specific performance of the contract. If B knew the fact, and C did not, specific performance of the contract should be refused to B.

(*b*). A contracts to sell to B the interest of C in certain stock-in-trade. It is stipulated that the sale shall stand good, even though it should turn out that C's interest is worth nothing. In fact the value of C's interest depends on the result of certain partnership accounts, on which he is heavily in debt to his partners. This indebtedness is known to A, but not to B. Specific performance of the contract should be refused to A.

(*c*). A contracts to sell, and B contracts to buy, certain land. To protect the land from floods, it is necessary for its owner to maintain an expensive embankment. B does not know of this circumstance, and A conceals it from him. Specific performance of the contract should be refused to A.

(*d*). A's property is put up to auction. B requests C, A's attorney, to bid for him. C does this inadvertently and in good faith. The persons present seeing the vendor's attorney bidding, think that he is a mere puffer and cease to compete. The lot is knocked down to B at a low price. Specific performance of the contract should be refused to B.

II. Where the performance of the contract would involve some hardship on the defendant which he did not foresee, whereas its non-performance would involve no such hardship on the plaintiff.

Illustrations.

(*e*). A is entitled to some land under his father's will on condition that, if he sells it within twenty-five years, half the purchase-money shall go to B. A, forgetting the condition, contracts, before the expiration of the twenty-five years, to sell the land to C. Here, the enforcement of the contract would operate so harshly on A, that the Court will not compel its specific performance in favour of C.

(*f*). A and B, trustees, join their beneficiary, C, in a contract to sell the trust-estate to D, and personally agree to exonerate the estate from heavy incumbrances to which it is subject. The purchase-money is not nearly enough to discharge those incumbrances, though, at the date of the contract, the vendors believed it to be sufficient. Specific performance of the contract should be refused to D.

(*g*). A, the owner of an estate, contracts to sell it to B, and stipulates that he, A, shall not be obliged to define its boundary. The estate really comprises a valuable property not known to either to be part of it. Specific performance of the contract should be refused to B, unless he waives his claim to the unknown property.

(*h*). A contracts with B to sell him certain land, and to make a road to it from a certain railway-station. It is found afterwards that A cannot make the road without exposing himself to litigation. Specific performance of the part of the contract relating to the road should be refused to B, even though it may be held that he is entitled to specific performance of the rest with compensation for loss of the road.

(*i*). A, a lessee of mines, contracts with B, his lessor, that at any time during the continuance of the lease B may give notice of his desire to take the machinery and plant used in and about the mines, and that he shall have the articles specified in his notice delivered to him at a valuation on the expiry of the lease. Such a contract might be most injurious to the lessee's business, and specific performance of it should be refused to B.

(*j*). A contracts to buy certain land from B. The contract is silent as to access to the land. No right of way to it can be shown to exist. Specific performance of the contract should be refused to B.

(*k*). A contracts with B to buy from B's manufactory and not elsewhere all the goods of a certain class used by A in his trade. The Court cannot compel B to supply the goods, but if he does not supply them, A may be ruined, unless he is allowed to buy them elsewhere. Specific performance of the contract should be refused to B.

III. Where the plaintiff has done substantial acts or suffered losses in consequence of a contract capable of specific performance.

Illustration.

A sells land to a railway company who contract to execute certain works for his convenience. The company take the land and use it for their railway. Specific performance of the contract to execute the works should be decreed in favour of A.

(*d*). *For whom Contracts may be specifically enforced.*

23. Except as otherwise provided by this chapter, the specific performance of a contract may be obtained by—

Who may obtain specific performance.

(*a*) any party thereto;

(*b*) the representative in interest, or the principal, of any party thereto: provided that, where the learning, skill, solvency or any personal quality of such party is a material ingredient in the contract, or where the contract provides that his interest shall not be assigned, his representative in interest or his principal shall not be entitled to specific performance of the contract, unless where his part thereof has already been performed;

(*c*) where the contract is a settlement on marriage, or a compromise of doubtful rights between members of the same family, any person beneficially entitled thereunder;

(*d*) where the contract has been entered into by a tenant for life in due exercise of a power, the remainderman;

(*e*) a reversioner in possession, where the agreement is a covenant entered into with his predecessor in title and the reversioner is entitled to the benefit of such covenant;

(*f*) a reversioner in remainder, where the agreement is such a covenant, and the reversioner is entitled to the benefit thereof and will sustain material injury by reason of its breach;

(*g*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*h*) when the promoters of a public company have, before its incorporation, entered into a contract for the purposes of the company, and such contract is warranted by the terms of the incorporation, the company.

(*e*). *For whom Contracts cannot be specifically enforced.*

24. Specific performance of a contract cannot be enforced in favour of a person—

Personal bars to the relief.

(*a*) who could not recover compensation for its breach;

(*b*) who has become incapable of performing, or violates, any essential term of the contract that on his part remains to be performed; or

(*c*) who has already chosen his remedy and obtained satisfaction for the alleged breach of contract;

(*d*) who, previously to the contract had notice that a settlement of the subject-matter thereof, (though not founded on any valuable consideration) had been made and was then in force.

Illustrations

to clause (*a*).—A, in the character of agent for B, enters into an agreement with C to buy C's house. A is in reality acting, not as agent for B, but on his own account. A cannot enforce specific performance of this contract.

to clause (*b*).—A contracts to sell B a house and to become tenant thereof for a term of fourteen years from the date of the sale at a specified yearly rent. A becomes insolvent. Neither he nor his assignee can enforce specific performance of the contract.

A contracts to sell B a house and garden in which there are ornamental trees, a material element in the value of the property as a residence. A, without B's consent, fells the trees. A cannot enforce specific performance of the contract.

A, holding land under a contract with B for a lease, commits waste, or treats the land in an unhusbandlike manner. A cannot enforce specific performance of the contract.

A contracts to let, and B contracts to take, an unfinished house, B contracting to finish the house and the lease to contain covenants on the part of A to keep the house in repair. B finishes the house in a very defective manner: he cannot enforce the contract specifically, though A and B may sue each other for compensation for breach of it.

to clause (*c*).—A contracts to let, and B contracts to take, a house for a specified term at a specified rent. B refuses to perform the contract. A thereupon sues for, and obtains, compensation for the breach. A cannot obtain specific performance of the contract.

Contracts to sell property by one who has no title, or who is a voluntary settler.

25. A contract for the sale or letting of property, whether moveable or immoveable, cannot be specifically enforced in favour of a vendor or lessor—

(*a*) who, knowing himself not to have any title to the property, has contracted to sell or let the same;

(*b*) who, though he entered into the contract believing that he had a good title to the property, cannot at the time fixed by the parties or by the Court for the completion of the sale or letting, give the purchaser or lessee a title free from reasonable doubt;

(*c*) who, previous to entering into the contract, has made a settlement (though not founded on any valuable consideration) of the subject-matter of the contract.

Illustrations.

(*a*). A, without C's authority, contracts to sell to B an estate which A knows to belong to C. A cannot enforce specific performance of this contract, even though C is willing to confirm it.

(*b*). A bequeaths his land to trustees, declaring that they may sell it with the consent in writing of B. B gives a general prospective assent in writing to any sale which the trustees may make. The trustees then enter into a contract with C to sell him the land. C refuses to carry out the contract. The trustees cannot specifically enforce this contract, as, in the absence of B's consent to the particular sale to C, the title which they can give C is, as the law stands, not free from reasonable doubt.

(*c*). A, being in possession of certain land, contracts to sell it to Z. On enquiry it turns out that A claims the land as heir of B, who left the country several years before, and is generally believed to be dead, but of whose death there is no sufficient proof. A cannot compel Z specifically to perform the contract.

(*d*). A, out of natural love and affection, makes a settlement of certain property on his brothers and their issue, and afterwards enters into a contract to sell the property to a stranger. A cannot enforce specific performance of this contract so as to override the settlement, and thus prejudice the interests of the persons claiming under it.

(*f*). *For whom Contracts cannot be specifically enforced except with a variation.*

Non-enforcement except with variation.

26. Where a plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation, the plaintiff cannot obtain the performance sought, except with the variation so set up, in the following cases (namely):—

(*a*) where by fraud or mistake of fact the contract of which performance is sought is in terms different from that which the defendant supposed it to be when he entered into it;

(*b*) where by fraud, mistake of fact, or surprise the defendant entered into the contract under a reasonable misapprehension as to its effect as between himself and the plaintiff;

(*c*) where the defendant, knowing the terms of the contract and understanding its effect, has entered into it relying upon some misrepresentation by the plaintiff, or upon some stipulation on the plaintiff's part, which adds to the contract, but which he refuses to fulfil;

(*d*) where the object of the parties was to produce a certain legal result, which the contract as framed is not calculated to produce;

(*e*) where the parties have, subsequently to the execution of the contract, contracted to vary it.

Illustrations.

(*a*). A, B and C sign a writing by which they purport to contract each to enter into a bond to D for Rs. 1,000. In a suit by D, to make A, B and C separately liable each to the extent of Rs. 1,000, they prove that the word 'each' was inserted by mistake; that the intention was that they should give a joint bond for Rs. 1,000. A can obtain the performance sought only with the variation thus set up.

(*b*). A sues B to compel specific performance of a contract in writing to buy a dwelling-house. B proves that he assumed that the contract included an adjoining yard, and the contract was so framed as to leave it doubtful whether the yard was so included or not. The Court will refuse to enforce the contract, except with the variation set up by B.

(*c*). A contracts in writing to let to B a wharf, together with a strip of A's land delineated in a map. Before signing the contract, B proposed orally that he should be at liberty to substitute for the strip mentioned in the contract another strip of A's land of the same dimensions, and to this A expressly assented. B then signed the written contract. A cannot obtain specific performance of the written contract, except with the variation set up by B.

(*d*). A and B enter into negotiations for the purpose of securing land to B for his life, with remainder to his issue. They execute a contract the terms of which are found to confer an absolute ownership on B. The contract so framed cannot be specifically enforced.

(*e*). A contracts in writing to let a house to B, for a certain term, at the rent of Rs. 100 per month, putting it first into tenantable repair. The house turns out to be not worth repairing, so, with B's consent, A pulls it down and erects a new house in its place: B contracting orally to pay rent at Rs. 120 per mensem. B then sues to enforce specific performance of the contract in writing. He cannot enforce it except with the variations made by the subsequent oral contract.

(*g*). *Against whom Contracts may be specifically enforced.*

Relief against parties and persons claiming under them by subsequent title.

27. Except as otherwise provided by this chapter, specific performance of a contract may be enforced against—

(*a*) either party thereto;

(*b*) any other person claiming under him by a title arising subsequently to the contract, except a transferee for value who has paid his money in good faith and without notice of the original contract;

(*c*) any person claiming under a title which, though prior to the contract and known to the plaintiff, might have been displaced by the defendant;

(*d*) when a public company has entered into a contract and subsequently becomes amalgamated with another public company, the new company which arises out of the amalgamation;

(*e*) when the promoters of a public company have, before its incorporation, entered into a contract, the company: provided that the company has ratified and adopted the contract and the contract is warranted by the terms of the incorporation.

Illustrations

to clause (*b*).—A contracts to convey certain land to B by a particular day. A dies intestate before that day without having conveyed the land. B may compel A's heir or other representative in interest to perform the contract specifically.

A contracts to sell certain land to B for Rs. 5,000. A afterwards conveys the land for Rs. 6,000 to C, who has notice of the original contract. B may enforce specific performance of the contract as against C.

A contracts to sell land to B for Rs. 5,000. B takes possession of the land. Afterwards A sells it to C for Rs. 6,000. C makes no enquiry of B relating to his interest in the land. B's possession is sufficient to affect C with notice of his interest, and he may enforce specific performance of the contract against C.

A contracts in consideration of Rs. 1,000, to bequeath certain of his lands to B. Immediately after the contract A dies intestate, and C takes out administration to his estate. B may enforce specific performance of the contract against C.

A contracts to sell certain land to B. Before the completion of the contract, A becomes a lunatic and C is appointed his committee. B may specifically enforce the contract against C.

to clause (*c*).—A, the tenant for life of an estate, with remainder to B, in due exercise of a power conferred by the settlement under which he is tenant for life, contracts to sell the estate to C, who has notice of the settlement. Before the sale is completed, A dies. C may enforce specific performance of the contract against B.

A and B are joint tenants of land, his undivided moiety of which either may alien in his lifetime, but which, subject to that right, devolves on the survivor. A contracts to sell his moiety to C and dies. C may enforce specific performance of the contract against B.

(*h*). *Against whom Contracts cannot be specifically enforced.*

What parties cannot be compelled to perform.

28. Specific performance of a contract cannot be enforced against a party thereto in any of the following cases:—

(*a*) if the consideration to be received by him is so grossly inadequate, with reference to the state of things existing at the date of the contract, as to be either by itself or coupled with other circumstances evidence of fraud or of undue advantage taken by the plaintiff;

(*b*) if his assent was obtained by the misrepresentation (whether wilful or innocent), concealment, circumvention, or unfair practices, of any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled;

(*c*) if his assent was given under the influence of mistake of fact, misapprehension or surprise: Provided that, when the contract provides for compensation in case of mistake, compensation may be made for a mistake within the scope of such provision and the contract may be specifically enforced in other respects if proper to be so enforced.

Illustrations

to clause (*c*).—A, one of two executors, in the erroneous belief that he had the authority of his co-executor, enters into an agreement for the sale to B of his testator's property. B cannot insist on the sale being completed.

A directs an auctioneer to sell certain land. A afterwards revokes the auctioneer's authority as to 20 bighás of this land, but the auctioneer inadvertently sells the whole to B, who has not notice of the revocation. B cannot enforce specific performance of the agreement.

(*i*). *The Effect of dismissing a Suit for Specific Performance.*

Bar of suit for breach after dismissal.

29. The dismissal of a suit for specific performance of a contract or part thereof shall bar the plaintiff's right to sue for compensation for the breach of such contract or part, as the case may be.

(*j*). *Awards and Directions to execute Settlements.*

Application of preceding sections to awards and testamentary directions to execute settlements.

30. The provisions of this chapter as to contracts shall, *mutatis mutandis*, apply to awards and to directions in a will or codicil to execute a particular settlement.

CHAPTER III.

OF THE RECTIFICATION OF INSTRUMENTS.

When instrument may be rectified.

31. When, through fraud or a mutual mistake of the parties, a contract or other instrument in writing does not truly express their intention, either party, or his representative in interest, may institute a suit to have the instrument rectified; and if the Court find it clearly proved that there has been fraud or mistake in framing the instrument, and ascertain the real intention of the parties in executing the same, the Court may in its discretion rectify the instrument, so as to express that intention, so far as this can be done without prejudice to rights acquired by third persons, in good faith and for value.

Illustrations.

(*a*). A, intending to sell to B his house and one of three godowns adjacent to it, executes a conveyance prepared by B, in which, through B's fraud, all three godowns are included. Of the two godowns which were fraudulently included, B gives one to C and lets the other to D for a rent, neither C nor D having any knowledge of the fraud. The conveyance may, as against B and C, be rectified so as to exclude from it the godown given to C; but it cannot be rectified so as to affect D's lease.

(*b*). By a marriage-settlement, A, the father of B, the intended wife, covenants with C, the intended husband, to pay to C, his executors, administrators and assigns, during A's life, an annuity of Rs. 5,000. C dies insolvent and the official assignee claims the annuity from A. The Court, on finding it clearly proved that the parties always intended that this annuity should be paid as a provision for B and her children, may rectify the settlement and decree that the assignee has no right to any part of the annuity.

Presumption as to intent of parties.

32. For the purpose of rectifying a contract in writing, the Court must be satisfied that all the parties thereto intended to make an equitable and conscientious agreement.

Principles of rectification.

33. In rectifying a written instrument, the Court may inquire what the instrument was intended to mean, and what were intended to be its legal consequences, and is not confined to the inquiry what the language of the instrument was intended to be.

Specific enforcement of rectified contract.

34. A contract in writing may be first rectified and then, if the plaintiff has so prayed in his plaint and the Court thinks fit, specifically enforced.

Illustration.

A contracts in writing to pay his attorney, B, a fixed sum in lieu of costs. The contract contains mistakes as to the name and rights of the client, which, if construed strictly, would exclude B from all rights under it. B is entitled, if the Court thinks fit, to have it rectified, and to an order for payment of the sum, as if at the time of its execution it had expressed the intention of the parties.

CHAPTER IV.

OF THE RESCISSION OF CONTRACTS.

When rescission may be adjudged.

35. Any person interested in a contract in writing may sue to have it rescinded, and such rescission may be adjudged by the Court in any of the following cases, namely:—

(*a*) where the contract is voidable or terminable by the plaintiff;

(*b*) where the contract is unlawful for causes not apparent on its face, and the defendant is more to blame than the plaintiff;

(*c*) where a decree for specific performance of a contract of sale, or of a contract to take a lease, has been made, and the purchaser or lessee makes default in payment of the purchase-money or other sums which the Court has ordered him to pay.

When the purchaser or lessee is in possession of the subject-matter, and the Court finds that such possession is wrongful, the Court may also order him to pay to the vendor or lessor the rents and profits, if any, received by him as such possessor.

In the same case, the Court may by order in the suit in which the decree has been made and not complied with, rescind the contract either so far as regards the party in default, or altogether, as the justice of the case may require.

Illustrations

to (*a*).—A sells a field to B. There is a right of way over the field of which A has direct personal knowledge, but which he conceals from B. B is entitled to have the contract rescinded.

to (*b*).—A, an attorney, induces his client B, a Hindú widow, to transfer property to him for the purpose of defrauding B's creditors. Here the parties are not equally in fault, and B is entitled to have the instrument of transfer rescinded.

Rescission for mistake.

36. Rescission of a contract in writing cannot be adjudged for mere mistake, unless the party against whom it is adjudged can be restored to substantially the same position as if the contract had not been made.

Alternative prayer for rescission in suit for specific performance.

37. A plaintiff instituting a suit for the specific performance of a contract in writing may pray in the alternative that, if the contract cannot be specifically enforced, it may be rescinded and delivered up to be cancelled; and the Court, if it refuses to enforce the contract specifically, may direct it to be rescinded and delivered up accordingly.

Court may require party rescinding to do equity.

38. On adjudging the rescission of a contract, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER V.

OF THE CANCELLATION OF INSTRUMENTS.

When cancellation may be ordered.

39. Any person against whom a written instrument is void or voidable, who has reasonable apprehension that such instrument, if left outstanding, may cause him serious injury, may sue to have it adjudged void or voidable, and the Court may, in its discretion, so adjudge it and order it to be delivered up and cancelled.

If the instrument has been registered under the Indian Registration Act, the Court shall also send a copy of its decree to the officer in whose office the instrument has been so registered, and such officer shall note on the copy of the instrument contained in his books the fact of its cancellation.

Illustrations.

(*a*). A, the owner of a ship, by fraudulently representing her to be seaworthy, induces B, an underwriter, to insure her. B may obtain the cancellation of the policy.

(*b*). A conveys land to B, who bequeaths it to C and dies. Thereupon D gets possession of the land and produces a forged instrument stating that the conveyance was made to B in trust for him. C may obtain the cancellation of the forged instrument.

(*c*). A, representing that the tenants on his land were all at will, sells it to B, and conveys it to him by an instrument dated the 1st January 1877. Soon after that day, A fraudulently grants to C a lease of part of the lands dated the 1st October 1876, and procures the lease to be registered under the Indian Registration Act. B may obtain the cancellation of this lease.

(*d*). A agrees to sell and deliver a ship to B, to be paid for by B's acceptances of four bills of exchange, for sums amounting to Rs. 30,000, to be drawn by A on B. The bills are drawn and accepted, but the ship is not delivered, according to the agreement. A sues B on one of the bills. B may obtain the cancellation of all the bills.

What instruments may be partially cancelled.

40. Where an instrument is evidence of different rights or different obligations, the Court may, in a proper case, cancel it in part and allow it to stand for the residue.

Illustration.

A draws a bill on B, who endorses it to C, by whom it appears to be endorsed to D, who endorses it to E. C's endorsement is forged. C is entitled to have such endorsement cancelled, leaving the bill to stand in other respects.

Power to require party for whom instrument is cancelled to make compensation.

41. On adjudging the cancellation of an instrument, the Court may require the party to whom such relief is granted to make any compensation to the other which justice may require.

CHAPTER VI.

OF DECLARATORY DECREES.

Discretion of Court as to declarations of status or right.

42. Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the Court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief:

Bar to such declaration.

Provided that no Court shall make any such declaration where the plaintiff, being able to seek further relief than a mere declaration of title, omits to do so.

EXPLANATION.—A trustee of property is a 'person interested to deny' a title adverse to the title of some one who is not in existence, and for whom, if in existence, he would be a trustee.

Illustrations.

(*a*). A is lawfully in possession of certain land. The inhabitants of a neighbouring village claim a right of way across the land. A may sue for a declaration that they are not entitled to the right so claimed.

(*b*). A bequeaths his property to B, C and D, 'to be equally divided amongst all and each of them, if living at the time of my death, then amongst their surviving children.' No such children are in existence. In a suit against A's executor, the Court may declare whether B, C and D took the property absolutely, or only for their lives, and it may also declare the interests of the children before their rights are vested.

(*c*). A covenants that if he should at any time be entitled to property exceeding one lákh of rupees, he will settle it upon certain trusts. Before any such property accrues, or any persons entitled under the trusts are ascertained, he institutes a suit to obtain a declaration that the covenant is void for uncertainty. The Court may make the declaration.

(*d*). A alienates to B property in which A has merely a life-interest. The alienation is invalid as against C, who is entitled as reversioner. The Court may in a suit by C against A and B declare that C is so entitled.

(*e*). The widow of a sonless Hindú alienates part of the property of which she is in possession as such. The person presumptively entitled to possess the property if he survive her, may, in a suit against the alienee, obtain a declaration that the alienation was made without legal necessity and was therefore void beyond the widow's lifetime.

(*f*). A Hindú widow in possession of property adopts a son to her deceased husband. The person presumptively entitled to possession of the property on her death without a son may, in a suit against the adopted son, obtain a declaration that the adoption was invalid.

(*g*). A is in possession of certain property. B, alleging that he is the owner of the property, requires A to deliver it to him. A may obtain a declaration of his right to hold the property.

(*h*). A bequeaths property to B for his life, with remainder to B's wife and her children, if any, by B, but if B die without any wife or children, to C. B has a putative wife, D, and children, but C denies that B and D were ever lawfully married. D and her children may, in B's lifetime, institute a suit against C and obtain therein a declaration that they are truly the wife and children of B.

Effect of declaration.

43. A declaration made under this chapter is binding only on the parties to the suit, persons claiming through them respectively, and, where any of the parties are trustees, on the persons for whom, if in existence at the date of the declaration, such parties would be trustees.

Illustration.

A, a Hindú, in a suit to which B, his alleged wife, and her mother are defendants, seeks a declaration that his marriage was duly solemnized and an order for the restitution of his conjugal rights. The Court makes the declaration and order. C, claiming that B is his wife, then sues A for the recovery of B. The declaration made in the former suit is not binding upon C.

CHAPTER VII.

OF THE APPOINTMENT OF RECEIVERS.

Appointment of receivers discretionary.

44. The appointment of a Receiver pending a suit is a matter resting in the discretion of the Court.

Reference to Code of Civil Procedure.

The mode and effect of his appointment, and his rights, powers, duties and liabilities, are regulated by the Code of Civil Procedure.

CHAPTER VIII.

OF THE ENFORCEMENT OF PUBLIC DUTIES.

Power to order public servants and others to do certain specific acts.

45. Any of the High Courts of Judicature at Fort William, Madras and Bombay may make an order requiring any specific act to be done or forborne, within the local limits of its ordinary original civil jurisdiction, by any person holding a public office, whether of a permanent or a temporary nature, or by any corporation or inferior Court of Judicature: provided—

(*a*) that an application for such order be made by some person whose property, franchise, or personal right, would be injured by the forbearing or doing (as the case may be) of the said specific act;

(*b*) that such doing or forbearing is, under any law for the time being in force, clearly incumbent on such person or Court in his or its public character, or on such corporation in its corporate character;

(*c*) that, in the opinion of the High Court, such doing or forbearing is consonant to right and justice;

(*d*) that the applicant has no other specific and adequate legal remedy; and

(*e*) that the remedy given by the order applied for will be complete.

Exemptions from such power.

Nothing in this section shall be deemed to authorize any High Court—

(*f*) to make any order binding on the Secretary of State for India in Council, on the Governor General in Council, on the Governor of Madras in Council, on the Governor of Bombay in Council, or on the Lieutenant-Governor of Bengal;

(*g*) to make any order on any other servant of the Crown, as such, merely to enforce the satisfaction of a claim upon the Crown; or

(*h*) to make any order which is otherwise expressly excluded by any law for the time being in force.

Application how made.

46. Every application under section 45 must be founded on an affidavit of the person injured, stating his right in the matter in question, his demand of justice and the denial thereof; and the High Court may, in its discretion, make the order applied for absolute in the first instance, or refuse it, or grant a rule to show cause why the order applied for should not be made.

Procedure thereon.

Order in alternative.

If, in the last case, the person, Court or corporation complained of shows no sufficient cause, the High Court may first make an order in the alternative, either to do or forbear the act mentioned in the order, or to signify some reason to the contrary and make an answer thereto by such day as the High Court fixes in this behalf.

Peremptory order.

47. If the person, Court or corporation to whom or to which such order is directed makes no answer, or makes an insufficient or a false answer, the High Court may then issue a peremptory order to do or forbear the act absolutely.

Execution of, and appeal from, orders.

48. Every order under this chapter shall be executed, and may be appealed from, as if it were a decree made in the exercise of the ordinary original civil jurisdiction of the High Court.

Costs.

49. The costs of all applications and orders under this chapter shall be in the discretion of the High Court.

Bar to issue of *mandamus*.

50. Neither the High Court nor any Judge thereof shall hereafter issue any writ of *mandamus*.

Power to frame rules.

51. Each of the said High Courts shall, as soon as conveniently may be, frame rules to regulate the procedure under this chapter; and until such rules are framed, the practice of such Court as to applications for and grants of writs of *mandamus* shall apply, so far as may be practicable, to applications and orders under this chapter.

PART III.

OF PREVENTIVE RELIEF.

CHAPTER IX.

OF INJUNCTIONS GENERALLY.

Preventive relief how granted.

52. Preventive relief is granted at the discretion of the Court by injunction, temporary or perpetual.

53. Temporary injunctions are such as are to continue until a specified time, or until the further order of the Court. They may be granted at any period of a suit, and are regulated by the Code of Civil Procedure.

Temporary injunctions.

A perpetual injunction can only be granted by the decree made at the hearing and upon the merits of the suit: the defendant is thereby perpetually enjoined from the assertion of a right, or from the commission of an act, which would be contrary to the rights of the plaintiff.

Perpetual injunctions.

CHAPTER X.

OF PERPETUAL INJUNCTIONS.

54. Subject to the other provisions contained in, or referred to by, this chapter, a perpetual injunction may be granted to prevent the breach of an obligation existing in favour of the applicant, whether expressly or by implication.

Perpetual injunctions when granted.

When such obligation arises from contract, the Court shall be guided by the rules and provisions contained in Chapter II of this Act.

When the defendant invades or threatens to invade the plaintiff's right to, or enjoyment of, property, the Court may grant a perpetual injunction in the following cases (namely):—

(*a*) where the defendant is trustee of the property for the plaintiff;

(*b*) where there exists no standard for ascertaining the actual damage caused, or likely to be caused, by the invasion;

(*c*) where the invasion is such that pecuniary compensation would not afford adequate relief;

(*d*) where it is probable that pecuniary compensation cannot be got for the invasion;

(*e*) where the injunction is necessary to prevent a multiplicity of judicial proceedings.

EXPLANATION.—For the purpose of this section a trademark is property.

Illustrations.

(*a*). A lets certain land to B, and B contracts not to dig sand or gravel thereout. A may sue for an injunction to restrain B from digging in violation of his contract.

(*b*). A trustee threatens a breach of trust. His co-trustees if any, should, and the beneficial owners may, sue for an injunction to prevent the breach.

(*c*). The directors of a public company are about to pay a dividend out of capital or borrowed money. Any of the shareholders may sue for an injunction to restrain them.

(*d*). The directors of a fire and life-insurance company are about to engage in marine insurances. Any of the shareholders may sue for an injunction to restrain them.

(*e*). A, an executor, through misconduct or insolvency, is bringing the property of the deceased into danger. The Court may grant an injunction to restrain him from getting in the assets.

(*f*). A, a trustee for B, is about to make an imprudent sale of a small part of the trust-property. B may sue for an injunction to restrain the sale, even though compensation in money would have afforded him adequate relief.

(*g*). A makes a settlement (not founded on marriage or other valuable consideration) of an estate on B and his children. A then contracts to sell the estate to C. B or any of his children may sue for an injunction to restrain the sale.

(*h*). In the course of A's employment as a vakíl, certain papers belonging to his client, B, come into his possession. A threatens to make these papers public, or to communicate their contents to a stranger. B may sue for an injunction to restrain A from so doing.

(*i*). A is B's medical adviser. He demands money of B which B declines to pay. A then threatens to make known the effect of B's communications to him as a patient. This is contrary to A's duty, and B may sue for an injunction to restrain him from so doing.

(*j*). A, the owner of two adjoining houses, lets one to B and afterwards lets the other to C. A and C begin to make such alterations in the house let to C as will prevent the comfortable enjoyment of the house let to B. B may sue for an injunction to restrain them from so doing.

(*k*). A lets certain arable lands to B for purposes of husbandry, but without any express contract as to the mode of cultivation. Contrary to the mode of cultivation customary in the district, B threatens to sow the lands with seed injurious thereto and requiring many years to eradicate. A may sue for an injunction to restrain B from sowing the lands in contravention of his implied contract to use them in a husbandlike manner.

(*l*). A, B and C are partners, the partnership being determinable at will. A threatens to do an act tending to the destruction of the partnership-property. B and C may, without seeking a dissolution of the partnership, sue for an injunction to restrain A from doing the act.

(*m*). A, a Hindú widow in possession of her deceased husband's property, commits destruction of the property without any cause sufficient to justify her in so doing. The heir-expectant may sue for an injunction to restrain her.

(*n*). A, B and C are members of an undivided Hindú family. A cuts timber growing on the family-property, and threatens to destroy part of the family-house and to sell some of the family-utensils. B and C may sue for an injunction to restrain him.

(*o*). A, the owner of certain houses in Calcutta, becomes insolvent. B buys them from the official assignee and enters into possession. A persists in trespassing on and damaging the houses, and B is thereby compelled, at considerable expense, to employ men to protect the possession. B may sue for an injunction to restrain further acts of trespass.

(*p*). The inhabitants of a village claim a right of way over A's land. In a suit against several of them, A obtains a declaratory decree that his land is subject to no such right. Afterwards each of the other villagers sues A for obstructing his alleged right of way over the land. A may sue for an injunction to restrain them.

(*q*). A, in an administration-suit to which a creditor, B, is not a party, obtains a decree for the administration of C's assets. B proceeds against C's estate for his debt. A may sue for an injunction to restrain B.

(*r*). A and B are in possession of contiguous lands and of the mines underneath them. A works his mine so as to extend under B's mine and threatens to remove certain pillars which help to support B's mine. B may sue for an injunction to restrain him from so doing.

(*s*). A rings bells or makes some other unnecessary noise so near a house as to interfere materially and unreasonably with the physical comfort of the occupier, B. B may sue for an injunction restraining A from making the noise.

(*t*). A pollutes the air with smoke so as to interfere materially with the physical comfort of B and C, who carry on business in a neighbouring house. B and C may sue for an injunction to restrain the pollution.

(*u*). A infringes B's patent. If the Court is satisfied that the patent is valid and has been infringed, B may obtain an injunction to restrain the infringement.

(*v*). A pirates B's copyright. B may obtain an injunction to restrain the piracy, unless the work of which copyright is claimed is libellous or obscene.

(*w*). A improperly uses the trademark of B. B may obtain an injunction to restrain the user, provided that B's use of the trademark is honest.

(*x*). A, a tradesman, holds out B as his partner against the wish and without the authority of B. B may sue for an injunction to restrain A from so doing.

(*y*). A, a very eminent man, writes letters on family-topics to B. After the death of A and B, C, who is B's residuary legatee, proposes to make money by publishing A's letters. D, who is A's executor, has a property in the letters, and may sue for an injunction to restrain C from publishing them.

(*z*). A carries on a manufactory and B is his assistant. In the course of his business, A imparts to B a secret process of value. B afterwards demands money of A, threatening, in case of refusal, to disclose the process to C, a rival manufacturer. A may sue for an injunction to restrain B from disclosing the process.

55. When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the Court is capable of enforcing, the Court may in its discretion grant an injunction to prevent the breach complained of, and also to compel performance of the requisite acts.

Mandatory injunctions.

Illustrations.

(*a*). A, by new buildings, obstructs lights to the access and use of which B has acquired a right under the Indian Limitation Act, Part IV. B may obtain an injunction, not only to restrain A from going on with the buildings, but also to pull down so much of them as obstructs B's lights.

(*b*). A builds a house with eaves projecting over B's land. B may sue for an injunction to pull down so much of the eaves as so project.

(*c*). In the case put as illustration (*i*) to section 54, the Court may also order all written communications made by B, as patient, to A, as medical adviser, to be destroyed.

(*d*). In the case put as illustration (*y*) to section 54, the Court may also order A's letters to be destroyed.

(*e*). A threatens to publish statements concerning B which would be punishable under Chapter XXI of the Indian Penal Code. The Court may grant an injunction to restrain the publication, even though it may be shown not to be injurious to B's property.

(*f*). A, being B's medical adviser, threatens to publish B's written communications with him, showing that B has led an immoral life. B may obtain an injunction to restrain the publication.

(*g*). In the cases put as illustrations (*v*) and (*w*) to section 54, and as illustrations (*e*) and (*f*) to this section, the Court may also order the copies produced by piracy, and the trademarks, statements and communications therein respectively mentioned, to be given up or destroyed.

56. An injunction cannot be granted—

Injunction when refused.

(*a*) to stay a judicial proceeding pending at the institution of the suit in which the injunction is sought, unless such restraint is necessary to prevent a multiplicity of proceedings;

(*b*) to stay proceedings in a Court not subordinate to that from which the injunction is sought;

(*c*) to restrain persons from applying to any legislative body;

(*d*) to interfere with the public duties of any department of the Government of India or the Local Government, or with the sovereign acts of a Foreign Government;

(*e*) to stay proceedings in any criminal matter;

(*f*) to prevent the breach of a contract the performance of which would not be specifically enforced;

(*g*) to prevent, on the ground of nuisance, an act of which it is not reasonably clear that it will be a nuisance;

(*h*) to prevent a continuing breach in which the applicant has acquiesced;

(*i*) when equally efficacious relief can certainly be obtained by any other usual mode of proceeding, except in case of breach of trust;

(*j*) when the conduct of the applicant or his agents has been such as to disentitle him to the assistance of the Court;

(*k*) where the applicant has no personal interest in the matter.

Illustrations.

(*a*). A seeks an injunction to restrain his partner, B, from receiving the partnership-debts and effects. It appears that A had improperly possessed himself of the books of the firm and refused B access to them. The Court will refuse the injunction.

(*b*). A manufactures and sells crucibles, designating them as "patent plumbago crucibles," though, in fact, they have never been patented. B pirates the designation. A cannot obtain an injunction to restrain the piracy.

(*c*). A sells an article called "Mexican Balm," stating that it is compounded of divers rare essences, and has sovereign medicinal qualities. B commences to sell a similar article to which he gives a name and description such as to lead people into the belief that they are buying A's Mexican Balm. A sues B for an injunction to restrain the sale. B shows that A's Mexican Balm consists of nothing but scented hog's lard. A's use of his description is not an honest one, and he cannot obtain an injunction.

57. Notwithstanding section 56, clause (*f*), where a contract comprises an affirmative agreement to do a certain act, coupled with a negative agreement, express or implied, not to do a certain act, the circumstance that the Court is unable to compel specific performance of the affirmative agreement, shall not preclude it from granting an injunction to perform the negative agreement; provided that the applicant has not failed to perform the contract so far as it is binding on him.

Injunctions to perform negative agreement.

Illustrations.

(*a*). A contracts to sell to B for Rs. 1,000 the good-will of a certain business unconnected with business-premises, and further agrees not to carry on that business in Calcutta. B pays A the Rs. 1,000, but A carries on the business in Calcutta. The Court cannot compel A to send his customers to B, but B may obtain an injunction restraining A from carrying on the business in Calcutta.

(*b*). A contracts to sell to B the good-will of a business. A then sets up a similar business close by B's shop, and solicits his old customers to deal with him. This is contrary to his implied contract, and B may obtain an injunction to restrain A from soliciting the customers, and from doing any act whereby their good-will may be withdrawn from B.

(*c*). A contracts with B to sing for twelve months at B's theatre and not to sing in public elsewhere. B cannot obtain specific performance of the contract to sing, but he is entitled to an injunction restraining A from singing at any other place of public entertainment.

(*d*). B contracts with A that he will serve him faithfully for twelve months as a clerk. A is not entitled to a decree for specific performance of this contract. But he is entitled to an injunction restraining B from serving a rival-house as clerk.

(*e*). A contracts with B that, in consideration of Rs. 1,000 to be paid to him by B on a day fixed, he will not set up a certain business within a specified distance. B fails to pay the money. A cannot be restrained from carrying on the business within the specified distance.

SCHEDULE.

(*See section* 2.)

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
VIII of 1859	Civil Procedure ...	Sections 15 and 192.
XIV of 1859	Limitation	Section 15.
XXIII of 1861	Civil Procedure ...	Section 26.
IX of 1872	Contract	In section 28, the second [illegible] of Ex- [illegible].

WHITLEY [illegible],
Secy. to the Govt. of India.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information :—

ACT No. II OF 1877.

An Act to amend Act No. XIII of 1875.

Preamble.

WHEREAS it is expedient to define the expression 'High Court' as used in Act No. XIII of 1875 (*to amend the law relating to Probates and Letters of Administration*), sections 2, 3 and 4; It is hereby enacted as follows :—

'High Court' defined in Act XIII of 1875, sections 2, 3 and 4.

1. The expression 'High Court' in each of the said sections shall mean, and be deemed to have always meant—

(*a*) a High Court for the time being established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 :

(*b*) the Chief Court of the Panjáb :

(*c*) the Court of the Recorder of Rangoon.

Saving of certain grants of probate and administration.

2. Nothing in this Act shall be deemed to affect the validity of any grant of probate or letters of administration with effect throughout the whole of British India heretofore made by any Court other than the Courts specified in section one.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information :—

ACT No. III OF 1877.

THE INDIAN REGISTRATION ACT, 1877.

ARRANGEMENT OF SECTIONS.

PREAMBLE.

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An Act for the Registration of Documents.

WHEREAS it is expedient to amend the law relating to the registration of documents; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Indian Registration Act, 1877:" Short title.

It extends to the whole of British India, except such districts or tracts of country as the Local Government may from time to time, with the previous sanction of the Governor General in Council, exclude from its operation; Local extent.

And it shall come into force on the first day of April 1877. Commencement.

2. On and from that day Act No. VIII of 1871 shall be repealed. Repeal of enactments.

But all appointments, notifications, rules and orders made, and all Districts and Sub-districts formed, and all offices established, and all tables of fees prepared, under such Act or any of the enactments thereby repealed shall be deemed to have been respectively made, formed, established and prepared under this Act, except in so far as such rules and orders may be inconsistent herewith.

References made in Acts passed before the first day of April 1877, to the said Act, or to any enactment thereby repealed, shall be read as if made to the corresponding section of this Act.

3. In this Act, unless there be something repugnant in the subject or context— Interpretation-clause.

"Lease" includes a counterpart, kabúliyat, an undertaking to cultivate or occupy, and an agreement to lease: "Lease."

"Signature" and "signed" include and apply to the affixing of a mark: "Signature." "Signed."

"Immoveable property" includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth or permanently fastened to any thing which is attached to the earth, but not standing timber, growing crops, nor grass: "Immoveable property."

"Moveable property" includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immoveable property: "Moveable property."

"Book" includes a portion of a Book and also any number of sheets connected together with a view of forming a Book or portion of a Book: "Book."

"Endorsement" and "endorsed" include and apply to an entry in writing by a Registering Officer on a rider or covering slip to any document tendered for registration under this Act: "Endorsement." "Endorsed."

"Minor" means a person who, according to the personal law to which he is subject, has not attained majority: "Minor."

"Representative" includes the guardian of a minor and the Committee or other legal curator of a lunatic or idiot: "Representative."

"Addition" means the place of residence, and the profession, trade, rank and title (if any) of a person described, and, in the case of a Native, his caste (if any) and his father's name, or where he is usually described as the son of his mother, then his mother's name: "Addition."

"District Court" includes the High Court in its ordinary original civil jurisdiction; and "District Court."

"District" and "Sub-District" respectively mean a District and Sub-District formed under this Act. "District." "Sub-District."

PART II.

OF THE REGISTRATION ESTABLISHMENT.

4. The Local Government shall appoint an officer to be the Inspector General of Registration for the territories subject to such Government, Inspector General of Registration.

or may, instead of making such appointment, direct that all or any of the powers and duties hereinafter conferred and imposed upon the Inspector General shall be exercised and performed by such officer or officers, and within such local limits, as the Local Government from time to time appoints in this behalf.

The Governor of Bombay in Council may also, with the previous consent of the Governor General in Council, appoint an officer to be Branch Inspector General of Sindh, who shall have all the powers of an Inspector General under this Act other than the power to frame rules hereinafter conferred. Branch Inspector General of Sindh.

Any Inspector General or the Branch Inspector General of Sindh may hold simultaneously any other office under Government.

5. For the purposes of this Act, the Local Government shall form Districts and Sub-Districts, and shall prescribe, and may from time to time alter, the limits of such Districts and Sub-Districts. Districts and Sub-Districts.

The Districts and Sub-Districts formed under this section, together with the limits thereof, and every alteration of such limits, shall be notified in the local official Gazette.

Every such alteration shall take effect on such day after the date of the notification as is therein mentioned.

6. The Local Government may appoint such persons, whether public officers or not, as it thinks proper, to be Registrars of the several Districts, and to be Sub-Registrars of the several Sub-Districts, formed as aforesaid, respectively. Registrars and Sub-Registrars.

7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar, or the Offices of the Joint Sub-Registrars, and may amalgamate with any office of a Registrar any office of a Sub-Registrar subordinate to such Registrar, Offices of Registrar and Sub-Registrar.

and may authorize any Sub-Registrar whose office has been so amalgamated to exercise and perform, in addition to his own powers and duties, all or any of the powers and duties of the Registrar to whom he is subordinate:

Provided that no such authorization shall enable a Sub-Registrar to hear an appeal against an order passed by himself under this Act.

8. The Local Government may also appoint officers to be called Inspectors of Registration Offices, and may from time to time prescribe the duties of such officers. Every such Inspector shall be subordinate to the Inspector General. Inspectors of Registration Offices.

9. Every military cantonment where there is a Cantonment Magistrate may (if the Local Government so directs) be, for the purposes of this Act, a Sub-District or a District, and such Magistrate shall be the Sub-Registrar or the Registrar of such Sub-District or District, as the case may be. Military cantonments may be declared Sub-Districts or Districts.

Whenever the Governor General in Council declares any military cantonment beyond the limits of British India to be a Sub-District or a District for the purposes of this Act, he shall also declare, in the case of a Sub-District, what authorities shall be Registrar of the District and Inspector General, and in the case of a District, what authority shall be Inspector General, with reference to such cantonment and the Sub-Registrar or Registrar thereof.

10. Whenever any Registrar other than the Registrar of a District including a Presidency Town, is absent otherwise than on duty in his District, or when his office is temporarily vacant, Absence of Registrar from his District or vacancy in his office.

any person whom the Inspector General appoints in this behalf, or, in default of such appointment, the Judge of the District Court within the local limits of whose jurisdiction the Registrar's Office is situate,

shall be the Registrar during such absence or until the Local Government fills up the vacancy.

Whenever the Registrar of a District including a Presidency Town, is absent otherwise than on duty in his District, or when his office is temporarily vacant,

any person whom the Inspector General appoints in this behalf shall be the Registrar during such absence, or until the Local Government fills up the vacancy.

11. Whenever any Registrar is absent from his office on duty in his District, he may appoint any Sub-Registrar or other person in his District to perform, during such absence, all the duties of a Registrar, except those mentioned in sections 68 and 72. Absence of Registrar on duty in his District.

12. Whenever any Sub-Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar of the District appoints in this behalf shall be Sub-Registrar during such absence, or until the Local Government fills up the vacancy. Absence of Sub-Registrar or vacancy in his office.

13. All appointments made under section 10, section 11, or section 12 shall be reported to the Local Government by the Inspector General. Such report shall be either special or general, as the Local Government directs. Appointments under section 10, 11 or 12 to be reported to Government.

The Local Government may suspend, remove or dismiss any person appointed under the provisions of this Act, and appoint another person in his stead. Suspension, removal and dismissal of officers.

14. Subject to the approval of the Governor General in Council, the Local Government may assign such salaries as such Government from time to time deems proper to the Registering Officers appointed under this Act, or provide for their remuneration by fees, or partly by fees and partly by salaries. Remuneration and establishments of registering officers.

The Local Government may allow proper establishments for the several Offices under this Act.

15. The several Registrars and Sub-Registrars shall use a seal bearing the following inscription in English and in such other language as the Local Government directs:—"The seal of the Registrar (*or* of the Sub-Registrar) of . . ." Seals of registering officers.

16. The Local Government shall provide for the office of every Registering Officer the books necessary for the purposes of this Act. Register-books.

The books so provided shall contain the forms from time to time prescribed by the Inspector General, with the sanction of the Local Government, and the pages of such books shall be consecutively numbered in print, and the number of pages in each book shall be certified on the title-page by the officer by whom such books are issued.

Forms.

The Local Government shall supply the office of every Registrar with a fire-proof box, and shall in each District make suitable provision for the safe custody of the records connected with the registration of documents in such District.

Fire-proof boxes.

PART III

OF REGISTRABLE DOCUMENTS.

17. The documents next hereinafter mentioned shall be registered, if the property to which they relate is situate in a District in which, and if they have been executed on or after the date on which, Act No. XVI of 1864, or Act No. XX of 1866, or Act No. VIII of 1871, or this Act came or comes into force (that is to say),—

Documents of which registration is compulsory.

(*a*) Instruments of gift of immoveable property:

(*b*) Other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immoveable property:

(*c*) Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest; and

(*d*) Leases of immoveable property from year to year, or for any term exceeding one year, or reserving a yearly rent:

Provided that the Local Government may, by order published in the official Gazette, exempt from the operation of the former part of this section any leases executed in any District, or part of a District, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

Exception of composition-deeds;

Nothing in clauses (*b*) and (*c*) of this section applies to

(*e*) any composition-deed,

(*f*) any instrument relating to shares in a Joint Stock Company, notwithstanding that the assets of such Company consist in whole or in part of immoveable property, or

and of transfers of shares and debentures in Land Companies.

(*g*) any endorsement upon or transfer of any debenture issued by any such Company,

(*h*) any document not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest of the value of one hundred rupees and upwards to or in immoveable property, but merely creating a right to obtain another document which will when executed create, declare, assign, limit or extinguish any such right, title or interest,

documents merely creating right to obtain other documents.

(*i*) decrees and orders of Courts and awards,

(*j*) grants of immoveable property by Government,

(*k*) instruments of partition made by revenue officers,

(*l*) certificates and instruments of collateral security granted under the Land Improvement Act, 1871.

Authorities to adopt a son, executed after the first day of January 1872 and not conferred by a will, shall also be registered.

Authorities to adopt.

18. Any of the documents next hereinafter mentioned may be registered under this Act (that is to say),

Documents of which registration is optional.

(*a*) Instruments (other than instruments of gift and wills) which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than one hundred rupees, to or in immoveable property:

(*b*) Instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest:

(*c*) Leases of immoveable property for any term not exceeding one year, and leases exempted under section 17:

(*d*) Instruments (other than wills) which purport or operate to create, declare, assign, limit or extinguish any right, title or interest to or in moveable property:

(*e*) Wills:

(*f*) All other documents not required by section 17 to be registered.

19. If any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the District, he shall refuse to register the document, unless it be accompanied by a true translation into a language commonly used in the District and also by a true copy.

Documents in language not understood by registering officer.

20. The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless the persons executing the document attest with their signatures or initials such interlineation, blank, erasure or alteration. If he register such document, he shall, at the time of registering the same, make a note in the register of such interlineation, blank, erasure or alteration.

Documents containing interlineations, blanks, erasures or alterations.

21. (*a*) No non-testamentary document relating to immoveable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.

Description of parcels.

(*b*) Houses in towns shall be described as situate on the north or other side of the street or road (mentioning it) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered. Other houses and lands shall be described by their name, if any, and as being in the territorial division in which they are situate, and by their superficial contents, the roads and other properties on which they abut, and their existing occupancies, and also, whenever it is practicable, by reference to a Government map or survey.

(*c*) No non-testamentary document containing a map or plan of any property comprised therein shall be accepted for registration unless it be accompanied by a true copy of the map

Documents containing maps or plans.

or plan, or, in case such property is situate in several Districts, by such number of true copies of the map or plan as are equal to the number of such Districts.

22. Failure to comply with the provisions contained in section 21, clause (*b*), shall not disentitle a document to be registered if the description of the property to which it relates is sufficient to identify such property.

Failure to comply with rules as to description of houses and land.

PART IV.

OF THE TIME OF PRESENTATION.

23. Subject to the provisions contained in sections 24, 25 and 26, no document other than a will, shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution,

Time for presenting documents.

or, in the case of a copy of a decree or order, within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final:

Provided that, where there are several persons executing a document at different times, such document may be presented for registration and re-registration within four months from the date of each execution.

24. If owing to urgent necessity or unavoidable accident, any document executed, or copy of a decree or order made, in British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registrar, in cases where the delay in presentation does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration fee, such document shall be accepted for registration.

Provision where delay in presentation is unavoidable.

Any application for such direction may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

25. When a document purporting to have been executed by all or any of the parties out of British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registering Officer, if satisfied,

Documents executed out of British India.

(*a*) that the instrument was so executed, and

(*b*) that it has been presented for registration within four months after its arrival in British India,

may, on payment of the proper registration fee, accept such document for registration.

26. Whenever a registration-office is closed on the last day of any period provided in this Act for the presentation of any document, such last day shall, for the purposes of this Act, be deemed to be the day on which the office re-opens.

Provision where office is closed on last day of period for presentation.

27. A will may at any time be presented for registration or deposited in manner hereinafter provided.

Wills may be presented or deposited at any time.

PART V.

OF THE PLACE OF REGISTRATION.

28. Save as in this Part otherwise provided, every document mentioned in section 17, clauses (*a*), (*b*), (*c*) and (*d*), and section 18, clauses (*a*), (*b*) and (*c*), shall be presented for registration in the office of a Sub-Registrar within whose Sub-District the whole or some portion of the property to which such document relates is situate.

Place for registering documents relating to land.

29. Every document other than a document referred to in section 28 and a copy of a decree or order, may be presented for registration either in the office of the Sub-Registrar in whose Sub-District the document was executed, or in the office of any other Sub-Registrar under the Local Government at which all the persons executing and claiming under the document desire the same to be registered.

Place for registering other documents.

A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose Sub-District the original decree or order was made, or, where the decree or order does not affect immoveable property, in the office of any other Sub-Registrar under the Local Government at which all the persons claiming under the decree or order desire the copy to be registered.

30. (*a*) Any Registrar may in his discretion receive and register any document which might be registered by any Sub-Registrar subordinate to him.

Registration by Registrar.

(*b*.) The Registrar of a District including a Presidency Town and the Registrar of the Lahore District may receive and register any document referred to in section 28 without regard to the situation in any part of British India of the property to which the document relates.

Registration by Registrar at Presidency Town and Lahore.

31. In ordinary cases the registration or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit.

Registration or acceptance for deposit at private residence.

But such officer may on special cause being shown attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will.

PART VI.

OF PRESENTING DOCUMENTS FOR REGISTRATION.

32. Except in the cases mentioned in section 31 and section 89, every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration office,

Persons to present documents for registration.

by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order,

or by the representative or assign of such person,

or by the agent of such person, representative or assign, duly authorized by power-of-attorney executed and authenticated in manner hereinafter mentioned.

33. For the purposes of section 32, the powers-of-attorney next hereinafter mentioned shall alone be recognized (that is to say),—

Powers of attorney recognizable for purposes of section 32.

(*a*) if the principal at the time of executing the power-of-attorney resides in any part of British India in which this Act is for the time being in force, a power-of-attorney executed before and authenticated by the Registrar or Sub-Registrar within whose District or Sub-District the principal resides:

(*b*) if the principal at the time aforesaid resides in any other part of British India, a power-of-attorney executed before and authenticated by any Magistrate:

(*c*) if the principal at the time aforesaid does not reside in British India, a power-of-attorney executed before and authenticated by a Notary Public, or any Court, Judge, Magistrate, British Consul or Vice-Consul, or representative of Her Majesty or of the Government of India:

Provided that the following persons shall not be required to attend at any registration-office or Court for the purpose of executing any such power-of-attorney as is mentioned in clauses (*a*) and (*b*) of this section:—

Proviso as to persons infirm, or in jail, or exempt from appearing in Court.

persons who by reason of bodily infirmity are unable without risk or serious inconvenience so to attend;

persons who are in jail under civil or criminal process; and

persons exempt by law from personal appearance in Court.

In every such case the Registrar or Sub-Registrar or Magistrate (as the case may be), if satisfied that the power-of-attorney has been voluntarily executed by the person purporting to be the principal, may attest the same without requiring his personal attendance at the office or Court aforesaid.

To obtain evidence as to the voluntary nature of the execution, the Registrar or Sub-Registrar or Magistrate may either himself go to the house of the person purporting to be the principal, or to the jail in which he is confined, and examine him, or issue a commission for his examination.

Any power-of-attorney mentioned in this section may be proved by the production of it without further proof, when it purports on the face of it to have been executed before and authenticated by the person or Court hereinbefore mentioned in that behalf.

34. Subject to the provisions contained in this Part and in sections 41, 43, 45, 69, 75, 77, 88 and 89, no document shall be registered under this Act, unless the persons executing such document, or their representatives, assigns or agents authorized as aforesaid, appear before the registering officer within the time allowed for presentation under sections 23, 24, 25 and 26:

Enquiry before registration by registering officer.

Provided that if owing to urgent necessity or unavoidable accident all such persons do not so appear, the Registrar, in cases where the delay in appearing does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration-fee in addition to the fine, if any, payable under section 24, the document may be registered.

Such appearances may be simultaneous or at different times.

The registering officer shall thereupon—

(*a*) enquire whether or not such document was executed by the persons by whom it purports to have been executed,

(*b*) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the document, and

(*c*) in the case of any person appearing as a representative, assign or agent, satisfy himself of the right of such person so to appear.

Any application for a direction under the proviso in this section may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

Nothing in this section applies to copies of decrees or orders.

35. If all the persons executing the document appear personally before the registering officer and are personally known to him, or if he be otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution of the document;

Procedure on admission of execution.

or, in the case of any person appearing by a representative, assign or agent, if such representative, assign or agent admits the execution;

or, if the person executing the document is dead, and his representative or assign appears before the registering officer, and admits the execution,

the registering officer shall register the document as directed in sections 58 to 61, inclusive.

The registering officer may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine any one present in his office.

If any of the persons by whom the document purports to be executed deny its execution,

Procedure on denial of execution, &c.

or if any such person appears to be a minor, an idiot, or a lunatic,

or if any person by whom the document purports to be executed is dead, and his representative or assign denies its execution,

the registering officer shall refuse to register the document: Provided that, where such officer is a Registrar, he shall follow the procedure prescribed in Part XII of this Act.

PART VII.

OF ENFORCING THE APPEARANCE OF EXECUTANTS AND WITNESSES.

36. If any person presenting any document for registration, or claiming under any document which is capable of being so presented, desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may, in his discretion, call upon such officer or Court as the Local Government from time to time directs in this behalf to issue a summons requiring him to appear at the registration office, either in person or by duly authorized agent, as in the summons may be mentioned, and at a time named therein.

Procedure where appearance of executant or witness is desired.

37. The officer or Court, upon receipt of the peon's fee payable in such cases, shall issue the summons accordingly, and cause it to be served upon the person whose appearance is so required.

Officer or Court to issue and cause service of summons.

38. A person who by reason of bodily infirmity is unable without risk or serious inconvenience to appear at the registration office,

Persons exempt from appearance at registration office.

a person in jail under civil or criminal process,

and persons exempt by law from personal appearance in Court, and who would but for the provision next hereinafter contained be required to appear in person at the registration office,

shall not be required so to appear.

In every such case, the registering officer shall either himself go to the house of such person, or to the jail in which he is confined, and examine him, or issue a commission for his examination.

39. The law in force for the time being as to summonses, commissions and compelling the attendance of witnesses, and for their remuneration in suits before Civil Courts shall, save as aforesaid and *mutatis mutandis*, apply to any summons or commission issued, and any person summoned to appear under the provisions of this Act.

Law as to summonses, commissions and witnesses.

PART VIII.

OF PRESENTING WILLS AND AUTHORITIES TO ADOPT.

40. The testator or after his death any person claiming as executor or otherwise under a will, may present it to any Registrar or Sub-Registrar for registration,

Persons entitled to present wills and authorities to adopt.

and the donor or after his death the donee of any authority to adopt, or the adoptive son, may present it to any Registrar or Sub-Registrar for registration.

41. A will or an authority to adopt, presented for registration by the testator or donor, may be registered in the same manner as any other document.

Registration of wills and authorities to adopt.

A will or authority to adopt presented for registration by any other person entitled to present it, shall be registered if the registering officer is satisfied,

(*a*) that the will or authority was executed by the testator or donor, as the case may be,

(*b*) that the testator or donor is dead, and

(*c*) that the person presenting the will or authority is, under section 40, entitled to present the same.

PART IX.

OF THE DEPOSIT OF WILLS.

42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any) and with a statement of the nature of the document.

Deposit of wills.

43. On receiving such cover, the Registrar, if satisfied that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register Book No. 5 the superscription aforesaid and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, and the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover.

Procedure on deposit of wills.

The Registrar shall then place and retain the sealed cover in his fire-proof box.

44. If the testator who has deposited such cover wishes to withdraw it, he may apply either personally or by duly authorized agent to the Registrar who holds it in deposit, and such Registrar, if satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly.

Withdrawal of sealed cover deposited under section 42.

45. If, on the death of a testator who has deposited a sealed cover under section 42, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall, in the applicant's presence, open the cover, and, at the applicant's expense, cause the contents thereof to be copied into his Book No. 3.

Proceedings on death of depositor.

When such copy has been made, the Registrar shall re-deposit the original will.

Re-deposit.

46. Nothing hereinbefore contained shall affect the provisions of the Indian Succession Act, section 259, or the power of any Court by order to compel the production of any will. But whenever any such order is made, the Registrar shall, unless the will has been already copied under section 45, open the cover and cause the will to be copied into his Book No. 3 and make a note on such copy that the original has been removed into Court in pursuance of the order aforesaid.

Saving of Act X of 1865, section 259.

PART X.

OF THE EFFECTS OF REGISTRATION AND NON-REGISTRATION.

47. A registered document shall operate from the time from which it would have commenced to operate if no registration thereof had been required or made, and not from the time of its registration.

Time from which registered document operates.

48. All non-testamentary documents duly registered under this Act, and relating to any property whether moveable or immoveable, shall take effect against any oral agreement or declaration relating to such property, unless where the agreement or declaration has been accompanied or followed by delivery of possession.

Registered documents relating to property when to take effect against oral agreements.

49. No document required by section 17 to be registered,

Effect of non-registration of documents required to be registered.

shall affect any immoveable property comprised therein,

or confer any power to adopt,

or be received as evidence of any transaction affecting such property or conferring such power,

unless it has been registered in accordance with the provisions of this Act.

Registered documents relating to land, of which registration is optional, to take effect against unregistered documents.

50. Every document of the kinds mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of section 17, and clauses (*a*) and (*b*) of section 18, shall, if duly registered, take effect as regards the property comprised therein, against every unregistered document relating to the same property, and not being a decree or order, whether such unregistered document be of the same nature as the registered document or not.

Nothing in the former part of this section applies to leases exempted under the proviso in section 17, or to the documents mentioned in clauses (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*) and (*l*) of the same section.

Explanation.—In cases where Act No. XVI of 1864 or Act No. XX of 1866 was in force in the place and at the time in and at which such unregistered document was executed, "unregistered" means not registered according to such Act, and, where the document is executed after the first day of July 1871, not registered under Act No. VIII of 1871 or this Act.

PART XI.

OF THE DUTIES AND POWERS OF REGISTERING OFFICERS.

(*A*). *As to the Register Books and Indexes.*

Register-books to be kept in the several offices.

51. The following Books shall be kept in the several offices hereinafter named (that is to say)—

In all registration offices—

Book 1, "Register of non-testamentary documents relating to immoveable property;"

Book 2, "Record of reasons for refusal to register;"

Book 3, "Register of wills and authorities to adopt;" and

Book 4, "Miscellaneous Register."

In the offices of Registrars—

Book 5, "Register of deposits of wills."

In Book 1 shall be entered or filed all documents or memoranda registered under sections 17, 18 and 87 which relate to immoveable property, and are not wills.

In Book 4 shall be entered all documents registered under clauses (*d*) and (*f*) of section 18, which do not relate to immoveable property.

Nothing in the former part of this section shall be deemed to require more than one set of books where the Office of the Registrar has been amalgamated with the Office of a Sub-Registrar.

Endorsements on document presented. Receipt for document.

52. The day, hour and place of presentation, and the signature of every person presenting a document for registration, shall be endorsed on every such document at the time of presenting it: a receipt for such document shall be given by the registering officer to the person presenting the same; and, subject to the provisions contained in section 62, every document admitted to registration shall without unnecessary delay be copied in the book appropriated therefor according to the order of its admission.

Documents admitted to registration to be copied.

And all such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the Inspector General.

Entries to be numbered consecutively.

53. All entries in each book shall be numbered in a consecutive series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year.

Current indexes and entries therein.

54. In every office in which any of the books hereinbefore mentioned are kept, there shall be prepared current indexes of the contents of such books; and every entry in such indexes shall be made, so far as practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

Indexes to be made by registering officers.

55. Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III, and Index No. IV.

Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

Index No. II shall contain such particulars mentioned in section 21 relating to every such document and memorandum as the Inspector General from time to time directs in that behalf.

Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

Extra particulars in indexes.

Indexes Nos. I, II, III and IV shall contain such other particulars, and shall be prepared in such form, as the Inspector General from time to time directs.

Copy of entries in Indexes Nos. I, II and III to be sent by Sub-Registrar to Registrar.

56. Every Sub-Registrar shall send to the Registrar to whom he is subordinate, at such intervals as the Inspector General from time to time directs, a copy of all entries made by such Sub-Registrar, during the last of such intervals, in Indexes Nos. I, II and III.

Such copy to be filed by Registrar.

Every Registrar receiving such copy shall file it in his office.

Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries.

57. Subject to the previous payment of the fees payable in that behalf, the Books Nos. 1 and 2 and the indexes relating to Book No. 1 shall be at all times open to inspection by any person applying to inspect the same; and subject

to the provisions of section 62, copies of entries in such books shall be given to all persons applying for such copies.

Subject to the same provisions, copies of entries in Book No. 3 and in the index relating thereto shall be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies.

Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative. The requisite search under this section for entries in Books Nos. 3 and 4 shall be made only by the registering officer.

All copies given under this section shall be signed and sealed by the registering officer, and shall be admissible for the purpose of proving the contents of the original documents.

(*B*). *As to the Procedure on admitting to Registration.*

Particulars to be endorsed on documents admitted to registration.

58. On every document admitted to registration, other than a copy of a decree or order, or a copy of a certificate under the Land Improvement, Act, 1871, sent by the Collector to be registered, there shall be endorsed from time to time the following particulars (that is to say),—

(*a*) the signature and addition of every person admitting the execution of the document; and, if such execution has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;

(*b*) the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and

(*c*) any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.

If any person admitting the execution of a document refuses to endorse the same, the registering officer shall nevertheless register it, but shall at the same time endorse a note of such refusal.

Such endorsements to be dated and signed by registering officer.

59. The registering officer shall affix the date and his signature to all endorsements made under sections 52 and 58, relating to the same document and made in his presence on the same day.

Certificate showing that document has been registered, and number and page of book in which it has been copied.

60. After such of the provisions of sections 34, 35, 58 and 59 as apply to any document presented for registration have been complied with, the registering officer shall endorse thereon a certificate containing the word "registered," together with the number and page of the book in which the document has been copied.

Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsements referred to in section 59 have occurred as therein mentioned.

Endorsements and certificate to be copied.

61. The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the margin of the Register Book, and the copy of the map or plan (if any) mentioned in section 21 shall be filed in Book No. 1.

Document to be returned.

The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in section 52.

Procedure on presenting document in language unknown to registering officer.

62. When a document is presented for registration under section 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in section 19, shall be filed in the registration office.

The endorsements and certificate respectively mentioned in sections 59 and 60 shall be made on the original, and for the purpose of making the copies and memoranda required by sections 57, 64, 65 and 66, the translation shall be treated as if it were the original.

Power to administer oaths.

63. Every registering officer may at his discretion administer an oath to any person examined by him under the provisions of this Act.

Record of substance of statements.

He may also at his discretion record a note of the substance of the statement made by each such person, and such statement shall be read over, or (if made in a language with which such person is not acquainted) interpreted to him in a language with which he is acquainted, and if he admits the correctness of such note, it shall be signed by the registering officer.

Every such note so signed shall be admissible for the purpose of proving that the statements therein recorded were made by the persons and under the circumstances therein stated.

(*C*). *Special Duties of Sub-Registrar.*

Procedure on registration of document relating to land situate in several Sub-Districts.

64. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property not wholly situate in his own Sub-District, shall make a memorandum thereof and of the endorsement and certificate (if any) thereon, and send the same to every other Sub-Registrar subordinate to the same Registrar as himself in whose Sub-District any part of such property is situate, and such Sub-Registrar shall file the memorandum in his Book No. 1.

Procedure where document relates to land situate in several districts.

65. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property situate in more districts than one, shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21, to the Registrar of every district in which any part of such property is situate other than the district in which his own Sub-District is situate.

The Registrar on receiving the same shall file in his Book No. 1 the copy of the document and the copy of the map or plan (if any), and shall forward

a memorandum of the document to each of the Sub-Registrars subordinate to him within whose Sub-District any part of such property is situate; and every Sub-Registrar receiving such memorandum shall file it in his Book No. 1.

(D). Special Duties of Registrar.

Procedure on registering documents relating to land.

66. On registering any non-testamentary document relating to immoveable property, the Registrar shall forward a memorandum of such document to each Sub-Registrar subordinate to himself in whose Sub-District any part of the property is situate.

He shall also forward a copy of such document, together with a copy of the map or plan (if any) mentioned in section 21, to every other Registrar in whose district any part of such property is situate.

Such Registrar on receiving any such copy shall file it in his Book No. 1, and shall also send a memorandum of the copy to each of the Sub-Registrars subordinate to him within whose Sub-District any part of the property is situate.

Every Sub-Registrar receiving any memorandum under this section shall file it in his Book No. 1.

Procedure on registration under section 30, clause (*b*).

67. On any document being registered under section 30, clause (*b*), a copy of such document and of the endorsements and certificate thereon shall be forwarded to every Registrar within whose district any part of the property to which the instrument relates is situate, and the Registrar receiving such copy shall follow the procedure prescribed for him in the first clause of section 66.

(E). Of the controlling Powers of Registrars and Inspectors General.

Registrar to superintend and control Sub-Registrars.

68. Every Sub-Registrar shall perform the duties of his office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situate.

Every Registrar shall have authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him, or in respect of the rectification of any error regarding the book or the office in which any document shall have been registered.

Inspector General to superintend registration offices.

His power to make rules.

69. The Inspector General shall exercise a general superintendence over all the registration offices in the territories under the Local Government, and shall have power from time to time to make rules consistent with this Act—

providing for the safe custody of books, papers and documents, and also for the destruction of such books, papers and documents as need no longer be kept;

declaring what languages shall be deemed to be commonly used in each district;

declaring what territorial divisions shall be recognized under section 21;

regulating the amount of fines imposed under sections 24 and 34, respectively;

regulating the exercise of the discretion reposed in the registering officer by section 63;

regulating the form in which registering officers are to make memoranda of documents;

regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51;

declaring the particulars to be contained in Indexes Nos. I, II, III and IV, respectively;

declaring the holidays that shall be observed in the registration offices;

and, generally, regulating the proceedings of the Registrars and Sub-Registrars.

The rules so made shall be submitted to the Local Government for approval, and, after they have been approved, they shall be published in the official Gazette and shall then have the same force as if they were inserted in this Act.

His power to remit fines.

70. The Inspector General may also, in the exercise of his discretion, remit wholly or in part the difference between any fine levied under section 24 or section 34 and the amount of the proper registration fee.

PART XII.

OF REFUSAL TO REGISTER.

Reasons for refusal to register to be recorded.

71. Every Sub-Registrar refusing to register a document,

except on the ground that the property to which it relates is not situate within his Sub-District,

shall make an order of refusal and record his reasons for such order in his Book No. 2, and endorse the words "registration refused" on the document; and on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

Power to reverse or alter orders of Sub-Registrar refusing registration on ground other than denial of execution.

72. Except where the refusal is made on the ground of denial of execution, an appeal shall lie against an order of a Sub-Registrar refusing to admit a document to registration (whether the registration of such document is compulsory or optional) to the Registrar to whom such Sub-Registrar is subordinate, if presented to such Registrar within thirty days from the date of the order; and the Registrar may reverse or alter such order:

and if the order of the Registrar directs the document to be registered and the document is duly presented for registration within thirty days after the making of such order, the Sub-Registrar shall obey the same, and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60; and such registration shall take effect as if the document had been registered when it was first duly presented for registration.

Application where Sub-Registrar refuses to register on ground of denial of execution.

73. When a Sub-Registrar has refused to register a document on the ground that any person by whom it purports to be executed, or his representative or assign, denies its execution,

any person claiming under such document, or his representative, assign or agent authorized as aforesaid, may, within thirty days after the making of the order of refusal, apply to the Registrar to whom such Sub-Registrar is subordinate in order to establish his right to have the document registered.

Such application shall be in writing and shall be accompanied by a copy of the reason recorded under section 71, and the statements in the application shall be verified by the applicant in manner required by law for the verification of plaints.

Procedure of Registrar on such application.

74. In such case, and also where such denial as aforesaid is made before a Registrar in respect of a document presented for registration to him, he shall as soon as conveniently may be enquire—

(*a*) whether the document has been executed;

(*b*) whether the requirements of the law for the time being in force have been complied with on the part of the applicant or person presenting the document for registration as the case may be, so as to entitle the document to registration.

Order to register and procedure thereon.

75. If the Registrar finds that the document has been executed and that the said requirements have been complied with, he shall order the document to be registered.

And if the document be duly presented for registration within thirty days after the making of such order, the registering officer shall obey the same and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60.

Such registration shall take effect as if the document had been registered when it was first duly presented for registration.

The Registrar may, for the purpose of any enquiry under section 74, summon and enforce the attendance of witnesses, and compel them to give evidence as if he were a Civil Court, and he may also direct by whom the whole or any part of the costs of any such enquiry shall be paid, and such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure.

Refusal by Registrar.

76. Every Registrar refusing—

(*a*) to register a document except on the ground that the property to which it relates is not situate within his district or that the document ought to be registered in the office of a Sub-Registrar, or

(*b*) to direct the registration of a document under section 72 or section 75,

shall make an order of refusal and record the reasons for such order in his Book No. 2, and on application made by any person executing or claiming under the document, shall, without unnecessary delay, give him a copy of the reasons so recorded.

No appeal lies from any order under this section or section 72.

Suit in case of refusal.

77. Where the Registrar refuses to order the document to be registered, under section 72 or section 76, any person claiming under such document, or his representative, assign or agent, may, within thirty days after the making of the order of refusal, institute in the Civil Court within the local limits of whose original jurisdiction is situate the office in which the document is sought to be registered, a suit for a decree directing the document to be registered in such office, if it be duly presented for registration within thirty days after the passing of such decree; and the provisions contained in the second and third paragraphs of section 75, shall, *mutatis mutandis*, apply to all documents so presented, and notwithstanding anything contained in this Act, the document shall be receivable in evidence in such suit.

PART XIII.

OF THE FEES FOR REGISTRATION, SEARCHES AND COPIES.

Fees to be fixed by Local Government.

78. Subject to the approval of the Governor General in Council, the Local Government shall prepare a table of fees payable—

for the registration of documents:

for searching the registers:

for making or granting copies of reasons, entries or documents, before, on or after registration:

And of extra or additional fees payable—

for every registration under section thirty:

for the issue of commissions:

or filing translations:

for attending at private residences:

for the safe custody and return of documents:

and for such other matters as appear to the Local Government necessary to effect the purposes of this Act.

Alteration of fees.

The Local Government may from time to time, subject to the like approval, alter such table.

Publication of fees.

79. A table of the fees so payable shall be published in the official Gazette, and a copy thereof in English and the vernacular language of the district shall be exposed to public view in every registration office.

Fees payable on presentation.

80. All fees for the registration of documents under this Act shall be payable on the presentation of such documents.

PART XIV.

OF PENALTIES.

Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.

81. Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause, or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code to any person, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

Penalty for certain other offences.

82. Whoever commits any of the following offences shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both:

Making false statements before registering officer.

(*a*) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or inquiry under this Act,

Delivering false copy or translation.

(*b*) intentionally delivers to a registering officer in any proceeding under section 19 or section 21 a false copy or translation of a document, or a false copy of a map or plan,

(*c*) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued, or does any other act in any proceeding or enquiry under this Act,

False personation.

(*d*) abets within the meaning of the Indian Penal Code anything made punishable by this Act.

Abetment of offences under this Act.

83. A prosecution for any offence under this Act coming to the knowledge of a registering officer in his official capacity may be commenced by or with the permission of the Inspector General, the Branch Inspector General of Sindh, the Registrar or the Sub-Registrar, in whose territories, District or Sub-District, as the case may be, the offence has been committed.

Registering officer may commence prosecutions.

Offences punishable under this Act shall be triable by any Court or officer exercising powers not less than those of a Subordinate Magistrate of the first class:

Provided that, in imposing penalties under this Act, no such Court or officer shall exceed the limits of jurisdiction prescribed by the law for the time being in force as to such Court or officer.

All fines imposed under this Act may be recovered, if for offences committed outside the limits of the Presidency Towns, in the manner prescribed by the Code of Criminal Procedure, and if for offences committed within those limits, in the manner prescribed by any Act regulating the Police of such Towns for the time being in force.

84. Every registering officer appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Registering officers to be deemed public servants.

Every person shall be legally bound to furnish information to such registering officer when required by him to do so. And in section 228 of the same Code, the words "judicial proceeding" shall include any proceeding under this Act.

A Registrar shall, but a Sub-Registrar shall not, as such, be deemed a Court within the meaning of sections 435 and 436 of the Code of Criminal Procedure.

PART XV.

MISCELLANEOUS.

85. Documents (other than wills) remaining unclaimed in any registration office, for a period exceeding two years, may be destroyed.

Destruction of unclaimed documents.

86. No registering officer shall be liable to any suit, claim or demand by reason of anything in good faith done or refused in his official capacity.

Registering officer not liable for thing *bonâ fide* done or refused in his official capacity.

87. Nothing done in good faith pursuant to this Act, or any Act hereby repealed, by any registering officer, shall be deemed invalid merely by reason of any defect in his appointment or procedure.

Nothing so done invalidated by defect in appointment or procedure.

88. Notwithstanding anything herein contained, it shall not be necessary for any officer of Government, or for the Administrator General of Bengal, Madras or Bombay, or for any Official Trustee, or Official Assignee, or for the Sheriff, Receiver or Registrar of a High Court, to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed by him in his official capacity, or to sign as provided in section 58.

Registration of documents executed by Government officers or certain public functionaries.

But when any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he think fit, refer to any Secretary to Government or to such officer of Government, Administrator General, Official Trustee, Official Assignee, Sheriff, Receiver or Registrar, as the case may be, for information respecting the same, and, on being satisfied of the execution thereof, shall register the instrument.

89. Every officer granting a certificate under the Land Improvement Act, 1871, shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved, or of the land to be granted as collateral security, is situate, and such registering officer shall file the certificate in his book No. 1.

Certificates under Land Improvement Act, 1871.

Exemptions from Act.

90. Nothing contained in this Act or in Act No. VIII of 1871 or in any Act thereby repealed shall be deemed to require, or to have at any time required, the registration of any of the following documents or maps:—

Exemption of certain documents executed by or in favour of Government.

(*a*). Documents issued, received or attested by any officer engaged in making a settlement or revision of settlement of land-revenue, and which form part of the records of such settlement.

(*b*). Documents and maps issued, received or authenticated by any officer engaged on behalf of Government in making or revising the survey of any land, and which form part of the record of such survey.

(*c*). Documents which, under any law for the time being in force, or filed periodically in any revenue office by patwáris or other officers charged with the preparation of village-records.

(*d*). Sanads, inám title-deeds and other documents purporting to be or to evidence grants or assignments by Government of land or of any interest in land.

But all such documents and maps shall, for the purposes of sections 48 and 49, be deemed to have been and to be registered in accordance with the provisions of this Act.

91. Subject to such rules and the previous payment of such fees as the Local Government from time to time prescribes in this behalf, all documents and maps mentioned in section 90, clauses (*a*), (*b*) and (*c*), and all registers of the documents mentioned in clause (*d*), shall be open to the inspection of any person applying to inspect the same, and, subject as aforesaid, copies of such documents shall be given to all persons applying for such copies.

Inspection and copies of such documents.

92. All rules relating to registration heretofore enforced in British Burma shall be deemed to have had the force of law, and no suit or other proceeding shall be maintained against any officer or other person in respect of anything done under any of the said rules.

Burmese registration-rules confirmed.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 3, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information:—

ACT NO. II OF 1877.

An Act to amend Act No. XIII of 1875.

WHEREAS it is expedient to define the expression 'High Court' as used in Act No. XIII of 1875 (*to amend the law relating to Probates and Letters of Administration*), sections 2, 3 and 4; It is hereby enacted as follows:—

Preamble.

1. The expression 'High Court' in each of the said sections shall mean, and be deemed to have always meant—

'High Court' defined in Act XIII of 1875, sections 2, 3 and 4.

(*a*) a High Court for the time being established under the twenty-fourth and twenty-fifth of Victoria, chapter 104:

(*b*) the Chief Court of the Panjáb:

(*c*) the Court of the Recorder of Rangoon.

2. Nothing in this Act shall be deemed to affect the validity of any grant of probate or letters of administration with effect throughout the whole of British India heretofore made by any Court other than the Courts specified in section one.

Saving of certain grants of probate and administration.

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

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th February 1877, and is hereby promulgated for general information:—

ACT NO. III OF 1877.

THE INDIAN REGISTRATION ACT, 1877.

ARRANGEMENT OF SECTIONS.

PREAMBLE.

PART I.

PRELIMINARY.

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1. Short title.
   Local extent.
   Commencement.
2. Repeal of enactments.
3. Interpretation-clause.

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4. Inspector General of Registration.
   Branch Inspector General of Sindh.
5. Districts and Sub-Districts.
6. Registrars and Sub-Registrars.
7. Offices of Registrar and Sub-Registrar.
8. Inspectors of Registration Offices.
9. Military Cantonments may be declared Sub-Districts or Districts.
10. Absence of Registrar from his District or vacancy in his office.
11. Absence of Registrar on duty in his District.

SECTIONS.
12. Absence of Sub-Registrar or vacancy in his office.
13. Appointments under section 10, 11 or 12 to be reported to Government.
Suspension, removal and dismissal of Officers.
14. Remuneration and establishments of registering officers.
15. Seals of registering officers.
16. Register-books.
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OF REGISTRABLE DOCUMENTS.

17. Documents of which registration is compulsory.
Exception of composition-deeds;
and of transfers of shares and debentures in Land Companies.
Authorities to adopt.
18. Documents of which registration is optional.
19. Documents in language not understood by registering officer.
20. Documents containing interlineations, blanks, erasures or alterations.
21. Description of parcels.
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22. Failure to comply with rules as to description of houses and land.

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27. Wills may be presented or deposited at any time.

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30. Registration by Registrar.
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65. Procedure where document relates to land situate in several Districts.

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88. Registration of documents executed by Government officers or certain public functionaries.
89. Certificates under Land Improvement Act, 1871.

Exemptions from Act.

90. Exemption of certain documents executed by or in favour of Government.
91. Inspection and copies of such documents.
92. Burmese registration rules confirmed.

An Act for the Registration of Documents.

WHEREAS it is expedient to amend the law relating to the registration of documents; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Indian Registration Act, 1877:" Short title.

It extends to the whole of British India, except such districts or tracts of country as the Local Government may from time to time, with the previous sanction of the Governor General in Council, exclude from its operation; Local extent.

And it shall come into force on the first day of April 1877. Commencement.

2. On and from that day Act No. VIII of 1871 shall be repealed. Repeal of enactments.

But all appointments, notifications, rules and orders made, and all Districts and Sub-districts formed, and all offices established, and all tables of fees prepared, under such Act or any of the enact-

ments thereby repealed shall be deemed to have been respectively made, formed, established and prepared under this Act, except in so far as such rules and orders may be inconsistent herewith.

References made in Acts passed before the first day of April 1877, to the said Act, or to any enactment thereby repealed, shall be read as if made to the corresponding section of this Act.

3. In this Act, unless there be something repugnant in the subject or context— Interpretation-clause.

"Lease" includes a counterpart, kabúliyat, an undertaking to cultivate or occupy, and an agreement to lease: "Lease."

"Signature" and "signed" include and apply to the affixing of a mark: "Signature." "Signed."

"Immoveable property" includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth or permanently fastened to any thing which is attached to the earth, but not standing timber, growing crops, nor grass: "Immoveable property."

"Moveable property" includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immoveable property: "Moveable property."

"Book" includes a portion of a Book and also any number of sheets connected together with a view of forming a Book or portion of a Book: "Book."

"Endorsement" and "endorsed" include and apply to an entry in writing by a Registering Officer on a rider or covering slip to any document tendered for registration under this Act: "Endorsement." "Endorsed."

"Minor" means a person who, according to the personal law to which he is subject, has not attained majority: "Minor."

"Representative" includes the guardian of a minor and the Committee or other legal curator of a lunatic or idiot: "Representative."

"Addition" means the place of residence, and the profession, trade, rank and title (if any) of a person described, and, in the case of a Native, his caste (if any) and his father's name, or where he is usually described as the son of his mother, then his mother's name: "Addition."

"District Court" includes the High Court in its ordinary original civil jurisdiction; and "District Court."

"District" and "Sub-District" respectively mean a District and Sub-District formed under this Act. "District." "Sub-District."

PART II.

OF THE REGISTRATION ESTABLISHMENT.

4. The Local Government shall appoint an officer to be the Inspector General of Registration for the territories subject to such Government, Inspector General of Registration.

or may, instead of making such appointment, direct that all or any of the powers and duties hereinafter conferred and imposed upon the Inspector General shall be exercised and performed by such officer or officers, and within such local limits, as the Local Government from time to time appoints in this behalf.

The Governor of Bombay in Council may also, with the previous consent of the Governor General in Council, appoint an officer to be Branch Inspector General of Sindh, who shall have all the powers of an Inspector General under this Act other than the power to frame rules hereinafter conferred. Branch Inspector General of Sindh.

Any Inspector General or the Branch Inspector General of Sindh may hold simultaneously any other office under Government.

5. For the purposes of this Act, the Local Government shall form Districts and Sub-Districts, and shall prescribe, and may from time to time alter, the limits of such Districts and Sub-Districts. Districts and Sub-Districts.

The Districts and Sub-Districts formed under this section, together with the limits thereof, and every alteration of such limits, shall be notified in the local official Gazette.

Every such alteration shall take effect on such day after the date of the notification as is therein mentioned.

6. The Local Government may appoint such persons, whether public officers or not, as it thinks proper, to be Registrars of the several Districts, and to be Sub-Registrars of the several Sub-Districts, formed as aforesaid, respectively. Registrars and Sub-Registrars.

7. The Local Government shall establish in every District an office to be styled the Office of the Registrar and in every Sub-District an office or offices to be styled the Office of the Sub-Registrar, or the Offices of the Joint Sub-Registrars, and may amalgamate with any office of a Registrar any office of a Sub-Registrar subordinate to such Registrar, Offices of Registrar and Sub-Registrar.

and may authorize any Sub-Registrar whose office has been so amalgamated to exercise and perform, in addition to his own powers and duties, all or any of the powers and duties of the Registrar to whom he is subordinate:

Provided that no such authorization shall enable a Sub-Registrar to hear an appeal against an order passed by himself under this Act.

8. The Local Government may also appoint officers to be called Inspectors of Registration Offices, and may from time to time prescribe the duties of such officers. Every such Inspector shall be subordinate to the Inspector-General. Inspectors of Registration Offices.

9. Every military cantonment where there is a Cantonment Magistrate may (if the Local Government so directs) be, for the purposes of this Act, a Sub-District or a District, and such Magistrate shall be the Military cantonments may be declared Sub-Districts or Districts.

Sub-Registrar or the Registrar of such Sub-District or District, as the case may be.

Whenever the Governor General in Council declares any military cantonment beyond the limits of British India to be a Sub-District or a District for the purposes of this Act, he shall also declare, in the case of a Sub-District, what authorities shall be Registrar of the District and Inspector General, and in the case of a District, what authority shall be Inspector General, with reference to such cantonment and the Sub-Registrar or Registrar thereof.

10. Whenever any Registrar other than the Registrar of a District including a Presidency Town, is absent otherwise than on duty in his District, or when his office is temporarily vacant, Absence of Registrar from his District or vacancy in his office.

any person whom the Inspector General appoints in this behalf, or, in default of such appointment, the Judge of the District Court within the local limits of whose jurisdiction the Registrar's Office is situate,

shall be the Registrar during such absence or until the Local Government fills up the vacancy.

Whenever the Registrar of a District including a Presidency Town is absent otherwise than on duty in his District, or when his office is temporarily vacant,

any person whom the Inspector General appoints in this behalf shall be the Registrar during such absence, or until the Local Government fills up the vacancy.

11. Whenever any Registrar is absent from his office on duty in his District, he may appoint any Sub-Registrar or other person in his District to perform, during such absence, all the duties of a Registrar, except those mentioned in sections 68 and 72. Absence of Registrar on duty in his District.

12. Whenever any Sub-Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar of the District appoints in this behalf shall be Sub-Registrar during such absence, or until the Local Government fills up the vacancy. Absence of Sub-Registrar or vacancy in his office.

13. All appointments made under section 10, section 11, or section 12 shall be reported to the Local Government by the Inspector General. Such report shall be either special or general, as the Local Government directs. Appointments under section 10, 11 or 12 to be reported to Government.

The Local Government may suspend, remove or dismiss any person appointed under the provisions of this Act, and appoint another person in his stead. Suspension, removal and dismissal of officers.

14. Subject to the approval of the Governor General in Council, the Local Government may assign such salaries as such Government from time to time deems proper to the Registering Officers appointed under this Act, or provide for their remuneration by fees, or partly by fees and partly by salaries. Remuneration and establishments of registering officers.

The Local Government may allow proper establishments for the several Offices under this Act.

15. The several Registrars and Sub-Registrars shall use a seal bearing the following inscription in English and in such other language as the Local Government directs:—"The seal of the Registrar (*or* of the Sub-Registrar) of ." Seals of registering officers.

16. The Local Government shall provide for the office of every Registering Officer the books necessary for the purposes of this Act. Register-books.

The books so provided shall contain the forms from time to time prescribed by the Inspector General, with the sanction of the Local Government, and the pages of such books shall be consecutively numbered in print, and the number of pages in each book shall be certified on the title-page by the officer by whom such books are issued. Forms.

The Local Government shall supply the office of every Registrar with a fire-proof box, and shall in each District make suitable provision for the safe custody of the records connected with the registration of documents in such District. Fire-proof boxes.

PART III.

OF REGISTRABLE DOCUMENTS.

17. The documents next hereinafter mentioned shall be registered, if the property to which they relate is situate in a District in which, and if they have been executed on or after the date on which, Act No. XVI of 1864, or Act No. XX of 1866, or Act No. VIII of 1871, or this Act came or comes into force (that is to say),— Documents of which registration is compulsory.

(*a*) Instruments of gift of immoveable property:

(*b*) Other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immoveable property:

(*c*) Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest; and

(*d*) Leases of immoveable property from year to year, or for any term exceeding one year, or reserving a yearly rent:

Provided that the Local Government may, by order published in the official Gazette, exempt from the operation of the former part of this section any leases executed in any District, or part of a District, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

Exception of composition-deeds;

Nothing in clauses (*b*) and (*c*) of this section applies to

(*e*) any composition-deed,

(*f*) any instrument relating to shares in a Joint Stock Company, notwithstanding that the assets of such Company consist in whole or in part of immoveable property, or and of transfers of shares and debentures in Land Companies.

(*g*) any endorsement upon or transfer of any debenture issued by any such Company,

(*h*) any document not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest of the value of one hundred rupees and upwards to or in immoveable property, but merely creating a right to obtain another document which will when executed create, declare, assign, limit or extinguish any such right, title or interest,

documents merely creating right to obtain other documents.

(*i*) decrees and orders of Courts and awards,

(*j*) grants of immoveable property by Government,

(*k*) instruments of partition made by revenue officers,

(*l*) certificates and instruments of collateral security granted under the Land Improvement Act, 1871.

Authorities to adopt.

Authorities to adopt a son, executed after the first day of January 1872 and not conferred by a will, shall also be registered.

Documents of which registration is optional.

18. Any of the documents next hereinafter mentioned may be registered under this Act (that is to say),

(*a*) Instruments (other than instruments of gift and wills) which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than one hundred rupees, to or in immoveable property:

(*b*) Instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest:

(*c*) Leases of immoveable property for any term not exceeding one year, and leases exempted under section 17:

(*d*) Instruments (other than wills) which purport or operate to create, declare, assign, limit or extinguish any right, title or interest to or in moveable property:

(*e*) Wills:

(*f*) All other documents not required by section 17 to be registered.

Documents in language not understood by registering officer.

19. If any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the District, he shall refuse to register the document, unless it be accompanied by a true translation into a language commonly used in the District and also by a true copy.

Documents containing interlineations, blanks, erasures or alterations.

20. The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless the persons executing the document attest with their signatures or initials such interlineation, blank, erasure or alteration. If he register such document, he shall, at the time of registering the same, make a note in the register of such interlineation, blank, erasure or alteration.

Description of parcels.

21. (*a*) No non-testamentary document relating to immoveable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.

(*b*) Houses in towns shall be described as situate on the north or other side of the street or road (mentioning it) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered. Other houses and lands shall be described by their name, if any, and as being in the territorial division in which they are situate, and by their superficial contents, the roads and other properties on which they abut, and their existing occupancies, and also, whenever it is practicable, by reference to a Government map or survey.

Documents containing maps or plans.

(*c*) No non-testamentary document containing a map or plan of any property comprised therein shall be accepted for registration unless it be accompanied by a true copy of the map or plan, or, in case such property is situate in several Districts, by such number of true copies of the map or plan as are equal to the number of such Districts.

Failure to comply with rules as to description of houses and land.

22. Failure to comply with the provisions contained in section 21, clause (*b*), shall not disentitle a document to be registered if the description of the property to which it relates is sufficient to identify such property.

PART IV.

OF THE TIME OF PRESENTATION.

Time for presenting documents.

23. Subject to the provisions contained in sections 24, 25 and 26, no document other than a will shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution,

or, in the case of a copy of a decree or order, within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final:

Provided that, where there are several persons executing a document at different times, such document may be presented for registration and re-registration within four months from the date of each execution.

Provision where delay in presentation is unavoidable.

24. If owing to urgent necessity or unavoidable accident, any document executed, or copy of a decree or order made, in British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registrar, in cases where the delay in presentation does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration fee, such document shall be accepted for registration.

Any application for such direction may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

Documents executed out of British India.

25. When a document purporting to have been executed by all or any of the parties out of British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registering Officer, if satisfied,

(*a*) that the instrument was so executed, and

(*b*) that it has been presented for registration within four months after its arrival in British India,

may, on payment of the proper registration fee, accept such document for registration.

Provision where office is closed on last day of period for presentation.

26. Whenever a registration-office is closed on the last day of any period provided in this Act for the presentation of any document, such last day shall, for the purposes of this Act, be deemed to be the day on which the office re-opens.

Wills may be presented or deposited at any time.

27. A will may at any time be presented for registration or deposited in manner hereinafter provided.

PART V.

OF THE PLACE OF REGISTRATION.

Place for registering documents relating to land.

28. Save as in this Part otherwise provided, every document mentioned in section 17, clauses (*a*), (*b*), (*c*) and (*d*), and section 18, clauses (*a*), (*b*) and (*c*), shall be presented for registration in the office of a Sub-Registrar within whose Sub-District the whole or some portion of the property to which such document relates is situate.

Place for registering other documents.

29. Every document other than a document referred to in section 28 and a copy of a decree or order, may be presented for registration either in the office of the Sub-Registrar in whose Sub-District the document was executed, or in the office of any other Sub-Registrar under the Local Government at which all the persons executing and claiming under the document desire the same to be registered.

A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose Sub-District the original decree or order was made, or, where the decree or order does not affect immoveable property, in the office of any other Sub-Registrar under the Local Government at which all the persons claiming under the decree or order desire the copy to be registered.

Registration by Registrar.

30. (*a*) Any Registrar may in his discretion receive and register any document which might be registered by any Sub-Registrar subordinate to him.

Registration by Registrar at Presidency Town and Lahore.

(*b*.) The Registrar of a District including a Presidency Town and the Registrar of the Lahore District may receive and register any document referred to in section 28 without regard to the situation in any part of British India of the property to which the document relates.

Registration or acceptance for deposit at private residence.

31. In ordinary cases the registration or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit.

But such officer may on special cause being shown attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will.

PART VI.

OF PRESENTING DOCUMENTS FOR REGISTRATION.

Persons to present documents for registration.

32. Except in the cases mentioned in section 31 and section 89, every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration office,

by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order,

or by the representative or assign of such person,

or by the agent of such person, representative or assign, duly authorized by power-of-attorney executed and authenticated in manner hereinafter mentioned.

Powers of attorney recognizable for purposes of section 32.

33. For the purposes of section 32, the powers-of-attorney next hereinafter mentioned shall alone be recognized (that is to say),—

(*a*) if the principal at the time of executing the power-of-attorney resides in any part of British India in which this Act is for the time being in force, a power-of-attorney executed before and authenticated by the Registrar or Sub-Registrar within whose District or Sub-District the principal resides:

(*b*) if the principal at the time aforesaid resides in any other part of British India, a power-of-attorney executed before and authenticated by any Magistrate:

(*c*) if the principal at the time aforesaid does not reside in British India, a power-of-attorney executed before and authenticated by a Notary Public, or any Court, Judge, Magistrate, British Consul or Vice-Consul, or representative of Her Majesty or of the Government of India:

Proviso as to persons infirm, or in jail, or exempt from appearing in Court.

Provided that the following persons shall not be required to attend at any registration-office or Court for the purpose of executing any such power-of-attorney as is mentioned in clauses (*a*) and (*b*) of this section:—

persons who by reason of bodily infirmity are unable without risk or serious inconvenience so to attend;

persons who are in jail under civil or criminal process; and

persons exempt by law from personal appearance in Court.

In every such case the Registrar or Sub-Registrar or Magistrate (as the case may be), if satisfied that the power-of-attorney has been voluntarily executed by the person purporting to be the principal, may attest the same without requiring his personal attendance at the office or Court aforesaid.

To obtain evidence as to the voluntary nature of the execution, the Registrar or Sub-Registrar or Magistrate may either himself go to the house of the person purporting to be the principal, or to the

jail in which he is confined, and examine him, or issue a commission for his examination.

Any power-of-attorney mentioned in this section may be proved by the production of it without further proof, when it purports on the face of it to have been executed before and authenticated by the person or Court hereinbefore mentioned in that behalf.

Enquiry before registration by registering officer.

34. Subject to the provisions contained in this Part and in sections 41, 43, 45, 69, 75, 77, 88 and 89, no document shall be registered under this Act, unless the persons executing such document, or their representatives, assigns or agents authorized as aforesaid, appear before the registering officer within the time allowed for presentation under sections 23, 24, 25 and 26:

Provided that if owing to urgent necessity or unavoidable accident all such persons do not so appear, the Registrar, in cases where the delay in appearing does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration-fee in addition to the fine, if any, payable under section 24, the document may be registered.

Such appearances may be simultaneous or at different times.

The registering officer shall thereupon—

(*a*) enquire whether or not such document was executed by the persons by whom it purports to have been executed,

(*b*) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the document, and

(*c*) in the case of any person appearing as a representative, assign or agent, satisfy himself of the right of such person so to appear.

Any application for a direction under the proviso in this section may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

Nothing in this section applies to copies of decrees or orders.

Procedure on admission of execution.

35. If all the persons executing the document appear personally before the registering officer and are personally known to him, or if he be otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution of the document;

or, in the case of any person appearing by a representative, assign or agent, if such representative, assign or agent admits the execution;

or, if the person executing the document is dead, and his representative or assign appears before the registering officer, and admits the execution,

the registering officer shall register the document as directed in sections 58 to 61, inclusive.

The registering officer may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine any one present in his office.

Procedure on denial of execution, &c.

If any of the persons by whom the document purports to be executed deny its execution,

or if any such person appears to be a minor, an idiot, or a lunatic,

or if any person by whom the document purports to be executed is dead, and his representative or assign denies its execution,

the registering officer shall refuse to register the document: Provided that, where such officer is a Registrar, he shall follow the procedure prescribed in Part XII of this Act.

PART VII.

OF ENFORCING THE APPEARANCE OF EXECUTANTS AND WITNESSES.

Procedure where appearance of executant or witness is desired.

36. If any person presenting any document for registration, or claiming under any document which is capable of being so presented, desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may, in his discretion, call upon such officer or Court as the Local Government from time to time directs in this behalf to issue a summons requiring him to appear at the registration office, either in person or by duly authorized agent, as in the summons may be mentioned, and at a time named therein.

Officer or Court to issue and cause service of summons.

37. The officer or Court, upon receipt of the peon's fee payable in such cases, shall issue the summons accordingly, and cause it to be served upon the person whose appearance is so required.

Persons exempt from appearance at registration office.

38. A person who by reason of bodily infirmity is unable without risk or serious inconvenience to appear at the registration office,

a person in jail under civil or criminal process,

and persons exempt by law from personal appearance in Court, and who would but for the provision next hereinafter contained be required to appear in person at the registration office,

shall not be required so to appear.

In every such case the registering officer shall either himself go to the house of such person, or to the jail in which he is confined, and examine him, or issue a commission for his examination.

Law as to summonses, commissions, and witnesses.

39. The law in force for the time being as to summonses, commissions, and compelling the attendance of witnesses, and for their remuneration in suits before Civil Courts shall, save as aforesaid and *mutatis mutandis*, apply to any summons or commission issued, and any person summoned to appear under the provisions of this Act.

PART VIII.

OF PRESENTING WILLS AND AUTHORITIES TO ADOPT.

Persons entitled to present wills and authorities to adopt.

40. The testator or, after his death, any person claiming as executor or otherwise under a will, may present it to any Registrar or Sub-Registrar for registration,

and the donor or after his death the donee of any authority to adopt, or the adoptive son, may present it to any Registrar or Sub-Registrar for registration.

Registration of wills and authorities to adopt.

41. A will or an authority to adopt presented for registration by the testator or donor may be registered in the same manner as any other document.

A will or authority to adopt presented for registration by any other person entitled to present it, shall be registered if the registering officer is satisfied,

(*a*) that the will or authority was executed by the testator or donor, as the case may be,

(*b*) that the testator or donor is dead, and

(*c*) that the person presenting the will or authority is, under section 40, entitled to present the same.

PART IX.

OF THE DEPOSIT OF WILLS.

Deposit of wills.

42. Any testator may, either personally or by duly authorized agent, deposit with any Registrar his will in a sealed cover superscribed with the name of the testator and that of his agent (if any) and with a statement of the nature of the document.

Procedure on deposit of wills.

43. On receiving such cover, the Registrar, if satisfied that the person presenting the same for deposit is the testator or his agent, shall transcribe in his Register Book No. 5 the superscription aforesaid and shall note in the same book and on the said cover the year, month, day and hour of such presentation and receipt, and the names of any persons who may testify to the identity of the testator or his agent, and any legible inscription which may be on the seal of the cover.

The Registrar shall then place and retain the sealed cover in his fire-proof box.

Withdrawal of sealed cover deposited under section 42.

44. If the testator who has deposited such cover wishes to withdraw it, he may apply, either personally or by duly authorized agent, to the Registrar who holds it, in deposit, and such Registrar, if satisfied that the applicant is actually the testator or his agent, shall deliver the cover accordingly.

Proceedings on death of depositor.

45. If, on the death of a testator who has deposited a sealed cover under section 42, application be made to the Registrar who holds it in deposit to open the same, and if the Registrar is satisfied that the testator is dead, he shall, in the applicant's presence, open the cover, and, at the applicant's expense, cause the contents thereof to be copied into his Book No. 3.

Re-deposit.

When such copy has been made, the Registrar shall re-deposit the original will.

Saving of Act X of 1865, section 259.

46. Nothing hereinbefore contained shall affect the provisions of the Indian Succession Act, section 259, or the power of any Court by order to compel the production of any will. But whenever any such order is made, the Registrar shall, unless the will has been already copied under section 45, open the cover and cause the will to be copied into his Book No. 3 and make a note on such copy that the original has been removed into Court in pursuance of the order aforesaid.

PART X.

OF THE EFFECTS OF REGISTRATION AND NON-REGISTRATION.

Time from which registered document operates.

47. A registered document shall operate from the time from which it would have commenced to operate if no registration thereof had been required or made, and not from the time of its registration.

Registered documents relating to property when to take effect against oral agreements.

48. All non-testamentary documents duly registered under this Act, and relating to any property whether moveable or immoveable, shall take effect against any oral agreement or declaration relating to such property, unless where the agreement or declaration has been accompanied or followed by delivery of possession.

Effect of non-registration of documents required to be registered.

49. No document required by section 17 to be registered,

shall affect any immoveable property comprised therein,

or confer any power to adopt,

or be received as evidence of any transaction affecting such property or conferring such power,

unless it has been registered in accordance with the provisions of this Act.

Registered documents relating to land, of which registration is optional, to take effect against unregistered documents.

50. Every document of the kinds mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of section 17, and clauses (*a*) and (*b*) of section 18, shall, if duly registered, take effect as regards the property comprised therein, against every unregistered document relating to the same property, and not being a decree or order, whether such unregistered document be of the same nature as the registered document or not.

Nothing in the former part of this section applies to leases exempted under the proviso in section 17, or to the documents mentioned in clauses (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*) and (*l*) of the same section.

Explanation.—In cases where Act No. XVI of 1864 or Act No. XX of 1866 was in force in the place and at the time in and at which such unregistered document was executed, "unregistered" means not registered according to such Act, and, where the document is executed after the first day of July 1871, not registered under Act No. VIII of 1871 or this Act.

PART XI.

OF THE DUTIES AND POWERS OF REGISTERING OFFICERS.

(*A*). *As to the Register Books and Indexes.*

Register-books to be kept in the several offices.

51. The following Books shall be kept in the several offices hereinafter named (that is to say)—

In all registration offices—

Book 1, "Register of non-testamentary documents relating to immoveable property;"

Book 2, "Record of reasons for refusal to register;"

Book 3, "Register of wills and authorities to adopt;" and

Book 4, "Miscellaneous Register."

In the offices of Registrars—

Book 5, "Register of deposits of wills."

In Book 1 shall be entered or filed all documents or memoranda registered under sections 17, 18 and 87 which relate to immoveable property, and are not wills.

In Book 4 shall be entered all documents registered under clauses (*d*) and (*f*) of section 18, which do not relate to immoveable property.

Nothing in the former part of this section shall be deemed to require more than one set of books where the Office of the Registrar has been amalgamated with the Office of a Sub-Registrar.

52. The day, hour and place of presentation, and the signature of every person presenting a document for registration, shall be endorsed on every such document at the time of presenting it: a receipt for such document shall be given by the registering officer to the person presenting the same; and, subject to the provisions contained in section 62, every document admitted to registration shall without unnecessary delay be copied in the book appropriated therefor according to the order of its admission.

Endorsements on document presented.
Receipt for document.
Documents admitted to registration to be copied.

And all such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the Inspector General.

53. All entries in each book shall be numbered in a consecutive series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year.

Entries to be numbered consecutively.

54. In every office in which any of the books hereinbefore mentioned are kept there shall be prepared current indexes of the contents of such books; and every entry in such indexes shall be made, so far as practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

Current indexes and entries therein.

55. Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III, and Index No. IV.

Indexes to be made by registering officers.

Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

Index No. II shall contain such particulars mentioned in section 21 relating to every such document and memorandum as the Inspector General from time to time directs in that behalf.

Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

Indexes Nos. I, II, III and IV shall contain such other particulars, and shall be prepared in such form, as the Inspector General from time to time directs.

Extra particulars in indexes.

56. Every Sub-Registrar shall send to the Registrar to whom he is subordinate, at such intervals as the Inspector General from time to time directs, a copy of all entries made by such Sub-Registrar, during the last of such intervals, in Indexes Nos. I, II and III.

Every Registrar receiving such copy shall file it in his office.

Copy of entries in Indexes Nos. I, II and III to be sent by Sub-Registrar to Registrar.
Such copy to be filed by Registrar.

57. Subject to the previous payment of the fees payable in that behalf, the Books Nos. 1 and 2 and the indexes relating to Book No. 1 shall be at all times open to inspection by any person applying to inspect the same; and subject to the provisions of section 62, copies of entries in such books shall be given to all persons applying for such copies.

Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries.

Subject to the same provisions, copies of entries in Book No. 3 and in the index relating thereto shall be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies.

Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative. The requisite search under this section for entries in Books Nos. 3 and 4 shall be made only by the registering officer.

All copies given under this section shall be signed and sealed by the registering officer, and shall be admissible for the purpose of proving the contents of the original documents.

(*B*). *As to the Procedure on admitting to Registration.*

58. On every document admitted to registration, other than a copy of a decree or order, or a copy of a certificate under the Land Improvement Act, 1871, sent by the Collector to be registered, there shall be endorsed from time to time the following particulars (that is to say),—

Particulars to be endorsed on documents admitted to registration.

(*a*) the signature and addition of every person admitting the execution of the document; and, if such execution has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;

(*b*) the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and

(*c*) any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.

If any person admitting the execution of a document refuses to endorse the same, the registering officer shall nevertheless register it, but shall at the same time endorse a note of such refusal.

59. The registering officer shall affix the date and his signature to all endorsements made under sections 52 and 58, relating to the same document and made in his presence on the same day.

Such endorsements to be dated and signed by registering officer.

60. After such of the provisions of sections 34, 35, 58 and 59 as apply to any document presented for registration have been complied with, the registering officer shall endorse thereon a certificate containing the word "registered," together with the number and page of the book in which the document has been copied.

Certificate showing that document has been registered, and number and page of book in which it has been copied.

Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsements referred to in section 59 have occurred as therein mentioned.

61. The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the margin of the Register Book, and the copy of the map or plan (if any) mentioned in section 21 shall be filed in Book No. 1.

Endorsements and certificate to be copied.

The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in section 52.

Document to be returned.

62. When a document is presented for registration under section 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in section 19, shall be filed in the registration office.

The endorsements and certificate respectively mentioned in sections 59 and 60 shall be made on the original, and for the purpose of making the copies and memoranda required by sections 57, 64, 65 and 66, the translation shall be treated as if it were the original.

Procedure on presenting document in language unknown to registering officer.

63. Every registering officer may at his discretion administer an oath to any person examined by him under the provisions of this Act.

Power to administer oaths.

He may also at his discretion record a note of the substance of the statement made by each such person, and such statement shall be read over, or (if made in a language with which such person is not acquainted) interpreted to him in a language with which he is acquainted, and if he admits the correctness of such note, it shall be signed by the registering officer.

Record of substance of statements.

Every such note so signed shall be admissible for the purpose of proving that the statements therein recorded were made by the persons and under the circumstances therein stated.

(*C*). *Special Duties of Sub-Registrar.*

64. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property not wholly situate in his own Sub-District, shall make a memorandum thereof and of the endorsement and certificate (if any) thereon, and send the same to every other Sub-Registrar subordinate to the same Registrar as himself in whose Sub-District any part of such property is situate, and such Sub-Registrar shall file the memorandum in his Book No. 1.

Procedure on registration of document relating to land situate in several Sub-Districts.

65. Every Sub-Registrar on registering a non-testamentary document relating to immoveable property situate in more districts than one, shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21, to the Registrar of every district in which any part of such property is situate other than the district in which his own Sub-District is situate.

Procedure where document relates to land situate in several districts.

The Registrar on receiving the same shall file in his Book No. 1 the copy of the document and the copy of the map or plan (if any), and shall forward a memorandum of the document to each of the Sub-Registrars subordinate to him within whose Sub-District any part of such property is situate; and every Sub-Registrar receiving such memorandum shall file it in his Book No. 1.

(*D*). *Special Duties of Registrar.*

66. On registering any non-testamentary document relating to immoveable property, the Registrar shall forward a memorandum of such document to each Sub-Registrar subordinate to himself in whose Sub-District any part of the property is situate.

Procedure on registering documents relating to land.

He shall also forward a copy of such document, together with a copy of the map or plan (if any) mentioned in section 21, to every other Registrar in whose district any part of such property is situate.

Such Registrar on receiving any such copy shall file it in his Book No. 1, and shall also send a memorandum of the copy to each of the Sub-Registrars subordinate to him within whose Sub-District any part of the property is situate.

Every Sub-Registrar receiving any memorandum under this section shall file it in his Book No. 1.

67. On any document being registered under section 30, clause (*b*), a copy of such document and of the endorsements and certificate thereon shall be forwarded to every Registrar within whose district any part of the property to which the instrument relates is situate, and the Registrar receiving such copy shall follow the procedure prescribed for him in the first clause of section 66.

Procedure on registration under section 30, clause (*b*).

(E). Of the controlling Powers of Registrars and Inspectors General.

68. Every Sub-Registrar shall perform the duties of his office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situate.

Registrar to superintend and control Sub-Registrars.

Every Registrar shall have authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him, or in respect of the rectification of any error regarding the book or the office in which any document shall have been registered.

69. The Inspector-General shall exercise a general superintendence over all the registration offices in the territories under the Local Government, and shall have power from time to time to make rules consistent with this Act—

Inspector General to superintend registration offices.

His power to make rules.

providing for the safe custody of books, papers and documents, and also for the destruction of such books, papers and documents as need no longer be kept;

declaring what languages shall be deemed to be commonly used in each district;

declaring what territorial divisions shall be recognized under section 21;

regulating the amount of fines imposed under sections 24 and 34, respectively;

regulating the exercise of the discretion reposed in the registering officer by section 63;

regulating the form in which registering officers are to make memoranda of documents;

regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51;

declaring the particulars to be contained in Indexes Nos. I, II, III and IV, respectively;

declaring the holidays that shall be observed in the registration offices;

and, generally, regulating the proceedings of the Registrars and Sub-Registrars.

The rules so made shall be submitted to the Local Government for approval, and, after they have been approved, they shall be published in the official Gazette and shall then have the same force as if they were inserted in this Act.

70. The Inspector General may also, in the exercise of his discretion, remit wholly or in part the difference between any fine levied under section 24 or section 34 and the amount of the proper registration fee.

His power to remit fines.

PART XII.

OF REFUSAL TO REGISTER.

71. Every Sub-Registrar refusing to register a document,

Reasons for refusal to register to be recorded.

except on the ground that the property to which it relates is not situate within his Sub-District,

shall make an order of refusal and record his reasons for such order in his Book No. 2, and endorse the words "registration refused" on the document; and on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

72. Except where the refusal is made on the ground of denial of execution, an appeal shall lie against an order of a Sub-Registrar refusing to admit a document to registration (whether the registration of such document is compulsory or optional) to the Registrar to whom such Sub-Registrar is subordinate, if presented to such Registrar within thirty days from the date of the order; and the Registrar may reverse or alter such order:

Power to reverse or alter orders of Sub-Registrar refusing registration on ground other than denial of execution.

and if the order of the Registrar directs the document to be registered and the document is duly presented for registration within thirty days after the making of such order, the Sub-Registrar shall obey the same, and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60; and such registration shall take effect as if the document had been registered when it was first duly presented for registration.

73. When a Sub-Registrar has refused to register a document on the ground that any person by whom it purports to be executed, or his representative or assign, denies its execution,

Application where Sub-Registrar refuses to register on ground of denial of execution.

any person claiming under such document, or his representative, assign or agent authorized as aforesaid, may, within thirty days after the making of the order of refusal, apply to the Registrar to whom such Sub-Registrar is subordinate in order to establish his right to have the document registered.

Such application shall be in writing and shall be accompanied by a copy of the reason recorded under section 71, and the statements in the application shall be verified by the applicant in manner required by law for the verification of plaints.

74. In such case, and also where such denial as aforesaid is made before a Registrar in respect of a document presented for registration to him, he shall, as soon as conveniently may be, enquire—

Procedure of Registrar on such application.

(*a*) whether the document has been executed;

(*b*) whether the requirements of the law for the time being in force have been complied with on the part of the applicant or person presenting the

document for registration as the case may be, so as to entitle the document to registration.

75. If the Registrar finds that the document has been executed and that the said requirements have been complied with, he shall order the document to be registered.

Order to register and procedure thereon.

And if the document be duly presented for registration within thirty days after the making of such order, the registering officer shall obey the same, and thereupon shall, so far as may be practicable, follow the procedure prescribed in sections 58, 59 and 60.

Such registration shall take effect as if the document had been registered when it was first duly presented for registration.

The Registrar may, for the purpose of any enquiry under section 74, summon and enforce the attendance of witnesses, and compel them to give evidence as if he were a Civil Court, and he may also direct by whom the whole or any part of the costs of any such enquiry shall be paid, and such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure.

76. Every Registrar refusing—

Refusal by Registrar.

(*a*) to register a document except on the ground that the property to which it relates is not situate within his district or that the document ought to be registered in the office of a Sub-Registrar, or

(*b*) to direct the registration of a document under section 72 or section 75,

shall make an order of refusal and record the reasons for such order in his Book No. 2, and on application made by any person executing or claiming under the document, shall, without unnecessary delay, give him a copy of the reasons so recorded.

No appeal lies from any order under this section or section 72.

77. Where the Registrar refuses to order the document to be registered, under section 72 or section 76, any person claiming under such document, or his representative, assign or agent, may, within thirty days after the making of the order of refusal, institute in the Civil Court within the local limits of whose original jurisdiction is situate the office in which the document is sought to be registered, a suit for a decree directing the document to be registered in such office, if it be duly presented for registration within thirty days after the passing of such decree; and the provisions contained in the second and third paragraphs of section 75, shall, *mutatis mutandis*, apply to all documents so presented, and notwithstanding anything contained in this Act, the document shall be receivable in evidence in such suit.

Suit in case of refusal.

PART XIII.

OF THE FEES FOR REGISTRATION, SEARCHES AND COPIES.

78. Subject to the approval of the Governor General in Council, the Local Government shall prepare a table of fees payable for the registration of documents:

Fees to be fixed by Local Government.

for searching the registers:

for making or granting copies of reasons, entries or documents, before, on or after registration:

And of extra or additional fees payable—

for every registration under section thirty:

for the issue of commissions:

or filing translations:

for attending at private residences:

for the safe custody and return of documents:

and for such other matters as appear to the Local Government necessary to effect the purposes of this Act.

The Local Government may from time to time, subject to the like approval, alter such table.

Alteration of fees.

79. A table of the fees so payable shall be published in the official Gazette, and a copy thereof in English and the vernacular language of the district shall be exposed to public view in every registration office.

Publication of fees.

80. All fees for the registration of documents under this Act shall be payable on the presentation of such documents.

Fees payable on presentation.

PART XIV.

OF PENALTIES.

81. Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause, or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code to any person, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.

82. Whoever commits any of the following offences shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both:

Penalty for certain other offences.

(*a*) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or inquiry under this Act,

Making false statements before registering officer.

(*b*) intentionally delivers to a registering officer in any proceeding under section 19 or section 21 a false copy or translation of a document, or a false copy of a map or plan,

Delivering false copy or translation.

(*c*) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued, or does any other act in any proceeding or enquiry under this Act,

False personation.

(*d*) abets within the meaning of the Indian Penal Code anything made punishable by this Act.

Abetment of offences under this Act.

83. A prosecution for any offence under this Act coming to the knowledge of a registering officer in his official capacity may be commenced by or with the permission of the Inspector General, the Branch Inspector General of Sindh, the Registrar or the Sub-Registrar, in whose territories, District or Sub-District, as the case may be, the offence has been committed.

Registering officer may commence prosecutions.

Offences punishable under this Act shall be triable by any Court or officer exercising powers not less than those of a Subordinate Magistrate of the first class:

Provided that, in imposing penalties under this Act, no such Court or officer shall exceed the limits of jurisdiction prescribed by the law for the time being in force as to such Court or officer.

All fines imposed under this Act may be recovered, if for offences committed outside the limits of the Presidency Towns, in the manner prescribed by the Code of Criminal Procedure, and if for offences committed within those limits, in the manner prescribed by any Act regulating the Police of such Towns for the time being in force.

84. Every registering officer appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Registering officers to be deemed public servants.

Every person shall be legally bound to furnish information to such registering officer when required by him to do so. And in section 228 of the same Code, the words "judicial proceeding" shall include any proceeding under this Act.

A Registrar shall, but a Sub-Registrar shall not, as such, be deemed a Court within the meaning of sections 435 and 436 of the Code of Criminal Procedure.

PART XV.

MISCELLANEOUS.

85. Documents (other than wills) remaining unclaimed in any registration office, for a period exceeding two years, may be destroyed.

Destruction of unclaimed documents.

86. No registering officer shall be liable to any suit, claim or demand by reason of anything in good faith done or refused in his official capacity.

Registering officer not liable for thing *bonâ fide* done or refused in his official capacity.

87. Nothing done in good faith pursuant to this Act, or any Act hereby repealed, by any registering officer, shall be deemed invalid merely by reason of any defect in his appointment or procedure.

Nothing so done invalidated by defect in appointment or procedure.

88. Notwithstanding anything herein contained, it shall not be necessary for any officer of Government, or for the Administrator General of Bengal, Madras or Bombay, or for any Official Trustee, or Official Assignee, or for the Sheriff, Receiver or Registrar of a High Court, to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed by him in his official capacity, or to sign as provided in section 58.

Registration of documents executed by Government officers or certain public functionaries.

But when any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he think fit, refer to any Secretary to Government or to such officer of Government, Administrator General, Official Trustee, Official Assignee, Sheriff, Receiver or Registrar, as the case may be, for information respecting the same, and, on being satisfied of the execution thereof, shall register the instrument.

89. Every officer granting a certificate under the Land Improvement Act, 1871, shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved, or of the land to be granted as collateral security, is situate, and such registering officer shall file the certificate in his book No. 1.

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90. Nothing contained in this Act or in Act No. VIII of 1871 or in any Act thereby repealed shall be deemed to require, or to have at any time required, the registration of any of the following documents or maps:—

Exemption of certain documents executed by or in favour of Government.

(*a*). Documents issued, received or attested by any officer engaged in making a settlement or revision of settlement of land-revenue, and which form part of the records of such settlement.

(*b*). Documents and maps issued, received or authenticated by any officer engaged on behalf of Government in making or revising the survey of any land, and which form part of the record of such survey.

(*c*). Documents which, under any law for the time being in force, or filed periodically in any revenue office by patwáris or other officers charged with the preparation of village-records.

(*d*). Sanads, inám title-deeds and other documents purporting to be or to evidence grants or assignments by Government of land or of any interest in land.

But all such documents and maps shall, for the purposes of sections 48 and 49, be deemed to have been and to be registered in accordance with the provisions of this Act.

91. Subject to such rules and the previous payment of such fees as the Local Government from time to time prescribes in this behalf, all documents and maps mentioned in section 90, clauses (*a*), (*b*) and (*c*), and all registers of the documents mentioned in clause (*d*), shall be open to the inspection of any person applying to inspect the same, and, subject as aforesaid, copies of such documents shall be given to all persons applying for such copies.

Inspection and copies of such documents.

92. All rules relating to registration heretofore enforced in British Burma shall be deemed to have had the force of law, and no suit or other proceeding shall be maintained against any officer or other person in respect of anything done under any of the said rules.

Burmese registration-rules confirmed.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th February 1877, and is hereby promulgated for general information:—

ACT No. IV OF 1877.

THE PRESIDENCY MAGISTRATES' ACT, 1877.

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THE FIRST SCHEDULE—ENACTMENTS REPEALED.
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An Act to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Magistrates' Act, 1877";

Commencement.

And it shall come into force on the first day of April 1877.

Repeal of Acts.

2. On and from that day the Acts mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Saving of powers under local laws.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Matters indicated in second schedule.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any law referred to in section 14,

whether a warrant or a summons shall ordinarily issue in the first instance, and

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

The punishment for each offence under the Indian Penal Code is indicated by the sixth column of the same schedule.

Pending cases.

5. Cases pending when this Act comes into force in any of the Courts of Police Magistrates, or in the town of Bombay in the Court of Petty Sessions, shall be dealt with, as far as may be, according to the procedure herein provided.

Definitions.

6. In this Act, unless there be something repugnant in the subject or context:—

"writing." "writing" includes print, lithography, photography and engraving:

"bailable offence or case." "bailable offence" means an offence for, and "bailable case" means a case in, which bail may be taken under any law in force for the time being:

"non-bailable offence or case." "non-bailable offence" means an offence for, and "non-bailable case" means a case in, which bail may not be taken under any law in force for the time being:

"chapter." "chapter" means a chapter of this Act:

"place." "place" includes also house, building and vessel: and

Words referring to acts done. words which refer to acts done extend also to illegal omissions.

CHAPTER II.—CONSTITUTION AND POWERS OF THE PRESIDENCY MAGISTRATES' COURTS.

Establishment of Presidency Magistrates' Courts.

7. The Local Government may, with the sanction of the Governor General in Council,

(*a*) constitute within the towns of Calcutta, Madras and Bombay, respectively, so many divisions as the said Government thinks fit,

(*b*) define the extent thereof respectively,

(*c*) from time to time alter the number of such divisions and their respective extents, and

(*d*) establish a Presidency Magistrate's Court for each of such divisions.

Appointment of Presidency Magistrates.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns, respectively, and may suspend or remove any person so appointed.

Any such person may sit and act as a Magistrate in any of the said Courts, and any two or more of such persons may (subject to rules made under section 9) sit together as a Bench.

All persons appointed under this section shall be called Presidency Magistrates.

Presidency Magistrates to be Justices of the Peace.

Every such person shall, by virtue of his office, be a Justice of the Peace for the town of which he is a Magistrate,

Local limits of jurisdiction.

and shall exercise jurisdiction in all places within the local limits of the ordinary original criminal jurisdiction of the High Court, and within the limits of the port of such town and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues.

The area comprised within such local limits shall be deemed to be a district within the meaning of the Code of Criminal Procedure and of this Act.

Bombay Court of Petty Sessions.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which, under any law in force immediately before the passing of this Act, may be exercised by the Court of Petty Sessions, and such Court is hereby abolished.

Appointment and powers of Chief Magistrate.

9. In each of the said towns the Local Government shall appoint one of the Presidency Magistrates to be Chief Magistrate. Such Magistrate shall exercise in such town all the powers which by any law or rule are required to be exercised by any Senior or Chief Magistrate, and may, with the previous sanction of the Local Government, make rules, consistent with this Act, to regulate

(*a*) the conduct and distribution of business and secure uniformity of practice in the Courts of the Magistrates of the Town:

(*b*) the times and places at which Benches of Magistrates shall sit:

(*c*) the constitution of Benches:

(*d*) the mode of settling differences of opinion which may arise between Magistrates in session.

Notwithstanding the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Chief Magistrate only.

References in Acts to Magistrates of Police.

10. All existing Magistrates of Police shall be deemed to be Presidency Magistrates under this Act, and all references in any Act now in force to Magistrates of Police shall be deemed to be made to Presidency Magistrates.

Sentences which Presidency Magistrates may pass.

11. Any Presidency Magistrate may pass the following sentences:—

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine not exceeding one thousand rupees:

Whipping.

A Presidency Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Presidency Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award. But no punishment inflicted under this

section shall exceed the punishment provided for the offence by the Indian Penal Code or any special or local law.

Imprisonment in default of payment of fine.

12. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Presidency Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in fixing the period of imprisonment in default of payment of the fine:

Proviso as to cases decided by Magistrate.

Provided that, in no case decided by a Presidency Magistrate, where imprisonment has been inflicted as part of the substantive sentence, shall the period of imprisonment inflicted in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Where a person is sentenced to fine only, the Presidency Magistrate may fix such term of imprisonment in default of payment of fine as is allowed by law, provided the term does not exceed two years.

Sentence in cases of simultaneous conviction of several offences.

13. When a person is convicted, at one trial, of two or more offences punishable under the same section or different sections of any law, the Presidency Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such law which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other:

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction, competent to inflict.

Offences under enactments not specifying Court authorized to try.

14. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by a Presidency Magistrate. But no such Magistrate shall pass any sentence in excess of his powers.

Offence committed in Magistrate's presence.

15. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and when the offender is arrested may commit him to custody or, if the offence is bailable, may admit him to bail.

Power to record statements and confessions.

16. A Presidency Magistrate may record any confession or other statement made to him at any place within the local limits of his jurisdiction by any person with reference to any offence.

Such confessions shall be recorded in the manner provided by section 84, and such statements shall be recorded in the manner prescribed in section 115, clauses 3, 4 and 5, and such statements and confessions shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried.

No Presidency Magistrate shall record any such confession unless, upon inquiry, he has reason to believe that it was made voluntarily; and on recording any such confession, he shall make a memorandum at the foot thereof to the following effect:—

"I believe that this confession was voluntarily made. It was read over to the person making it and was admitted by him to be correct."

(Signed) *A. B.*,
Presidency Magistrate.

Power to compel restoration of abducted females.

17. Upon complaint made to a Presidency Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge or government of such child, and may compel compliance with such order, using force if necessary.

PART II.

CHAPTER III.—THE PLACE OF INQUIRY AND TRIAL.

Place for inquiry and trial of offence.

18. Every offence shall ordinarily be inquired into, and, if triable by a Magistrate, shall be tried, in the district in which it was committed. If triable by a High Court, it shall (subject to the provisions of section 64A of the Code of Criminal Procedure) be tried by the High Court to which the Magistrate commits.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

Accused triable in district where act done, or where consequence ensues.

19. When a person is accused of the commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or any such consequence has ensued.

Illustrations.

(*a.*) A is wounded in district X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b.*) A is wounded in district X, and is, during twenty days, unable to follow his ordinary pursuits in district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c.*) A is put in fear of injury in district X, and is thereby induced, in district Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in X or Y.

Place for trial where act is offence by reason of relation to other offence.

20. When an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first-mentioned offence may be inquired into and tried, either in the district in which it was committed, or in the district in which the other act was committed.

Illustrations.

(*a.*) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b.*) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in the district in which any of them were at any time dishonestly received or retained.

(*c.*) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(*d.*) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of their original concerted plan and with reference to their common object.

Place for inquiry or trial where scene of offence is uncertain;

or offence not committed in one district only;

or offence is continuing;

or consists of several acts in different districts;

21. When it is uncertain in which of several districts an offence was committed; or

where an offence is committed partly in one district and partly in another; or

where an offence is a continuing one and continues to be committed in more districts than one; or

where an offence consists of several acts done in different districts,

it may be inquired into and tried in any of such districts.

An offence committed on a journey or voyage may be inquired into and tried in any district through or into which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

or offence is committed on journey or voyage.

Being a thug or dacoit. Escaping from custody.

22. The offence of being a thug, or of having belonged to a gang of dacoits, or of having escaped from custody, may be inquired into and tried wherever the accused person happens to be when the complaint is made.

Criminal misappropriation and criminal breach of trust.

The offence of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried either in the district in which the property which is the subject of the offence was received by the accused person, or in any other district in which the offence was committed.

Murder as a thug, dacoity or dacoity with murder.

The offence of murder as a thug, dacoity or dacoity with murder, may be inquired into and tried wherever the person accused happens to be when arrested, or in any other district in which he might be tried under any other provision of this Act, or any other law relating to the trial of such offence.

Stealing cattle.

The offence of stealing an animal may be inquired into and tried either in the district in which such animal was stolen, or in any other district through or into which it was conveyed.

High Court to decide, in case of doubt, district where inquiry shall take place.

23. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

24. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person in his defence, or the prosecutor in his prosecution, was actually prejudiced by such error, in either of which cases a new trial may be ordered.

CHAPTER IV.—OF THE COGNIZANCE OF OFFENCES.

When Presidency Magistrate may take cognizance of offences.

25. A Presidency Magistrate may take cognizance of any offence—

(*a*) upon receiving a complaint by a private person,

(*b*) upon information or report by a Police officer,

(*c*) upon information received under section 246,

(*d*) if committed in his presence,

(*e*) upon application under chapter V.

Who may make complaints.

26. Any person acquainted with the facts of a case may make a complaint.

Process to compel appearance.

27. On receipt of a complaint a Presidency Magistrate may, if the person complained of be not already in custody, proceed by summons or warrant to compel his appearance;

and in the cases mentioned in section 25, clauses (*b*), (*c*), (*d*) and (*e*), the Presidency Magistrate may proceed as if he had received a complaint.

Jurisdiction given by complaint.

28. A complaint gives jurisdiction to a Presidency Magistrate—

(*a*) to inquire into or try (as the case may be) any offence covered by the facts complained of, or disclosed on such inquiry or trial,

(*b*) to try or commit for trial (as the case may be) any person not complained against, but who, at the time when the complaint is made, or subsequently, appears to have committed any offence so disclosed, and

(*c*) to issue process for the arrest or to compel the appearance of such person.

Complaint or sanction required in certain cases.

29. Nothing in section 27 or 28 shall be held to authorize a Presidency Magistrate to take cognizance, without complaint, of any offence falling under chapters XIX, XX or XXI of the Indian Penal Code; nor without sanction to receive a complaint, or to take cognizance without complaint of any offence, where such complaint or offence, by any law in force for the time being, may not be received or taken cognizance of without sanction.

Magistrate to examine complainant.

30. Whenever a complaint is made to a Presidency Magistrate, such Magistrate, if he has jurisdiction in the case, shall examine the complainant; and such examination may be on oath or affirmation, or not, as the Magistrate in each case thinks fit:

Provided that the Magistrate, if he thinks fit, may, before the matter of the complaint is brought before him, require it to be reduced to writing.

31. Where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Effect of omission to examine petitioner.

32. The Magistrate before whom the complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

Dismissal of complaint.

The dismissal of a complaint shall not prevent subsequent proceedings against the person complained against.

33. If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

Issue of process.

34. When a complaint is made before a Presidency Magistrate having jurisdiction in the case, that any person has committed, or is suspected of having committed, any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may (subject to the provisions of section 4) issue his summons directed to such person, requiring him to appear to answer the complaint, at a certain time and place, before such Magistrate as may then be there.

When summons may issue.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

35. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed, or is suspected of having committed—

Where warrant or summons may issue on complaint.

(*a*) any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months, or

(*b*) any offence triable exclusively by the High Court, or which, in the opinion of such Magistrate, ought to be tried by the High Court,

such Magistrate may (subject to the provisions of section 4) issue his warrant to arrest such person, or, if he thinks fit, his summons directed to such person, requiring him to appear to answer the complaint at a certain time and place before such Magistrate as may then be there.

36. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what he deems a reasonable time before the time therein appointed for appearing pursuant thereto,

Warrant to arrest, if summons not obeyed.

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

37. Whenever the Magistrate issues a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by his advocate, attorney or pleader.

Magistrate may dispense with personal attendance of accused.

But such Magistrate may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused person, and, if necessary, enforce such attendance by issuing a warrant to arrest him.

CHAPTER V.—OF PROSECUTIONS IN CERTAIN CASES.

38. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294A of the same Code, shall not be received by any Presidency Magistrate, unless it be made by order of, or under authority from, the Governor General in Council or the Local Government, or some officer empowered by the Governor General in Council or the Local Government to order or authorize such complaint, or unless it be made by the Advocate General.

Prosecutions for offences against the State.

39. A complaint of an offence of which any Judge or any public servant not removeable from his office without the sanction of the Government, is accused as such Judge or public servant, shall not be received by any Presidency Magistrate, except with the previous sanction or under the direction,

Prosecution of Judges and public servants.

(*a*) of the Government, or

(*b*) of some officer empowered in this behalf by the Government, or

(*c*) of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such complaint has not been limited by the Government.

No such Judge or public servant shall, unless with the previous sanction of the Government, be prosecuted for any act purporting to be done by him in the discharge of his duty.

The Government may, in any case or class of cases, prescribe the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial shall be held.

Power of Government as to prosecution.

In this section, the expression "Government" means either the Local Government or the Governor General in Council, and the expressions "Judge" and "public servant" have the meaning assigned to them respectively by the Indian Penal Code.

Definition of "Government," "Judge" and "public servant."

40. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179, 180 or 228 of that Code, shall not be received by any Presidency Magistrate, except with the sanction or on the complaint of the public servant concerned, or of his official superior.

Prosecution for contempts of the lawful authority of public servants.

41. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be received by any Presidency Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences against public justice.

42. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be received against any party to or witness in such proceedings, by any Presidency Magistrate, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

43. The sanction referred to in sections 40, 41 and 42 respectively may be expressed in general terms, and need not name the accused person, and may be given at any time. But it shall, so far as practicable, specify the Court or other place in which, and the occasion on which, the offence is alleged to have been committed.

Nature of sanction necessary.

A sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Presidency Magistrate to alter the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

44. When any civil, criminal or other Court inferior to a High Court is of opinion that there is sufficient ground for inquiring into any complaint mentioned in section 40, 41 or 42, such Court may either itself inquire into and commit the case for trial before the High Court, or may send the case for disposal to any Presidency Magistrate having jurisdiction.

Procedure in cases mentioned in section 40, 41 or 42.

The Court may send the accused person in custody, or take sufficient bail for his appearance, before such Magistrate; and may bind over any person to appear and give evidence in the case.

Nothing in this section shall prevent a Presidency Magistrate from disposing of cases under sections 172, 173, 174 and 175 of the Indian Penal Code where he himself is the public servant concerned.

45. A complaint of an offence under section 497 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the other person (if any) under whose care she was living at the time when the adultery was committed.

Prosecution for adultery.

A complaint of an offence under section 498 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of her husband at the time when the offence was committed.

Prosecution for enticing away married woman.

46. The application of the public servant or Court to a Presidency Magistrate to inquire into or try any case under this chapter shall be deemed a sufficient complaint.

Application to be deemed a complaint.

CHAPTER VI.—OF THE SUMMONS AND WARRANT.

47. Every summons issued by a Presidency Magistrate to an accused person shall be in writing signed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Form of summons.

48. If the accused person can be found, the summons shall be served on him personally, wherever he may be, by delivering or tendering the summons to him.

Summons how served.

Every person to whom a summons is delivered or tendered under this section shall, if required by the person delivering or tendering the same, sign a receipt therefor, or countersign a copy thereof.

49. If the accused person cannot be found, the summons may be served by leaving it for him with some adult male member or servant of his family residing with him; and the person with whom the summons is so left shall, if so required by the serving officer, sign a receipt therefor, or countersign a copy thereof. If there is no such member or servant with whom the summons can be left, the serving officer shall fix it on some conspicuous part of the house in which the accused person ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

Service when accused cannot be found.

When the person summoned is in the service of Government or of any Railway Company, the Magistrate issuing the summons may send it to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served in manner hereinbefore provided.

Service on servants of Government and Railway Companies.

50. When a summons issued by a Presidency Magistrate is to be served at any place outside the local limits of his jurisdiction, he may send the summons in duplicate to the Magistrate of the place where the accused resides or is, to be there served.

Service of summons outside Presidency Towns.

51. When a summons issued by a Presidency Magistrate is served outside such local limits as aforesaid, and also in cases where the person who has served the same is not present at the hearing of the complaint, the service may be proved—

Proof of service in such cases and when server not present.

(*a*) by a solemn declaration, purporting to be made before a Magistrate, that such summons has been served, and such declaration may be endorsed on the duplicate summons and returned to the Magistrate who issued the summons, or

(*b*) by a copy of the summons purporting to be countersigned by the person to whom it is addressed, or

(*c*) by a receipt under section 48.

52. The provisions relating to a summons, its issue and service, contained in sections 47 to 51 (both inclusive), shall be applicable to every summons issued under this Act.

Provisions applicable to all summonses under Act.

53. A Presidency Magistrate may, notwithstanding the issue of a summons under this chapter, either before the appearance of the accused person as required by such summons, or after he fails so to appear, issue a warrant of arrest against him.

Issue of warrant in addition to summons.

54. A Presidency Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence alleged or suspected to have been committed by such person in a different district, or on the high seas, or in a foreign country: provided that if the offence were committed within such local limits, the Magistrate might issue a summons or warrant.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

55. On the attendance or apprehension of such person, if the Presidency Magistrate has not jurisdiction in the case, he shall either send such person to the Magistrate within the local limits of whose jurisdiction the offence is alleged to have been committed, or if the offence is bailable, take bail for his appearance before such Magistrate.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

When the Presidency Magistrate cannot satisfy himself as to the Magistrate to whom the person so attending or arrested should be sent, he shall report the case for the orders of the High Court.

56. Every warrant issued by a Presidency Magistrate shall be in writing under his hand, shall be directed to one or more Police-officers, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Form and direction of warrant.

A warrant issued under this Act remains in force until it is cancelled by the Magistrate who issued it, or until it is executed.

Continuance of warrant.

57. A fee of eight annas shall be paid for every summons or warrant issued by a Presidency Magistrate, except in the case of a summons to attend and give evidence or to produce documents, in which case there shall be paid a fee of four annas:

Fees for summonses and warrants.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the complainant is unable to pay the same, and shall remit it when the complaint is made by a public servant in the execution of his duty.

Power to remit fees.

58. A Presidency Magistrate, in issuing a warrant for the arrest of any person, may in his discretion direct by endorsement on the warrant, that if such person give sufficient bail as therein mentioned for his appearance before the Magistrate on a specified day to answer the complaint, the officer to whom the warrant is directed shall take such bail, and shall release such person from custody.

When Magistrate may direct bail to be taken.

The endorsement shall state (*a*) the number of sureties, (*b*) the amount in which they and the accused person are to be respectively bound, and (*c*) the day on which he is to appear before the Magistrate.

If bail be taken, the officer to whom the warrant is directed shall forward the recognizance to the Presidency Magistrate.

Recognizance to be forwarded.

59. When a warrant is directed to more Police-officers than one, it may be executed by all, or by any one or more, of such officer.

Warrant to several persons.

60. A warrant directed to any Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

Execution of warrant by Police-officer other than the one addressed.

61. Any Presidency Magistrate who issues a warrant of arrest may attend personally for the purpose of seeing that the warrant is duly executed.

Magistrate issuing warrant may superintend its execution.

62. Any such Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he may issue a warrant.

Arrest in presence of Magistrate.

63. A warrant issued by a Presidency Magistrate shall ordinarily be executed within the local limits of his jurisdiction.

Where warrant may be executed.

But if the person against whom the warrant is issued goes into, or is in, any place outside such limits, the warrant may be executed in such place.

64. A Presidency Magistrate may direct a warrant to be executed outside the local limits of his jurisdiction, either with or without endorsement by a Magistrate within the local limits of whose jurisdiction it is to be executed.

Execution of warrant outside issuing Magistrate's jurisdiction.

Such warrant shall ordinarily be endorsed by the Magistrate within the local limits of whose jurisdiction it is to be executed.

The warrant may be forwarded to such Magistrate for endorsement, either by post or by any Police-officer to whom it is directed.

The Magistrate to whom such warrant is forwarded by post shall endorse his name thereon and cause it to be executed within the local limits of his jurisdiction.

If the warrant is forwarded by a Police-officer to whom it is directed, he may take it either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, within the local limits of whose jurisdiction the warrant is to be executed.

Such Magistrate or Police-officer shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police-officer to whom the warrant is directed to execute the same within such limits, and the local police shall be bound to assist such officer in executing the warrant.

Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate or Police-officer within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police-officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Magistrate who issued it.

65. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Presidency Magistrate who issued the warrant be within twenty miles, or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 58, be brought before the Magistrate within the local limits of whose jurisdiction the arrest was made.

Procedure on execution of warrant outside issuer's jurisdiction.

Such Magistrate shall, if the person arrested appears to be the person intended by the Presidency Magistrate, direct his removal in custody to such Magistrate, unless such person is then ready and willing to give the bail (if any) required under section 58, in which case the Magistrate before whom he is so brought shall accept such bail and forward the recognizance to the Presidency Magistrate.

66. Every Magistrate or Police-officer to whom a warrant under this Act is directed for execution shall execute the same, or cause it to be executed.

Magistrate and Police-officer.

67. If a Presidency Magistrate having jurisdiction in the case has reason to believe that any person accused of an offence not coming within section 34 is absconding or concealing himself, so that a warrant issued against him under this Act cannot be executed, such Magistrate may issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days from the date of publishing the proclamation.

Proclamation for person absconding.

Such proclamation shall be published as follows—

Proclamation how published.

(*a*) it shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides;

(*b*) it shall be affixed to some conspicuous part of his ordinary place of abode, or some conspicuous place of such town or village; and

(*c*) a copy thereof shall be affixed to some conspicuous part of such Magistrate's Court-house.

A statement by the Magistrate to the effect that the proclamation was duly published shall be conclusive evidence of compliance with the requirements of this section.

Evidence of publication.

68. A Presidency Magistrate may order the attachment of any property, moveable or immoveable, belonging to any person believed to be absconding or concealing himself.

Attachment of property of person absconding.

Such order shall authorize the attachment of any property within the local limits of the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without such local limits when endorsed by the Magistrate of the district in which such property is situate.

If the property ordered to be attached be immoveable, the attachment under this section shall, in the case of land paying revenue to Government, be made through the Collector of the district in which the land is situate, and, in all other cases, (*a*) by seizure under the order of the Magistrate having jurisdiction; or (*b*) by the appointment of a manager and receiver; or (*c*) by an order prohibiting the payment of rent to the absent person; or by all or any two of such processes as such Magistrate deems proper.

If the person so believed to be absconding or concealing himself does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months from the date of the attachment, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Magistrate may cause it to be sold whenever he thinks fit.

69. When any person whose property is or has been at the disposal of Government under the last paragraph of section 68 appears or is found within two years from the date of the attachment, and proves to the satisfaction of the Magistrate by whose order the property was attached that he did not abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the nett proceeds of the sale, or if part only thereof has been sold, the nett proceeds of the sale and the residue of the property, shall, after satisfying thereout all costs incurred in consequence of the attachment, be delivered to him.

Restoration of forfeited property.

CHAPTER VII.—OF BAIL.

70. Every person arrested under this Act shall be kept in custody until he is discharged by the order of a competent Court, or until he is admitted to bail.

Custody of person arrested.

When any person appears or is brought before a Presidency Magistrate accused of any bailable offence, such person shall be admitted to bail: Provided that, in cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, the Magistrate may discharge him on his binding himself by a personal recognizance in such sum of money as the Magistrate thinks sufficient, to appear and attend at the time and place therein mentioned, and to continue so to attend until otherwise directed by the Magistrate.

When bail shall be taken.

71. When any person accused of any non-bailable offence appears or is brought before a Presidency Magistrate, such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail shall not be taken.

If the evidence given in support of the complaint is, in the opinion of the Magistrate, not such as to afford such grounds,

When bail may be taken.

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt,

but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

But if the Magistrate decide not to admit the accused person to bail, he shall commit him to custody by a warrant in the form (C) given in the third schedule hereto annexed, or to the like effect.

Warrant for intermediate custody.

Any Presidency Magistrate may, at any subsequent stage of any proceeding under this Act, cancel the admission under this section of any accused person to bail, and may commit him to custody, or may admit to bail any person who has been committed to custody under this section.

72. When any person accused before a Presidency Magistrate of any offence is admitted to bail, a recognizance, in such sum

Recognizance of accused and sureties.

of money as the Magistrate thinks sufficient, shall be entered into by the person so accused and one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue so to attend until otherwise directed by the Magistrate, and, if required, shall appear when called upon at the High Court, to answer the charge.

It is the duty of the Presidency Magistrate or other officer accepting bail to satisfy himself that every surety entering into such recognizance is a person of whom it may reasonably be presumed that he can, if necessary, satisfy its terms.

Every such recognizance shall be in the form (D) given in the third schedule hereto annexed, or to the like effect.

Discharge on bail.

73. After the recognizance has been entered into, the Presidency Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him; and in case he is in some jail, shall issue a warrant of release to the officer in charge of the jail, and such officer shall thereupon release him.

Admission to bail after failure in first instance.

74. If the accused person cannot find sufficient bail when permitted so to do, he may, if the Presidency Magistrate thinks fit, be admitted to bail upon finding the same at any time afterwards before conviction.

Power to order sufficient bail when that first taken is insufficient.

75. If, through mistake or fraud, insufficient bail have been taken, or if the bail become afterwards insufficient, the Presidency Magistrate may issue his warrant of arrest directing that the accused person be brought before him and may order such person to find sufficient bail, and on his failing so to do may commit him to prison.

Discharge of sureties.

76. The sureties for the attendance and appearance of an accused person admitted to bail may, at any time, apply to a Presidency Magistrate to discharge their recognizance.

On such application being made, the Magistrate shall issue his warrant of arrest, directing that the accused person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged, and shall call upon the accused person to find other sufficient sureties, and if he fail to do so, may commit him to prison.

Procedure to compel payment of penalty by accused.

77. Whenever, by reason of default of attendance or appearance of the person bailed, a Presidency Magistrate is of opinion that proceedings should be had to recover the penalty mentioned in the recognizance into which such person has entered, he shall proceed to recover the same, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the local limits of the jurisdiction of such Magistrate.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

Procedure to compel payment of penalty by sureties.

78. Whenever, by reason of default of attendance or appearance of the person bailed, the Presidency Magistrate is of opinion that proceedings should be had to recover from the sureties the penalty mentioned in the recognizance, he shall give them notice to pay the same, or to show cause why it should not be paid.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Presidency Magistrate shall proceed to recover the penalty from such sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to them, or either of them, which may be found within the local limits of the jurisdiction of such Magistrate. Such warrant may be executed within such limits; and it shall authorize the attachment and sale of any moveable property belonging to the sureties, or either of them, without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, such sureties shall be liable to confinement, by order of the Presidency Magistrate, in the civil jail, during a period not exceeding six months.

In what cases powers given by sections 77 and 78 may be exercised.

79. The powers given by sections 77 and 78 may be exercised by every Presidency Magistrate in every case in which a recognizance has been given for the appearance of any person, if default is made by the non-appearance of such person before such Magistrate, according to the conditions of the recognizance:

Remission of part of penalty.

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in any such recognizance and enforce payment in part only.

Deposit instead of bail.

80. When any person is required by a Presidency Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as the Magistrate may fix in lieu of such bail.

CHAPTER VIII.—OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

Procedure in preliminary inquiries.

81. Cases, triable by a High Court in the exercise of its ordinary original criminal jurisdiction, or which, in the opinion of the Presidency Magistrate before whom the accused person is brought, ought to be tried by such Court, shall be inquired into by a Presidency Magistrate; and in such inquiry he shall adopt the following procedure.

Examination of complainant and witnesses for prosecution.

82. When the accused person appears or is brought before the Magistrate, or if his personal attendance is dispensed with, after reasonable notice to his advocate, attorney or pleader, the Magistrate shall, at such time as he thinks fit, take the evidence of the complainant and of such persons as are stated by the complainant to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Such evidence shall be recorded in the manner described in clauses 3, 4 and 5 of section 115.

Examination to be in presence of accused.

83. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or, when his personal attendance is dispensed with, of his advocate, attorney or pleader (if any).

Procedure in inquiries preliminary to commitment.

The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Examination of accused how recorded.

84. Whenever an accused person is examined in the course of a preliminary inquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

Power of Magistrate to summon and examine any person.

85. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Adjournment of inquiry and remand.

86. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to adjourn the inquiry, the Magistrate may, by a written order, from time to time adjourn the inquiry on such terms as he thinks fit and remand the accused person for a reasonable time, not exceeding fifteen days.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable cause for a remand.

When accused person to be discharged.

87. When a Presidency Magistrate finds that there are not sufficient grounds for committing the accused person for trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be tried before himself, in which case he shall proceed accordingly.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

When accused to be committed for trial.

88. When evidence has been given before a Presidency Magistrate, which appears to justify him in committing the accused person for trial for an offence triable exclusively by the High Court, or which, in the opinion of the Magistrate, ought to be tried by such Court, the accused person shall be committed for trial accordingly.

Framing of charge on which accused is to be tried before High Court.

89. When the Magistrate determines to commit the accused person for trial before the High Court, he shall, after the evidence has been recorded, frame a charge under his hand, declaring with what offence the accused person is charged, and (subject to the provisions of the High Courts' Criminal Procedure Act, 1875) committing him for trial by such Court on such charge.

All such charges shall be drawn up in accordance with the provisions of chapter IX.

Form of commitment.

Pending such trial, the Magistrate may commit the accused person to custody by warrant in the form (E) given in the third schedule hereto annexed, or to the like effect, or may in case of a bailable offence release him on bail; and the charge, the record of the enquiry, and any weapon or other article necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Charge, &c., to be forwarded to High Court.

When the accused person is committed for trial before the High Court, the Magistrate shall issue an order to such person as may be appointed by the Local Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge.

Commitment when to be notified.

Charge to be explained, and copy furnished, to accused.

90. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him; and a copy thereof shall be furnished to him, if he so require.

List of witnesses for defence on trial before High Court.

91. The accused person shall be required at once to give in, orally or in writing, a list of the persons whom he wishes to be summoned to give evidence on his trial before the High Court.

The Magistrate may, if he thinks proper, summon all or any such persons to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

Further list.

The Magistrate may in his discretion allow the accused person to give in any further list of witnesses at a subsequent time.

Power to summon supplementary witnesses.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial. Such examination shall, if possible, be taken in the presence of the accused person.

Nothing in this section shall be deemed to preclude the accused person from giving at any time before his trial before the High Court to the

Clerk of the Crown a further list of the persons whom he wishes to be summoned to give evidence on such trial.

Summons to witnesses when accused person is to be committed.

92. When the person accused has been committed for trial, and has given in any list of the persons referred to in section 91, the Magistrate may either summon such persons to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognizances of complainants and witnesses.

93. Complainants and witnesses for the prosecution and defence, whose attendance before the High Court is necessary, and who appear before the Presidency Magistrate, shall execute before him recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

Detention in custody in case of refusal to attend or to execute recognizance.

If any complainant or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Presidency Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him in custody to the High Court.

CHAPTER IX.—OF THE CHARGE.

Form of Charges.

Charge to state offence.

94. Every charge under this Act shall state the offence with which the accused person is charged.

Specific name of offence sufficient description.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

How stated where offence has no specific name.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused person notice of the matter with which he is charged.

The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

What implied in charges.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

Language of charge.

The charge shall be written in English. If English is not understood by the accused person, the charge shall be interpreted to him in a language which he understands.

Previous conviction when to be set out.

If the accused person has been previously convicted of any offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, or of any other offence mentioned in section 3 or section 4 of Act No. VI of 1864 (*to authorize the punishment of whipping in certain cases*), and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If such statement is omitted, it may be added at any time before sentence is passed, but not afterwards.

Illustrations.

(*a.*) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception 1, one or other of the three provisos to that exception applied to it.

(*b.*) A is charged, under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting. This is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(*c.*) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(*d.*) A is charged, under section 184 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in those words.

Particulars as to time, place and person.

95. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom, or the thing in respect of which, it was committed, as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

When manner of committing offence must be stated.

96. When the nature of the case is such that the particulars mentioned in sections 94 and 95 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

Illustrations.

(*a.*) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(*b.*) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(*c.*) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(*d.*) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(*e.*) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(*f.*) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

Forms in schedule.

97. The charge may be in the form given in the third schedule to this Act or to the like effect.

Effect of errors.

98. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 96, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Illustrations.

(*a.*) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit;" the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(*b.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(*c.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(*d.*) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(*e.*) A was charged with murdering Haidar Baksh on the 20th January and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

Prisoner may apply for amendment.

99. Any accused person may apply to a Presidency Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Magistrate shall take into account the fact that he did or did not make such an application.

Magistrate may alter charge.

100. A Presidency Magistrate may, upon the application of the accused person, or of the complainant, or upon his own motion, alter any charge at any stage of the proceedings before judgment is pronounced.

Every such alteration shall be read and explained to the accused person.

When trial may proceed immediately after alteration.

101. If the alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may in his discretion, after making such alteration, proceed with the trial as if the altered charge had been the original charge.

When new trial may be directed or trial suspended.

102. If the alteration is such that proceeding immediately with the trial is likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the altered charge; and, after hearing his defence, the Magistrate may further adjourn the trial, to admit of the appearance of any witness whose evidence the Magistrate may consider to be material to the case, or whom the accused person may wish to be summoned in his defence.

Adjournment.

Recall of witnesses when charge altered.

103. In all cases of alteration of a charge, the complainant and accused person shall be allowed to recall and examine with reference to such alteration any witness who may have been examined.

Stay of proceedings if prosecution of offence in altered charge require previous sanction.

104. If the offence stated in the altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained, unless sanction has been already obtained for a prosecution on the same facts as those on which the altered charge is founded.

Joinder of Charges.

Separate charges for distinct offences.

105. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

More offences than one of same kind may be charged within a year of each other.

106. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged with, and tried at the same time for, any number of them not exceeding three.

I.—Trial of more than one offence.

107. I.—If in one series of acts, so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

II.—One offence falling within two definitions.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be inflicted for any of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed; but he must not receive for such offences, collectively, a punishment more severe than that which might have been inflicted for any one of such offences.

Illustrations

to paragraph I—

(*a*) A rescues B, a person in lawful custody, and in so doing causes grievous hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 332 of the Indian Penal Code.

(*b*) A has in his possession several seals knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 467 of the Indian Penal Code. A may be separately charged with, convicted of, and punished for, the possession of each seal, under section 473 of the Indian Penal Code.

(*c*) A, with intent to cause injury to B, institutes a criminal proceeding against him, knowing that there is no just or lawful ground for such proceeding. A also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charge. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d*) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 of the Indian Penal Code.

(*e*) A, knowing that B, a female minor, has been kidnapped in order that she may be subjected to grievous hurt, wrongfully confines her and detains her against her will as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f*) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant endeavouring, in the discharge of his duty as such, to suppress the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 325 and 152 of the Indian Penal Code.

(*g*) A threatens B, C and D at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h*) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, each of the three offences under section 302 of the Indian Penal Code.

The separate charges referred to in illustrations (*a*) to (*h*) respectively may be tried at the same time.

to paragraph II—

(*i*) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 323 only.

(*j*) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then moves the carcase in order to take it dishonestly out of B's possession without B's consent. A may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 429 only.

(*k*) Several stolen sacks of corn are made over to A and B who know they are stolen property. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Presidency Magistrate who tries them may not inflict a severer punishment than if he had convicted them under one of those sections only.

(*l*) A dishonestly uses a forged document as genuine evidence, in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under one of those sections only.

to paragraph III—

(*m*) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

(*n*) A commits robbery on B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 392 or 394 only.

(*o*) A entices B, the wife of C, away from C, with intent to commit adultery with B, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

108. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to theft, or receiving stolen property, or criminal breach of trust, or cheating. He may be charged with theft, receiving stolen property, criminal breach of trust, and cheating, or he may be charged with having committed theft, or receiving stolen property, or criminal breach of trust, or cheating.

109. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence, he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. He may be convicted of criminal breach of trust, or of receiving stolen goods (as the case may be), though he was not charged with such offence.

110. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(*a*). A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(*b*). A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

111. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Presidency Magistrate thinks fit, and the provisions contained in the former part of this chapter shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(*a*). A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(*b*). A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(*c*). A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

112. When more charges than one are made against the same person, and when a conviction has been had on one or more of them, the complainant, or the Government Solicitor or other officer conducting the prosecution, may, with the consent of the Presidency Magistrate, withdraw, or such Magistrate of his own accord may suspend, the inquiry into, or trial of, the remaining charge or charges.

Withdrawal of remaining charges on conviction on one of several charges.

Previous Acquittals or Convictions.

113. A person who has once been tried for an offence and convicted or acquitted of such offence, shall, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 108, or for which he might have been convicted under section 109.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 107, paragraph one.

A person acquitted or convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction, be subsequently charged with, and tried for, any other offence constituted by the same acts, which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with theft as a servant, or, upon the same facts, with theft simply, or with criminal breach of trust.

(*b*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed: he may afterwards be charged with, and tried for, robbery.

(*c*) A is tried for an assault and convicted. The person assaulted afterwards dies. A may be tried again for culpable homicide.

(*d*) A is tried, under section 270 of the Indian Penal Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life, and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e*) A is charged by a Presidency Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B, on the same facts, unless the case comes within paragraph three of this section.

(*f*) A is charged by a Presidency Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same facts.

(*g*) A, B and C are charged by a Presidency Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity on the same facts.

CHAPTER X.—OF THE TRIAL OF CASES BY PRESIDENCY MAGISTRATES.

114. The following procedure shall be observed in the trial of cases by Presidency Magistrates.

Cases may be tried summarily.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,
(*b*) the date of the commission of the offence,
(*c*) the name of the complainant,
(*d*) the name of the accused person,
(*e*) the offence complained of or proved,
(*f*) the prisoner's plea,
(*g*) the final order,
(*h*) the date of such order.

115. No Presidency Magistrate shall impose a fine exceeding two hundred rupees or imprisonment for a term exceeding six months, unless he has recorded the evidence of the witnesses.

Record of evidence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

Where the Magistrate records such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down, or cause to be taken down, any particular question or answer.

Every Magistrate recording the evidence of a witness, shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

116. In cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, no formal charge need be made against the accused person; and the Magistrate may convict him of any offence punishable with fine only or with imprisonment for a term not exceeding six months, or with both, and which, from the facts proved, he appears to have committed.

Charge when dispensed with.

In cases in which the Magistrate has power to impose imprisonment for a term exceeding six months, there shall be a formal charge against the accused person.

Charge when necessary.

All charges under this section shall be drawn up by the Magistrate in accordance with the provisions of chapter IX.

117. Neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. No defect in the complaint or process shall invalidate the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Effect on proceedings of defect in complaint or process.

118. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto on which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless he thinks fit to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Dismissal or adjournment on non-appearance of complainant.

119. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

Procedure on appearance of parties.

120. If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Conviction on admission of truth of complaint.

121. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Procedure when no such admission is made.

122. Whenever any charge is drawn up under this Act, it shall be drawn up as soon as the Magistrate is of opinion that a *primâ facie* case has been established against the accused person, and shall be read and explained to the accused person, and he shall be asked whether he is guilty or has any defence to make.

Charge when drawn up.

123. If the accused person be examined, the procedure prescribed in section 84 shall be followed.

Procedure on examining accused.

124. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason, adjourn the hearing, on such terms as he thinks fit, to a day to be then appointed and stated in the presence of the parties.

Adjournment.

If on the day to which such hearing or such further hearing has been so adjourned, the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If on such day the complainant does not appear, the Magistrate may dismiss the complaint.

125. If a complainant, at any time before a final order is passed in any case punishable with fine only or with imprisonment for a term not exceeding six months, or with both, satisfies the said Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to do so.

Withdrawal of complaint.

The withdrawal under this section of a complaint shall operate as an acquittal of the accused person.

126. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Acquittal.

If the accused person is convicted, the Magistrate shall pass sentence upon him; and, in all cases in which the Magistrate inflicts imprisonment, or fine exceeding two hundred rupees, or both, he shall add to the final order mentioned in section 114, clause (*g*), a brief statement of the reasons for the conviction.

Sentence.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate shall be pronounced in his presence, except where the sentence is for fine only, in which case it may be pronounced in the presence of the accused person's advocate, attorney or pleader.

127. If in the course of any trial before a Presidency Magistrate, it appears that the case is one which he has not jurisdiction to try, or one which, in his opinion, ought to be tried by the High Court, he shall stop further proceedings under this chapter, and shall either forward the case to the Magistrate having jurisdiction, or commit the accused person, in accordance with the provisions of chapter VIII, to the High Court for trial.

Procedure when, after commencement of trial, Magistrate finds case beyond his jurisdiction.

128. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Presidency Magistrate considers him an habitual offender, be committed to the High Court.

Trial of persons previously convicted of offences against coinage, stamp law or property.

General Provisions as to Inquiries and Trials.

129. A Presidency Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor; but no person other than the Advocate-General, Standing Counsel, Government Solicitor or other officer generally or specially empowered by the Local Government in this behalf shall be entitled to do so without such permission.

Permission to conduct prosecution.

Any person conducting the case may do so personally or by an advocate, attorney or pleader.

130. Every person accused before a Presidency Magistrate of an offence, may of right be defended by any advocate, attorney or pleader.

Right of accused to be defended.

131. If an accused person, though not insane, cannot be made to understand the proceedings, the Magistrate may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as it thinks fit.

Procedure where accused does not understand proceedings.

132. The place in which the Court of a Presidency Magistrate is held for the purpose of inquiring into or trying any offence, shall be deemed an open Court, to which the public generally may have access, so far as the same can conveniently contain them:

Presidency Magistrates' Courts to be open.

Provided that the Magistrate may, if he thinks fit, order at any stage of any inquiry into or trial of any particular case, that the public generally, or any particular person, shall not have access to, or be, or remain in, the room or building used by the Magistrate.

133. In the case of offences which may lawfully be compounded, the injured person may compound the offence out of Court, or in Court with the permission of the Presidency Magistrate. Such composition shall have the effect of an acquittal of the accused.

Compounding offences.

CHAPTER XI.—OF EVIDENCE.

A.—Of securing the Attendance of Witnesses.

134. Any Presidency Magistrate may, at any stage of any proceeding, inquiry or trial under this Act, summon, in manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness; and the Magistrate shall summon and examine such person if his evidence appears essential to the just decision of the case.

Power to summon material witness or examine person present.

135. If a Presidency Magistrate has reason to believe that any witness, whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

When warrant of arrest may issue in first instance.

136. If any person summoned under this Act to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Presidency Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand to bring such person before him to testify as aforesaid.

Arrest of person disobeying summons.

137. If such warrant cannot be executed, and the Magistrate has reason to believe that the witness absconds or conceals himself for the purpose of preventing the execution thereof, he may issue a notice, requiring the attendance of such witness to give evidence at a time and place to be named therein, and such notice shall be affixed to some conspicuous part of such witness' ordinary place of abode, or, if he has no such abode, of the Magistrate's Court.

Procedure when warrant cannot be served.

If the witness does not attend at the time and place so named, the Magistrate may order the attachment of any moveable property belonging to such witness, equal in value, as nearly as may be, to the amount of the costs of attachment and of any fine to which the witness may be liable under the provisions of section 172 of the Indian Penal Code.

138. The provisions of section 68 and section 69 as to the attachment, sale and restoration of moveable property shall apply to all property ordered to be attached under section 137.

Attachment, &c., of property ordered to be attached under section 137.

139. Notwithstanding anything contained in the Prisoners' Testimony Act, 1869, any Presidency Magistrate desirous of examining, as a witness or accused person, in any case pending before him, any person confined in any jail within the local limits of his jurisdiction, may issue an order to the officer in charge of the said jail requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Magistrate for examination.

Power to order prisoner in jail to be brought up for examination.

The officer so in charge, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid.

140. The Presidency Magistrate may require complainants and witnesses for the prosecution and defence whose attendance before him is necessary, to execute recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon to prosecute or give evidence, as the case may be.

Power to require complainants, &c., to execute recognizances.

141. If any witness summoned or brought before a Presidency Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 205 or 206.

Committal of person refusing to answer.

B.—Of Witnesses.

142. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, it shall ordinarily be the duty of the complainant and accused to produce their own witnesses. But the Presidency Magistrate may in his discretion—

In cases triable upon summons.

(*a*) summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused;

(*b*) summon any witness named by the complainant or the accused:

Provided that the Magistrate may, before summoning a witness, require that his reasonable expenses incurred in attending for the purpose of the trial be deposited in Court.

143. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution, and shall summon to give evidence before him such of them as he thinks necessary.

In cases triable upon warrant.

The Magistrate shall also summon any witness, and take any evidence that may be offered, in behalf of the accused person, to answer or disprove the evidence against him.

C.—Of Securing Documentary Evidence.

144. Whenever a Presidency Magistrate considers that the production of any document or other thing is necessary or desirable for the purposes of any inquiry, trial, or other proceeding under this Act, he may issue a summons to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it at the time and place stated in the summons.

Summons to produce document required as evidence.

145. Where there is reason to believe that the person to whom the summons is addressed will not produce the document or

Issue of search warrant in first instance.

other thing as directed in the summons, the Magistrate may issue a warrant to search for such document or thing in the first instance.

Procedure as to letters in custody of Postal Department or telegraph officer.

146. If any letter in the custody of the Postal Department is wanted for the purpose of any inquiry or trial by a Presidency Magistrate, the Magistrate may, if he is the Chief Magistrate, direct the postal authorities to deliver such letter to such person as the Magistrate directs, and if he is not the Chief Magistrate, may apply to the Chief Magistrate, who may, if he thinks fit, give such direction.

The letter referred to in any direction given under this section shall be delivered accordingly.

Power to impound document produced.

147. Any Presidency Magistrate may, if he thinks fit, impound any document or other thing produced before him, or may, at the conclusion of the proceedings, order it to be returned to the person who produced it.

D.—Of the Examination of Accused Persons.

Examination of accused.

148. At any stage of any inquiry or trial under this Act, the Magistrate may, without previously warning the accused person, put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not only in such inquiry or trial, but also in any other inquiry into, or trial for, any other offence which such answer may tend to show he has committed.

No influence to be used to induce disclosures.

149. Except as is provided in section 150, no influence, by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.

Tender of pardon to accomplice.

150. A Presidency Magistrate may, with the view of obtaining the evidence of any persons supposed to have been directly or indirectly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances, within his knowledge, relative to such offence and to every other person concerned in the perpetration thereof.

Every person accepting a tender under this section shall be examined as a witness in the case.

Such person, if not on bail, shall be detained in custody until the termination of the trial.

Commitment of person to whom pardon has been tendered.

151. When a pardon has been tendered under section 150, if before the trial it appears to the Presidency Magistrate that any person who has accepted such tender has either by wilfully concealing anything essential, or by giving false evidence, not complied with the conditions under which the tender was made, such Magistrate may commit him for trial for the offence in respect of which the pardon was so tendered, or for any other offence of which he may appear to have been guilty in connection with the same matter.

The statement made by a person under pardon which pardon has been withdrawn under this section, may be put in evidence against him.

E.—Special Rules of Evidence.

Deposition of medical witness.

152. The deposition of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any inquiry or trial under this Act, although the deponent is not called as a witness.

Power to summon medical witness.

The Presidency Magistrate may, if he thinks fit, summon and examine such deponent as to the subject-matter of his deposition.

Report of Chemical Examiner.

153. Any document purporting to be a report from the Chemical Examiner, or Assistant Chemical Examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any inquiry or trial under this Act, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any inquiry or trial under this Act.

Genuineness of signature may be presumed.

The Presidency Magistrate may presume that the signature to any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Power to summon Chemical Examiner.

The Presidency Magistrate may, if he thinks fit, summon and examine such Chemical Examiner or Assistant Chemical Examiner as to the subject-matter of his said report.

Previous conviction or acquittal how proved.

154. A previous conviction or acquittal may be proved (*a*) by an extract certified, under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the sentence or order, or (*b*), in case of a conviction either by a certificate signed by the officer in charge of the jail in which the punishment or any part thereof was inflicted or by production of the warrant of commitment under which the punishment was suffered.

Record of evidence in absence of accused.

155. If an accused person abscond, and after due pursuit cannot be arrested, the Presidency Magistrate may, in his absence, examine the witnesses (if any) produced on behalf of the prosecution, and record their depositions; and any such deposition may, on the arrest of such person, be put in on his trial for the offence with which he is charged, if the attendance of the deponent cannot be procured.

Convictions on evidence partly recorded by one Magistrate and partly by another.

156. Whenever any Presidency Magistrate, after having heard the whole or any part of the evidence in an inquiry or trial, ceases to exercise jurisdiction therein, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and re-commence the inquiry or trial:

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses be re-summoned and reheard, in which case the inquiry or trial shall be re-commenced:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new inquiry or trial.

When attendance of witness may be dispensed with.

157. Whenever in the course of a trial or inquiry under this Act it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Presidency Magistrate may dispense with such attendance.

Issue of commission and procedure thereunder.

158. Such Magistrate may direct a commission to any Magistrate of the District, or Magistrate of the first class, within the local limits of whose jurisdiction such witness may be.

The Magistrate to whom the commission is directed, or, if he be the Magistrate of the District, such Magistrate of the first class as he appoints in this behalf, shall proceed to the place where such witness is, or shall summon such witness before himself, and shall take his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant-cases under the Code of Criminal Procedure.

Commission in case of witness being within Presidency town.

If the witness is within the local limits of the jurisdiction of any Presidency Magistrate, other than the Magistrate dispensing with his attendance, the latter Magistrate may direct a commission to the former Magistrate, who thereupon shall have the like power to compel the attendance of, and to examine, such witness as he possesses for that purpose in cases pending before himself.

Complainant and accused may examine witness.

The complainant and the accused person may respectively forward interrogatories, in writing, upon which the Magistrate to whom the commission is directed shall examine the witness,

or the complainant and the accused person (if on bail) may appear before such Magistrate,

or the complainant and the accused person may so appear respectively by advocate, attorney or pleader,

and may examine, cross-examine and re-examine (as the case may be) the said witness.

Return of commission.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Magistrate by whom it was issued; and the commission, the return thereto, and the deposition of such witness, may be used as evidence in the case and shall form part of the record.

F.—Of Search-Warrants.

Search-warrant when grantable.

159. When a Presidency Magistrate considers that the production of any thing is essential to the conduct of an inquiry into an offence known or suspected to have been committed or to the discovery of the offender,

or when he considers that such inquiry or discovery will be furthered by a general search or inspection,

he may grant his search-warrant; and the officer charged with the execution of such warrant may search or inspect any place within the local limits of the jurisdiction of such Magistrate.

The Magistrate may, if he thinks fit, specify in the warrant the particular place, building or part thereof to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place, building or part so specified.

Nothing in this section or in section 145 shall authorize a Magistrate to grant a warrant to search for a letter or telegram in the custody of the Postal Department or of a telegraph officer.

Search of house suspected to contain stolen property or forged documents.

160. If a Presidency Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin, or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable—

(*a*) to enter, with such assistance as may be required, and by force if necessary, such place, and

(*b*) to search the same as specified in the warrant, and

(*c*) to take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also any such instruments and materials as aforesaid, and

(*d*) to convey such property, documents, stamps, seals, coins, instruments or materials before a Presidency Magistrate, or to guard the same on the spot until the offender is taken before a Presidency Magistrate, or otherwise to dispose thereof in some place of safety, and

(*e*) to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

Direction, &c., of search-warrants.

161. The provisions of sections 96, 99 and 61 shall apply to all search-warrants issued under this chapter.

162. Whenever any place liable to search or inspection under this chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the officer or other person executing the warrant, allow such officer or other person free ingress thereto, and afford all reasonable facilities for a search therein.

Persons in charge of closed place to allow search.

163. A Police-officer or other person, authorized by a warrant to search any place, may break open any outer or inner door or window of such place, in order to execute the warrant, if, after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Place to be searched may be broken open.

164. If the place ordered to be searched is an apartment in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the officer or other person charged with the execution of the warrant shall, unless a warrant of arrest has been issued against her, give her notice that she is at liberty to withdraw.

Search of zanána.

After giving such notice and allowing a reasonable time for such woman to withdraw, and affording her every reasonable facility for withdrawing, such officer or person may enter such apartment for the purpose of making the search, using at the same time every precaution consistent with this section for preventing the clandestine removal of the thing mentioned in the warrant.

165. Before making a search under this chapter the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search.

Search to be made in presence of witnesses.

The search shall be made in their presence, but they shall not be required to attend the Court of the Magistrate as witnesses, unless especially summoned by him.

The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search.

Occupant of place searched may attend.

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

Mode of searching women.

CHAPTER XII.—OF APPEALS.

167. Any person convicted on a trial held by a Presidency Magistrate, may appeal to the High Court if the Magistrate has sentenced him to imprisonment for a term exceeding six months, or to fine exceeding two hundred rupees:

Appeal by person convicted.

Provided that, where an accused person has been convicted on his own plea, no such appeal shall lie except as to the extent or legality of the sentence.

Sentences passed under section 18 on the same occasion shall, for the purposes of this section, be considered as one sentence.

For the purposes of the Indian Limitation Act, 1871, all appeals under this section and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

168. The Local Government may direct the Public Prosecutor or other officer specially or generally appointed in this behalf to present an appeal to the High Court from a Presidency Magistrate's order of acquittal or of dismissal, or of discharge; but in no other case shall there be an appeal by the prosecution from any order under this Act.

Appeal by Government from order of acquittal.

No appeal shall be presented under this section after two months from the date of the order complained of.

When an appeal is presented under this section, the High Court may order the accused person to be arrested and brought before it, and may commit him to prison pending the disposal of the appeal, or (if the offence of which he is accused be bailable) admit him to bail.

The High Court may, in any case so appealed, direct a new trial by any Presidency Magistrate, or may pass such order as may be warranted by law.

169. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copy of order to accompany petition.

170. If any person affected by an order passed under this Act desires to have a copy of such order or of any deposition or other part of the record, he shall, on applying for such copy, be furnished therewith; provided that he pay for the same, unless the Magistrate, for some special reason, thinks fit to furnish it free of cost.

Copies of proceedings.

171. If the appellant be in jail, he shall be at liberty to present his petition of appeal, and the copy of the order appealed against, to the officer in charge of the jail, who shall thereupon forward such petition and copy to the High Court.

Procedure when appellant in jail.

172. On receiving the petition of appeal and the copy of the order appealed against, the High Court shall peruse the same, and may fix a reasonable time for hearing the appellant or his advocate or pleader, or if he be present may hear him at once.

Procedure on receiving petition of appeal.

The High Court may, if it considers that there is no sufficient ground for altering or revising the order appealed against, reject the appeal summarily.

Power to reject appeal summarily.

Before rejecting an appeal under this section, the High Court may call for the record of the case, but shall not be bound to do so.

Power to call for record.

In rejecting under this section an appeal by a person convicted, the High Court shall not enhance the sentence.

Sentence not to be enhanced when appeal rejected under this section.

173. If the High Court does not reject the appeal summarily, it shall cause notice to be given to the appellant and the Public Prosecutor, Government Solicitor, or other officer

Notice of day for hearing appeal.

empowered by Government in that behalf, of the day on which such appeal will be heard,

and in case of appeals under section 168, the High Court shall also cause a like notice to be given to the respondent.

All such notices shall be served in manner provided by this Act for serving a summons unless in the case of persons present in Court, to whom they may be given orally.

Service of notice.

174. The High Court shall send for the record of the case, and after perusing the same, and hearing the appellant or his advocate or pleader, if he appears, and the Government Solicitor or other officer empowered by Government in this behalf, if he appears, may—

High Court may alter or reverse finding and sentence, or enhance sentence.

(*a*) alter or reverse the order of such Court, or

(*b*) enhance any punishment which has been awarded, but not so as to inflict a greater punishment for the offence which, in the opinion of the High Court, he has committed, than the Presidency Magistrate could have inflicted for such offence, or

(*c*) order the appellant to be re-tried before any Presidency Magistrate or before the High Court, or

(*d*) if it considers that there is no sufficient ground for interfering with the sentence or order appealed against, reject the appeal.

175. Pending any appeal under section 167, the High Court may direct that the execution of the order appealed against be suspended, and, if the appellant be in confinement for a bailable offence, may order that he be released on bail.

Suspension of sentence pending appeal.

Release of appellant on bail.

Where the appellant is ultimately sentenced to imprisonment, the time during which he is so released shall be excluded in calculating the term of his imprisonment.

176. In dealing with any appeal under this chapter, the High Court, if it thinks additional evidence upon any point bearing upon the guilt or innocence of the accused person to be necessary, may either take such evidence itself, or may direct it to be taken by a Presidency Magistrate.

High Court may make or direct further inquiry.

When the additional evidence is taken by the Presidency Magistrate, he shall certify such evidence to the High Court, and the High Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the accused person or his advocate, attorney or pleader, shall be present when the additional evidence is taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined before a Magistrate under this section.

177. No order passed by a Presidency Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the accused person in his defence.

Order when reversible by reason of error or defect in charge or proceedings.

178. No irregularity in the proceedings prior to the commencement of the trial is a sufficient ground for reversing or altering any order passed in a trial properly held.

Irregularity before trial properly held.

179. When a Presidency Magistrate has passed an order inflicting punishment on any person for an offence not triable by such Magistrate, the High Court shall cancel the order, and either try the case itself or direct it to be tried by a Court of competent jurisdiction.

Procedure in case of conviction by Magistrate not having jurisdiction.

180. No appeal shall lie from any order of a Presidency Magistrate, except in the cases provided for by this Act or by any other law for the time being in force

Unless otherwise provided, no appeal to lie from order of Presidency Magistrate.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation, in case of a groundless complaint.

(*b.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*c.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*d.*) There is no appeal against an order of maintenance.

181. Whenever an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the applicant shall give to the Public Prosecutor, Government Solicitor, or such other officer as the Local Government appoints in this behalf, notice in writing of the application, together with a copy of the grounds on which it is to be made; and no order shall be made on the merits of the application unless at least twenty-four hours have elapsed between the giving of such notice and the hearing of the application.

Notice to Public Prosecutor of intention to apply under Act X of 1875, s. 147.

182. When the decision of any Presidency Magistrate is called in question in the High Court, the Magistrate may submit with the record of the case a statement setting forth the grounds of his decision and any facts which he thinks material to the issue; and the Court shall consider such statement before overruling or setting aside the said decision.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

CHAPTER XIII.—OF EXECUTION.

183. In cases tried by a Presidency Magistrate, the Magistrate passing any order inflicting imprisonment or whipping shall forward the accused person with a warrant for the execution of the sentence to the officer in charge of the jail of the Presidency town in which the trial was held,

Court to send accused with warrant for execution of sentence to officer in charge of jail.

or where there are more such jails than one, to the officer in charge of such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, the nature of the punishment to which he has been sentenced, and if he has been sentenced to imprisonment, the term for which he is to be imprisoned.

184. Every such warrant shall be in writing under the hand of the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (G) given in the third schedule to this Act or to the like effect.

Form and direction of warrant of commitment.

185. Whenever a Presidency Magistrate imposes a fine under this or any other Act for the time being in force, he may issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned.

Levy of fine.

Such warrant may be executed within the local limits of such Magistrate's jurisdiction, and it shall authorize the distress and sale of any such property without such limits when endorsed by the Magistrate of the District in which it is found.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Section to what cases applicable.

When a warrant is issued under this section, the Presidency Magistrate may order the offender to be imprisoned until return can be conveniently made to such warrant, unless the offender enter into a recognizance, with or without sureties, as the Magistrate thinks fit, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance. But if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the local limits of his jurisdiction whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant.

Detention of offender until return made to distress-warrant.

No distress made under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto.

Distress not illegal, nor distrainer a trespasser, for defect of form in proceedings.

The said warrant may be issued either by the Magistrate who imposes the fine, or by his successor in office.

Who may issue distress-warrant.

186. Whenever a Presidency Magistrate imposes a fine under any law in force for the time being, he may order the whole or any part of the fine to be paid in compensation—

Payment of fine in compensation.

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the injury complained of, where such injury can, in the opinion of such Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be imposed in a case which is subject to appeal, no such payment shall be made until the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, until after the decision of the appeal.

At the time of awarding damages in any subsequent civil suit relating to the same matter, the Court shall take into consideration any sum which may have been paid under this section.

187. When the punishment of whipping is imposed, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court: but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Whipping, if imposed in addition to imprisonment in appealable case, when to be inflicted.

188. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and, in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light ratan.

Mode of inflicting punishment of whipping.

In no case, if the cat-of-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the ratan be employed, shall such punishment exceed thirty stripes.

The punishment of whipping shall be inflicted in the presence of the officer in charge of the jail: provided that, in the case of a person under sixteen years of age, the Magistrate may order it to be inflicted in his own presence.

189. The punishment of whipping shall not be inflicted unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer or Magistrate present, that the offender is in a fit state of health to undergo such punishment.

Punishment not to be inflicted if offender not in fit state of health.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer or Magistrate present, that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

Stay of execution.

190. No sentence of whipping shall be executed by instalments.

Not to be executed by instalments.

191. In any case in which, under section 189, a sentence of whipping is, wholly or partially, prevented from being executed, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his descretion, either remit such sentence, or sentence the offender, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to

Procedure if punishment be prevented under section 189.

imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to inflict.

192. When sentence is passed under this Act on an escaped convict, such sentence, if of fine or whipping, shall take effect immediately, and, if of imprisonment, shall take effect after he has undergone the portion of his former sentence which remained unexpired at the time of his escape.

Currency of sentence on escaped convicts.

193. When a person already under sentence of imprisonment or transportation is sentenced under this Act to imprisonment, such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced.

Commencement of sentence on offender already sentenced for other offence.

PART III.

CHAPTER XIV.—OF LUNATICS.

194. When any person accused before a Presidency Magistrate of an offence appears to such Magistrate to be of unsound mind and incapable of making his defence, the Magistrate shall enquire into the fact of such unsoundness, and shall cause the accused person to be examined by such medical officer as the Local Government directs, and thereupon shall examine such officer as a witness, and shall reduce the examination into writing.

Procedure when accused is a lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

195. When, from the evidence given before a Presidency Magistrate, there appears to be sufficient ground for believing that an accused person committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of such act or that he was doing what was contrary to law, the Presidency Magistrate shall, if such accused person appears to be of sound mind at the time of the inquiry or trial, proceed with the case.

When accused appears to have been insane.

196. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Presidency Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient bail being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required before the Magistrate or such officer as the Magistrate appoints in this behalf.

Release of lunatic on bail.

If the offence be non-bailable, or if sufficient bail be not given, the Magistrate shall report the case for the order of the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

Custody when bail not given.

197. Whenever proceedings are stayed under section 194, the Presidency Magistrate may at any time resume the inquiry or trial, and require the accused person to appear or to be brought before him.

Resumption of inquiry or trial.

When the accused person has been released under section 196, and the sureties for his appearance produce him to the officer whom the Magistrate appoints in this behalf, the certificate of such officer that the accused person is capable of making his defence shall be receivable as evidence.

198. If, when the accused person appears or is again brought before the Magistrate, such Magistrate considers him capable of making his defence, the inquiry or trial shall proceed.

Procedure on accused appearing before Magistrate.

If the Magistrate considers the accused person to be still incapable of making his defence, the Magistrate shall again act according to section 194.

199. Whenever any person is acquitted by a Presidency Magistrate upon the ground that, at the time at which such person is alleged to have committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence complained of, or that he was doing what was contrary to law, the order of acquittal shall state specially whether he committed the act or not.

Finding in case of acquittal on ground of being lunatic.

200. Whenever such order states that the accused person committed the act alleged, the Presidency Magistrate before whom the trial was held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody, in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Procedure when lunatic committed the act alleged.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

201. When any person is confined under the provisions of section 196 or 200, the Inspector General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector General or by two of such visitors as aforesaid; and such Inspector General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

202. If such person is confined under section 196, and such Inspector General or visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Presidency Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 198; and the certificate of such Inspector General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

203. If such person is confined under the provisions of section 200, and such Inspector General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 200 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as it thinks fit.

204. Whenever any relative or friend of any person detained under the provisions of section 200 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person so detained shall be properly taken care of and shall be prevented from doing injury to himself or another, may order such person to be delivered to such relative or friend.

Delivery of lunatic to care of relative.

Whenever such person is so delivered over, it shall be upon condition that he shall be produced for the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 201 and 203 shall, *mutatis mutandis*, apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XV.—OF CONTEMPTS OF COURT.

205. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of a Presidency Magistrate, he may cause the offender to be detained in custody; and, at any time before the Magistrate leaves his Court on the same day, he may take cognizance of the offence, and sentence the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

Procedure in certain cases of contempt.

In every such case, the Magistrate shall record the acts constituting the offence, with the statement (if any) made by the offender as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate interrupted or insulted was sitting, and the nature of the insult or interruption.

206. If the Presidency Magistrate considers that a person accused of any of the offences referred to in section 205 should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate, after recording the facts constituting the offence and the statement of the accused person shall forward the case to another Presidency Magistrate, and shall require bail to be given for the appearance of such accused person before such other Magistrate, or, if sufficient bail be not given, shall forward such person under custody to such Magistrate.

Procedure where Court considers that accused should be imprisoned, or fined more than 200 rupees.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Presidency Magistrate; and may sentence the offender to punishment, as provided in the section under which he is charged.

207. When any Presidency Magistrate has sentenced an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

Discharge of offender on submission or apology.

CHAPTER XVI.—OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

A.—Security for keeping the Peace.

208. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Presidency Magistrate,

Personal recognizance to keep the peace in cases of conviction.

and such Magistrate is of opinion that it is necessary to require such person to execute a personal recognizance for keeping the peace,

he may, in addition to any other order passed in the case, order the person so convicted to execute a personal recognizance for keeping the peace during such period as the Magistrate thinks fit to fix, not exceeding one year.

209. Whenever a Presidency Magistrate is of opinion that it is necessary to require sureties for keeping the peace, in addition to the personal recognizance of the person so convicted, such Magistrate may require him to give such sureties, and may fix the penalties which the sureties shall be respectively bound to discharge, and may direct that, if such bail be not given, he shall be imprisoned for such term not exceeding one year as the Magistrate thinks fit.

Sureties for keeping the peace.

210. If the person so convicted be sentenced to imprisonment, the period so fixed, and the term of imprisonment in default of executing the recognizance, shall commence on the expiration of his sentence.

Commencement of period during which person may be bound to keep peace.

Where the order to execute such recognizance is not made at the time of signing, or by the Magistrate who signs the judgment, the person so convicted must be produced before the Magistrate making such order.

211. Whenever it appears to a Presidency Magistrate that it is necessary for the preservation of the peace that the term for

Extension of time for which person is bound.

which any person is so bound should be extended, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend such term for a further period not exceeding one year from the expiration of the first year.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 215.

B.—Security for Good Behaviour.

212. Whenever it is proved before a Presidency Magistrate that any person is lurking within the local limits of his jurisdiction, or that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such person to enter into such recognizance, with sureties, for his good behaviour for a period not exceeding six months, as the Magistrate thinks sufficient.

When Magistrate may require security for good behaviour for six months.

213. Whenever it is proved before a Presidency Magistrate that any person is by repute

When Magistrate may require security for good behaviour for one year.

a robber, house-breaker or thief,

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood,

or of a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

214. Whenever it is proved before a Presidency Magistrate that any person is

Procedure where security required for more than one year.

an habitual robber, house-breaker or thief,

or an habitual receiver of stolen property, knowing the same to have been stolen,

or of a dangerous character,

and that his release without security, at the expiration of the limited period of one year, would be hazardous to the community,

the Magistrate shall record his opinion to that effect, and make an order requiring similar security for the good behaviour of such person for a period not exceeding three years.

If such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

C.—Provisions as to both Kinds of Security.

215. Whenever a Presidency Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, or that he is one of the persons referred to in sections 212, 213 and 214, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to execute a recognizance to keep the peace or for good behaviour, as the case may be.

Summons to person to show cause why he should not give bond to keep peace or for good behaviour.

EXPLANATION I.—A summons calling on a person to show cause why he should not execute such recognizance, may be issued on any report or other information which the Magistrate believes; but the Magistrate shall not require any person to execute such recognizance until the Magistrate has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may, if he thinks fit, recall any summons issued under this section.

216. Such summons shall set forth the substance of the report or information on which it is issued, the penalty to be specified in the recognizance, and the term for which it is to be in force, and, if bail are to be taken, their number, the penalties which they shall be respectively bound to discharge, and the time and place at which the person summoned is required to attend.

Contents of summons.

When the person believed to be likely to commit a breach of the peace or to be one of the persons referred to in sections 212, 213 and 214, is present in Court, no summons is necessary, but the Magistrate may at once require him to show cause why he should not be required to execute the recognizance.

217. If the person summoned does not attend on the day appointed at the hour and place named in the summons, the Presidency Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

When warrant of arrest may issue.

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded by the Magistrate on the warrant), that there is reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, or that there is reason to think that any person is one of the persons so referred to, the Magistrate may at any time issue a warrant for his arrest.

218. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 215, and may permit him to appear and execute the required recognizance, or show cause against such requisition, by an advocate, attorney or pleader.

Magistrate may dispense with personal attendance of person informed against.

219. If on the appearance of the person so informed against or, if his attendance is dispensed with, of his advocate, attorney or pleader, the Magistrate is not satisfied that there is occasion to bind over such person to keep the peace, or to be of good behaviour, the Magistrate shall direct his discharge.

Discharge of person informed against.

220. If the Magistrate is satisfied that it is necessary for the preservation of the peace or the maintenance of good behaviour that such person shall execute a recognizance, the Magistrate shall make an order accordingly.

Order to give bond and consequence of non-compliance.

The penalty specified in every recognizance executed under this chapter shall be fixed with due regard to the circumstances of the case and the means of the person bound.

The penalty which the sureties shall be jointly and severally bound to discharge shall not exceed the penalty which the principal debtor is bound to discharge.

221. If a person required to furnish security under section 214 does not furnish the same, or offers sureties whom the Magistrate rejects, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence which it thinks necessary, may pass such orders on the case as it thinks fit, provided that the period (if any) for which it may direct the security to be taken shall not exceed three years.

222. Whenever security is required under this chapter, the amount of the security, the number and description of sureties, and the period of time for which the recognizance is to remain in force, shall be stated in the order, and the recognizance shall be in the form (H) or (I), as the case may be, given in the third schedule hereto annexed or to the like effect.

Contents of order for security.

Form of recognizance.

223. In the event of any person required to give security under the provisions of this chapter failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Imprisonment in default of security.

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Term of imprisonment.

Imprisonment under this section may be rigorous or simple, as the High Court or Magistrate in each case directs.

224. If any person required under this chapter to enter into a recognizance is under sentence of imprisonment, he shall, on or after the expiration of his sentence, be brought up before the Magistrate for the purpose of entering into such recognizance.

Binding of sentenced person.

225. A Presidency Magistrate may at any time release any person imprisoned for failing to furnish security for good behaviour, whether by his own order or that of his predecessor in office, provided that the Magistrate is of opinion that such person may be released without hazard to the community.

Release of prisoners under requisition of security.

Whenever a Presidency Magistrate is of opinion that any person imprisoned for failing to furnish security for good behaviour, as ordered by the High Court, may be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Release of prisoner under requisition of security by order of High Court.

226. A surety for the peaceable conduct or good behaviour of another person may at any time apply to a Presidency Magistrate to discharge his recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his summons or warrant requiring the person for whom such surety is bound to appear or be brought before him.

When such person appears or is brought before the Magistrate, such Magistrate shall discharge the recognizance of the surety, and shall order such person to give a fresh surety.

227. The commission, or attempt to commit, or the abetment of, any offence whatever, and wherever it may be committed, is a breach of the recognizance.

Commission, &c., of offence a breach.

228. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter has been forfeited, he shall record the grounds of such proof, and call upon the person bound by such recognizance to pay the penalty thereof, or to show cause why it should not be paid.

Recovery of penalty from principal.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any moveable property belonging to the person bound by such recognizance.

Such warrant may be executed within the local limits of the jurisdiction of the Magistrate who issued it; and it shall authorize the distress and sale of any moveable property belonging to the person so bound without such limits, when endorsed by the Magistrate of the District in which such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable to imprisonment by order of the Presidency Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person so bound has had an opportunity of showing cause against the enforcement, and until the breach of the condition of the recognizance has been proved.

229. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter by a surety has been forfeited, the Magistrate may give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

Recovery of penalty from surety.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover the penalty from such surety in manner provided by the last preceding section.

And in case such penalty cannot be so recovered, the Magistrate may sentence the surety to imprisonment in the civil jail for a period not exceeding six months.

230. Any previous conviction of the person to be bound may, in proceedings under this chapter, be proved in the manner prescribed in section 154.

Proof of previous conviction.

231. Proceedings under this chapter may be taken in any district in which the breach of the peace is apprehended, or in which an offence has been committed in breach of the bond, or in which the person whom it is desired to bind may be.

Where proceedings under this chapter may be taken.

232. The provisions of this chapter relating to security for good behaviour do not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act, 1874.

Provisions of chapter not applying to European vagrants.

CHAPTER XVII.—OF RESTORING POSSESSION OF IMMOVEABLE PROPERTY.

233. Whenever any person is convicted by a Presidency Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

Power to restore possession of immoveable property.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XVIII.—OF THE MAINTENANCE OF WIVES AND FAMILIES.

234. If any person, having sufficient means, neglects or refuses to maintain his wife, or his legitimate or illegitimate child unable to maintain itself, a Presidency Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his said wife, or child, or both, at such monthly rate not exceeding fifty rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs.

Order for maintenance of wives and children.

Such allowance shall be payable from the date of the order.

If any person so ordered wilfully neglects to comply with the order, a Presidency Magistrate may, for every breach of the order, issue a warrant for levying the amount due in manner hereinbefore provided for levying fines; and may sentence such person, for each month's allowance remaining unpaid, to imprisonment for any term not exceeding one month:

Enforcement of order.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

Proviso.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.

235. On the application of any person receiving, or ordered to pay, a monthly allowance under the provisions of section 234, and on proof of a change in the circumstances of such person, his wife or child, the Magistrate may make such alteration in the allowance ordered as he thinks fit, provided the monthly rate of fifty rupees be not exceeded.

Alteration in allowance.

236. A copy of the order of maintenance shall be given without fee to the person in whose favour it is made, or to his guardian (if any); and such order shall be enforceable by any Magistrate in any place where the person against whom it is made may be, on such Magistrate being satisfied as to the identity of the parties and the non-payment of the allowance due.

Enforcement of order.

PART IV.

CHAPTER XIX.—MISCELLANEOUS.

237. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings which are instituted in any Presidency Magistrate's Court.

Procedure in miscellaneous criminal cases and proceedings.

238. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by a Presidency Magistrate, and may be tried according to the provisions of this Act.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

239. The powers conferred on a Presidency Magistrate by section 238 may be exercised whether the offence is stated to have been committed within the local limits of his jurisdiction or not; but such powers shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within such limits.

Extent of jurisdiction.

240. A Presidency Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision by the High Court, may either commit the accused person to jail or release him on bail to appear for judgment when called upon.

Reference to High Court.

241. When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said order.

Disposal of case according to decision of High Court.

The High Court may direct by whom the costs of the reference shall be paid.

Direction as to costs.

242. Whenever any person causes a Police-officer to arrest another person, and whenever a complaint of any offence is made before any Presidency Magistrate, if it appears to the Magistrate by whom the case is heard that there was no sufficient ground for causing such arrest or for making such complaint, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the person so causing the arrest or making the complaint, to the person so arrested or complained against, for his loss of time and expenses in the matter, as the Magistrate thinks fit.

Compensation to person groundlessly given in charge or complained against.

In such cases, if more persons than one are arrested or complained against, the Magistrate may, in like manner, award to each of them such compensation, not exceeding fifty rupees, as such Magistrate thinks fit.

All compensation awarded under this section may be recovered as if it were a fine.

243. When the inquiry or trial before any Presidency Magistrate is concluded, he may make such order as he thinks fit for the disposal of any moveable property produced before him regarding which any offence appears to have been committed.

Order for disposal of property regarding which offence committed.

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

244. If any property alleged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Presidency Magistrate, or in prosecution of any complaint of an offence in regard to the obtaining thereof, and the person accused of such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted,

Power to order disposal of property connected with charge, in Police-custody.

or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty,

or if any property has been seized by a Police-officer under section 160,

any Presidency Magistrate may make an order for the delivery of such property to the person appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, may make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the person to whom the property is delivered, and to recover such property from him, so that the suit be instituted within six months next after such order has been made.

245. Subject to any rules that may be made by the Local Government, with the previous sanction of the Governor General in Council, a Presidency Magistrate may order

Expenses of complainants and witnesses.

payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

All persons to give information of certain offences.

246. Every person aware of the commission within the local limits of the jurisdiction of a Presidency Magistrate of any offence made punishable under sections 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Presidency Magistrate.

All persons to assist Magistrate and Police in certain cases.

247. Within such local limits every person is bound to assist a Presidency Magistrate or Police-officer demanding his aid

in the prevention of a breach of the peace,

or in the suppression of a riot or an affray,

or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

SCHEDULE I.

ACTS REPEALED.

(SEE SECTION 2.)

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1837 and." Sections twenty-two, twenty-three, twenty-six to thirty-one (both inclusive), thirty-six, thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-five to ninety-eight (both inclusive), one-hundred to one-hundred-and-four (both inclusive), one-hundred-and-six, one-hundred-and-eight to one-hundred-and-eleven (both inclusive). In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath." In section ninety-three, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
XLVIII of 1860	Amending Act XIII of 1856.	Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six.
LII of 1860 ...	Trials for breach of Railway Police Regulations	The whole.
XXI of 1864 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	The whole.
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten, twelve to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive). In section fifty-eight, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive). In section seventy-nine, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—*1st.*—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the first column.

2nd.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 70 and 71 of this Act.

3rd.—The High Court may try an offence entered in column 7 as triable by a Magistrate.

4th.—The last part of the schedule, headed "Offences against other laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

5th.—The direction in column 4 is meant to indicate to Presidency Magistrates the manner in which the discretion vested in them by sections 34 and 35 is commonly to be used.

CHAPTER V.—OF ABETMENT.

1	2	3	4	5	6	7
Section.	OFFENCE.	Whether the Police may arrest without warrant or not.	Whether a warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Punishment under the Indian Penal Code.	By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as the warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto	Ditto	Ditto	Ditto	Ditto

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto -	Ditto -	Ditto -	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto -	Ditto -	Ditto -	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto -	Ditto -	Ditto -	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed - - -	Ditto -	Ditto -	Ditto -	Imprisonment extending to one-eighth part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant -	Not bailable	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto -	Ditto -	Ditto -	Transportation of life or any shorter term, or imprisonment of either description for ten years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection	Ditto -	Ditto -	Ditto -	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto -	Ditto -	Ditto -	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.
126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the re-capture of such prisoner.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto -	Ditto -	Ditto -	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor, who has deserted.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons -	Ditto -	Fine of 500 rupees - -	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
144	Joining an unlawful assembly armed with any deadly weapon.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
145	Joining or continuing an unlawful assembly, knowing that it has been commanded to disperse.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
147	Rioting - - - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
148	Rioting armed with a deadly weapon -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence -	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto -	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto -	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto	Ditto	Fine of 1,000 rupees	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto	Ditto	Ditto	Fine	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto	Ditto	Ditto	Ditto	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto	Ditto	Ditto	Ditto	Ditto.
	Or to go armed.	Ditto	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
160	Committing affray	Shall not arrest without warrant.	Summons	Ditto	Imprisonment of either description for one month, or fine of 100 rupees, or both.	Ditto.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto	Ditto	Ditto	Ditto	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto	Ditto	Ditto	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade -	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant - -	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.

172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c., require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure; or if not committed in a Court, a Magistrate.
	If the document is required to be produced in or delivered to a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
179	Being legally bound to state truth, and refusing to answer questions.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Ditto.
185	Bidding, by a person under a legal incapacity to purchase it, for property at a lawfully authorized sale, or bidding without intending to perform the obligations incurred thereby.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.	Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons	Bailable	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	*Disobedience* to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto	Ditto	Ditto	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	Giving or fabricating false evidence in any other case.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto	Ditto	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto	Ditto	Ditto	Death, or as above	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto	Ditto	Ditto	The same as for the offence	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto	Ditto	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto	Ditto	Bailable	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto	Ditto	Ditto	Ditto	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto	Ditto	Ditto	Ditto	Ditto.
200	Using as true any such declaration known to be false.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
209	False claim in a Court of Justice -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years -	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
214	Gift made to cause restoration of property in consideration of screening offender, if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a *summons* shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Public servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto	Ditto	Ditto	Ditto	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto	Ditto	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto	Summons	Ditto	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto	Ditto	Ditto	Ditto	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto	Ditto	Not bailable	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If under sentence of death - -	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation -	Ditto -	Ditto -	Not bailable -	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons -	Ditto -	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.
229	Personation of a juror or assessor - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting, coin.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting, the Queen's coin.	Ditto -	Ditto -	Ditto -	Transportation for life or imprisonment of either description for 10 years and fine.	Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If Queen's coin - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto -	Ditto -	Ditto -	The punishment provided for abetting the counterfeiting of such coin within British India.	Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
244	Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law.	Ditto	Ditto	Ditto	Ditto	High Court.
245	Unlawfully taking from a mint any coining instrument.	Ditto	Ditto	Ditto	Ditto	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 2 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp.	Ditto	Ditto	Bailable	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Ditto	Ditto.
258	Sale of counterfeit Government stamp	Ditto	Ditto	Ditto	Ditto	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto	Ditto	Ditto	Ditto	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
262	Using a Government stamp known to have been before used.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure	Ditto	Ditto	Ditto	Ditto	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto	Ditto	Ditto	Ditto	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man, intended for sale, so as to make the same noxious.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man, knowing the same to be noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
275	Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Ditto	Ditto	Ditto	Ditto	Ditto.
276	Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto	Ditto	Ditto	Ditto	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
278	Making atmosphere noxious to health	Shall not arrest without warrant.	Ditto	Ditto	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy	Ditto	Warrant	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto	Ditto	Ditto	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
286	So dealing with any explosive substance	Ditto	Ditto	Ditto	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he has a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
290	Committing a public nuisance	Shall not arrest without warrant.	Ditto	Ditto	Fine of 200 rupees	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto	Ditto	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto	Ditto	Ditto	Ditto	Ditto.
294	Obscene songs	Ditto	Ditto	Ditto	Ditto	Ditto.
294A	Keeping a lottery-office	Shall not arrest without warrant.	Summons	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
	Publishing proposals relating to lotteries	Ditto	Ditto	Ditto	Fine of 1,000 rupees	Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto	Ditto	Ditto	Ditto	Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight, of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder	May arrest without warrant.	Warrant	Not bailable.	Death, transportation for life and fine	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1. Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant -	Not bailable.	Death - -	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for two years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto -	Ditto -	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine	High Court.
306	Abetting the commission of suicide - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder - - -	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
	If such act cause hurt to any person -	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
308	Attempt to commit culpable homicide -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
	If such act cause hurt to any person -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide - -	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, and fine,	Magistrate.
311	Being a thug - - - -	Ditto -	Ditto -	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent-	Ditto -	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent -	Ditto -	Ditto -	Ditto -	Transportation for life, or as above	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
	Of Hurt.					
323	Voluntarily causing hurt - -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto -	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto -	Summons -	Bailable -	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restraint and wrongful Confinement.

341	Wrongfully restraining any person	May arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
343	Wrongfully confining for three or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant	Not bailable	Ditto	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder	Ditto	Ditto	Ditto	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto	Ditto	Ditto	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave	Shall not arrest without warrant.	Ditto	Bailable	Ditto	Ditto.
371	Habitual dealing in slaves	May arrest without warrant.	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto	Ditto	Ditto	Ditto	Ditto.
374	Unlawful compulsory labour	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

Of Rape.

376	Rape	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences - -	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft - - - - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto	Ditto -	Ditto -	Ditto - - -	High Court or Magistrate.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion - - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto -	Ditto -	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence.	Ditto -	Ditto -	Ditto -	Transportation for life - -	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence	Ditto	Ditto	Ditto	Transportation for life	Ditto.

Of Robbery and Dacoity.

392	Robbery	May arrest without warrant.	Warrant	Not bailable.	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto	Ditto	Ditto	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery	Ditto	Ditto	Ditto	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto	Ditto	Ditto	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity	Ditto	Ditto	Ditto	Ditto	High Court.
396	Murder in dacoity	Ditto	Ditto	Ditto	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto	Ditto	Ditto	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto	Ditto	Ditto	Ditto	Ditto.
399	Making preparation to commit dacoity	Ditto	Ditto	Ditto	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto	Ditto	Ditto	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto	Ditto	Ditto	Ditto	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 Offence.	Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	Criminal breach of trust - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	Dishonestly receiving stolen property, knowing it to be stolen.	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
413	Habitually dealing in stolen property -	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

Of Cheating.

417	Cheating - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

Of Fraudulent Deeds and Dispositions of Property.

421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto	Ditto	Ditto	Ditto	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto	Ditto	Ditto	Ditto	Ditto.
	Of Mischief.					
426	Mischief	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of 10 rupees or upwards.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
429	Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	Mischief by causing diminution of supply of water for agricultural purposes, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
431	Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.	Ditto	Ditto	Ditto	Ditto	Ditto.
432	Mischief by causing inundation or obstruction to public drainage, attended with damage.	Ditto	Ditto	Ditto	Ditto	Ditto.
433	Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	Mischief by destroying or moving, &c., a landmark fixed by public authority.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court.
436	Mischief by fire or explosive substance, with intent to destroy a house, &c.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore with intent to commit theft, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass	Ditto	Warrant	Ditto	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto	Ditto	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto	Ditto	Bailable	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft	Ditto	Ditto	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
453	Lurking house-trespass or house-breaking	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant -	Not bailable-	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery - - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
468	Forgery for the purpose of cheating -	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto -	Ditto -	Ditto -	Punishment for forgery -	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Not bailable	Ditto - - -	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the document is a valuable security or will.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
489	Removing, destroying, or defacing, any property-mark with intent to cause injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX.—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person, and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.

494	Marrying again during the life-time of a husband or wife.	Ditto	Ditto	Bailable	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery	Ditto	Ditto	Bailable	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation	Shall not arrest without warrant.	Warrant	Bailable	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto	Ditto	Ditto	Ditto	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation	Ditto	Ditto	Bailable	Ditto	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto	Ditto	Ditto	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term, and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

	If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant	Not bailable	.....	High Court.
	If punishable with imprisonment for three years and upwards but less than seven.	Ditto	Ditto	Ditto	.....	High Court or Magistrate.
	If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons	Bailable	.....	Magistrate.
	If punishable with fine only	Ditto	Ditto	Ditto	.....	Ditto.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 47).

To *A. B.*, of .

Whereas complaint has this day been made before the undersigned Presidency Magistrate for the Town of that you on the day of 187 at (*state shortly the offence complained*) contrary to section of the Indian Penal Code [*or* of Act No. of 18 , *as the case may be*]: You are hereby required to appear in person [*or* by advocate, attorney or pleader, *as the case may be*] on the day of 187 , at o'clock in the forenoon [*or* afternoon] at the Court of before such Magistrate as may then be present, to answer to the said complaint and to be further dealt with according to law.

Dated the day of

(*Signed*) *C. D.*

Presidency Magistrate.

B.

FORM OF WARRANT OF ARREST (*section* 56).

To (*name and designation of the person who is to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*): You are hereby directed to apprehend the said and produce him at the Court of before such Magistrate as may then be present.

(*Signature.*)

Dated .

[*This warrant may be endorsed as follows*:—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 71).

To the officer in charge of the

Whereas of is accused of ( ) you are hereby required to receive the said into your custody and to produce him before by whom [*or* which] the offence of which he is accused is to be tried [*or* enquired into] from time to time when so required.

D.

FORM OF RECOGNIZANCE (*section* 72).

We, *A. B.* of , *C. D.* of and *E. F.* of , do hereby bind ourselves jointly and severally that the said *A. B.* will attend on the day of 187 at the Court of the Presidency Magistrate of and continue so to attend until otherwise directed by the said Magistrate, and will, if required, appear when called upon at the High Court of Judicature at to answer the charge of , and in case of the said *A. B.* making default herein, we the said *A. B.*, *C. D.* and *E. F.* bind ourselves jointly and severally to forfeit to Her Majesty, her heirs and successors the sum of rupees:

(*Signatures.*)

Dated the day of 187 .

E.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY PENDING TRIAL BEFORE THE HIGH COURT (*section* 89).

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*) and has been committed to take his trial before the Court of .

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(*Signature.*)

(*Office and powers.*)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*sections* 93, 140).

I, , of , do hereby bind myself to appear at , in the Court of , at o'clock on the day of next, and then and there to prosecute (*or, as the case may be*, to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer; and in case of my making default herein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

Dated (*Signature.*)

G.

FORM OF WARRANT OF COMMITMENT AFTER SENTENCE (*section* 184).

To , the officer in charge of the Jail.

Whereas of was convicted before me (*name and official designation*) of the offence of (*mention the offence, quoting Act and section*), and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*): You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

Dated day of (*Signature.*)

H.

FORM OF RECOGNIZANCE TO KEEP THE PEACE (*section* 222).

Whereas I, *A. B.* [*or* we, *A. B.*, *C. D.*, *etc.*], of , have been called upon to enter into a bond to keep the peace for the term of , I hereby bind myself [*or* each of us hereby binds himself]

not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of my [*or* any of us] making default therein, I bind myself [*or* he binds himself] to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE RECOGNIZANCE OF THE PRINCIPAL.

I, *E. F.* of , hereby declare myself surety for the abovementioned *A. B.*, that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

I.

FORM OF RECOGNIZANCE FOR GOOD BEHAVIOUR (*section* 222).

Whereas I, , inhabitant of , have been called upon to enter into a bond to be of good behaviour to Her Majesty and to all Her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty, and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the abovesaid , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 97.)

(1).—CHARGES WITH ONE HEAD.

(*a*.) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

(*b*). That you, on or about the day of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

On Penal Code, section 121.

(*c*) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature of the Magistrate.*]

[*To be substituted for* (*b*).]

(2.) That you, on or about the day of , at , with the intention of inducing the Honourable *A. B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

On section 124.

(3). That you, being a public servant in the Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

On section 161.

(4.) That you, on or about the day of at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On section 304.

(5.) That you, on or about the day of , at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

On section 306.

(6.) That you, on or about the day of , at , voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of the High Court.

On section 325.

(7.) That you, on or about the day of , at , committed robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

On section 392.

(8.) That you, on or about the day of , at , committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

On section 395.

(9.) That you, on or about the day of , at , did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section , and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

On section 166.

(10.) That you, on or about the day of at , in the course of the trial of before stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

On section 193.

[*In cases tried by Magistrates, substitute* " within my cognizance " *for* " within the cognizance of

the High Court." *In* (*c*), *omit* "by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(*a*.) I, [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

On Penal Code, sections 241 and 242.

(*b*.) *First*.—That you, on or about the day of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(*c*.) And I hereby commit you to the said Court to be tried on the said charges.

[*Signature of the Magistrate.*]

On sections 302 and 304.

For (*b*). *First*.—That you, on or about the day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

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For (*b*). *First*.—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

ALTERNATIVE CHARGES.

Alternative charges on section 193.

For (*b*). That you, on or about the day of at , in the course of the inquiry into before stated in evidence that " , and that you, on or about the day of , at in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

In trials before Magistrates, substitute, "within my cognizance," *for* "within the cognizance of the High Court," *and omit* "by the said Court."

WHITLEY STOKES,
Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 10, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th February 1877, and is hereby promulgated for general information:—

ACT No. IV. OF 1877.

THE PRESIDENCY MAGISTRATES' ACT, 1877.

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THE FIRST SCHEDULE—ENACTMENTS REPEALED.

THE SECOND SCHEDULE—TABULAR STATEMENT OF OFFENCES.

THE THIRD SCHEDULE—FORMS.

An Act to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Magistrates' Act, 1877":

Commencement.

And it shall come into force on the first day of April 1877.

Repeal of Acts.

2. On and from that day the Acts mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Saving of powers under local laws.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Matters indicated in second schedule.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any law referred to in section 14,

whether a warrant or a summons shall ordinarily issue in the first instance, and

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

The punishment for each offence under the Indian Penal Code is indicated by the sixth column of the same schedule.

Pending cases.

5. Cases pending when this Act comes into force in any of the Courts of Police Magistrates, or in the town of Bombay in the Court of Petty Sessions, shall be dealt with, as far as may be, according to the procedure herein provided.

Definitions.

6. In this Act, unless there be something repugnant in the subject or context:—

"writing." "writing" includes print, lithography, photography and engraving:

"bailable offence or case." "bailable offence" means an offence for, and "bailable case" means a case in, which bail may be taken under any law in force for the time being:

"non-bailable offence or case." "non-bailable offence" means an offence for, and "non-bailable case" means a case in, which bail may not be taken under any law in force for the time being:

"chapter." "chapter" means a chapter of this Act:

"place." "place" includes also house, building and vessel: and

Words referring to acts done. words which refer to acts done extend also to illegal omissions.

CHAPTER II.—CONSTITUTION AND POWERS OF THE PRESIDENCY MAGISTRATES' COURTS.

Establishment of Presidency Magistrates' Courts.

7. The Local Government may, with the sanction of the Governor General in Council,

(*a*) constitute within the towns of Calcutta, Madras and Bombay, respectively, so many divisions as the said Government thinks fit,

(*b*) define the extent thereof respectively,

(*c*) from time to time alter the number of such divisions and their respective extents, and

(*d*) establish a Presidency Magistrate's Court for each of such divisions.

Appointment of Presidency Magistrates.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns, respectively, and may suspend or remove any person so appointed.

Any such person may sit and act as a Magistrate in any of the said Courts, and any two or more of such persons may (subject to rules made under section 9) sit together as a Bench.

All persons appointed under this section shall be called Presidency Magistrates.

Presidency Magistrates to be Justices of the Peace.

Every such person shall, by virtue of his office, be a Justice of the Peace for the town of which he is a Magistrate,

Local limits of jurisdiction.

and shall exercise jurisdiction in all places within the local limits of the ordinary original criminal jurisdiction of the High Court, and within the limits of the port of such town and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues.

The area comprised within such local limits shall be deemed to be a district within the meaning of the Code of Criminal Procedure and of this Act.

Bombay Court of Petty Sessions.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which, under any law in force immediately before the passing of this Act, may be exercised by the Court of Petty Sessions, and such Court is hereby abolished.

Appointment and powers of Chief Magistrate.

9. In each of the said towns the Local Government shall appoint one of the Presidency Magistrates to be Chief Magistrate. Such Magistrate shall exercise in such town all the powers which by any law or rule are required to be exercised by any Senior or Chief Magistrate, and may, with the previous sanction of the Local Government, make rules, consistent with this Act, to regulate

(*a*) the conduct and distribution of business and secure uniformity of practice in the Courts of the Magistrates of the Town:

(*b*) the times and places at which Benches of Magistrates shall sit:

(*c*) the constitution of Benches:

(*d*) the mode of settling differences of opinion which may arise between Magistrates in session.

Notwithstanding the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Chief Magistrate only.

References in Acts to Magistrates of Police.

10. All existing Magistrates of Police shall be deemed to be Presidency Magistrates under this Act, and all references in any Act now in force to Magistrates of Police shall be deemed to be made to Presidency Magistrates.

Sentences which Presidency Magistrates may pass.

11. Any Presidency Magistrate may pass the following sentences:—

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine not exceeding one thousand rupees:

Whipping.

A Presidency Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Presidency Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award. But no punishment inflicted under this section shall exceed the punishment provided for the offence by the Indian Penal Code or any special or local law.

Imprisonment in default of payment of fine.

12. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Presidency Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in fixing the period of imprisonment in default of payment of the fine:

Provided that, in no case decided by a Presidency Magistrate, where imprisonment has been inflicted as part of the substantive sentence, shall the period of imprisonment inflicted in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Proviso as to cases decided by Magistrate.

Where a person is sentenced to fine only, the Presidency Magistrate may fix such term of imprisonment in default of payment of fine as is allowed by law, provided the term does not exceed two years.

13. When a person is convicted, at one trial, of two or more offences punishable under the same section or different sections of any law, the Presidency Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such law which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other:

Sentence in cases of simultaneous conviction of several offences.

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction competent to inflict.

14. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by a Presidency Magistrate. But no such Magistrate shall pass any sentence in excess of his powers.

Offences under enactments not specifying Court authorized to try.

15. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and when the offender is arrested may commit him to custody or, if the offence is bailable, may admit him to bail.

Offence committed in Magistrate's presence.

16. A Presidency Magistrate may record any confession or other statement made to him at any place within the local limits of his jurisdiction by any person with reference to any offence.

Power to record statements and confessions.

Such confessions shall be recorded in the manner provided by section 84, and such statements shall be recorded in the manner prescribed in section 115, clauses 3, 4 and 5, and such statements and confessions shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried.

No Presidency Magistrate shall record any such confession unless, upon inquiry, he has reason to believe that it was made voluntarily; and on recording any such confession, he shall make a memorandum at the foot thereof to the following effect:—

"I believe that this confession was voluntarily made. It was read over to the person making it and was admitted by him to be correct."

(Signed) *A. B.*,
Presidency Magistrate.

17. Upon complaint made to a Presidency Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge or government of such child, and may compel compliance with such order, using force if necessary.

Power to compel restoration of abducted females.

PART II.

CHAPTER III.—THE PLACE OF INQUIRY AND TRIAL.

18. Every offence shall ordinarily be inquired into, and, if triable by a Magistrate, shall be tried, in the district in which it was committed. If triable by a High Court, it shall (subject to the provisions of section 64A of the Code of Criminal Procedure) be tried by the High Court to which the Magistrate commits.

Place for inquiry and trial of offence.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

19. When a person is accused of the commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or any such consequence has ensued.

Accused triable in district where act done, or where consequence ensues.

Illustrations.

(*a.*) A is wounded in district X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b.*) A is wounded in district X, and is, during twenty days, unable to follow his ordinary pursuits in district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c.*) A is put in fear of injury in district X, and is thereby induced, in district Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in X or Y.

20. When an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first-mentioned offence may be inquired into and tried, either in the district in which it was committed, or in the district in which the other act was committed.

Place for trial where act is offence by reason of relation to other offence.

Illustrations.

(*a.*) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b.*) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in the district in which any of them were at any time dishonestly received or retained.

(*c.*) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(*d.*) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of their original concerted plan and with reference to their common object.

21. When it is uncertain in which of several districts an offence was committed; or

Place for inquiry or trial where scene of offence is uncertain;

where an offence is committed partly in one district and partly in another; or

or offence not committed in one district only;

where an offence is a continuing one and continues to be committed in more districts than one; or

or offence is continuing;

where an offence consists of several acts done in different districts;

or consists of several acts in different districts;

it may be inquired into and tried in any of such districts.

An offence committed on a journey or voyage may be inquired into and tried in any district through or into which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

or offence is committed on journey or voyage.

22. The offence of being a thug, or of having belonged to a gang of dacoits, or of having escaped from custody, may be inquired into and tried wherever the accused person happens to be when the complaint is made.

Being a thug or dacoit. Escaping from custody.

The offence of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried either in the district in which the property which is the subject of the offence was received by the accused person, or in any other district in which the offence was committed.

Criminal misappropriation and criminal breach of trust.

The offence of murder as a thug, dacoity or dacoity with murder, may be inquired into and tried wherever the person accused happens to be when arrested, or in any other district in which he might be tried under any other provision of this Act, or any other law relating to the trial of such offence.

Murder as a thug, dacoity or dacoity with murder.

The offence of stealing an animal may be inquired into and tried either in the district in which such animal was stolen, or in any other district through or into which it was conveyed.

Stealing cattle.

23. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

High Court to decide, in case of doubt, district where inquiry shall take place.

24. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person in his defence, or the prosecutor in his prosecution, was actually prejudiced by such error, in either of which cases a new trial may be ordered.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

CHAPTER IV.—OF THE COGNIZANCE OF OFFENCES.

25. A Presidency Magistrate may take cognizance of any offence—

When Presidency Magistrate may take cognizance of offences.

(*a*) upon receiving a complaint by a private person,

(*b*) upon information or report by a Police officer,

(*c*) upon information received under section 246,

(*d*) if committed in his presence,

(*e*) upon application under chapter V.

26. Any person acquainted with the facts of a case may make a complaint.

Who may make complaints.

27. On receipt of a complaint a Presidency Magistrate may, if the person complained of be not already in custody, proceed by summons or warrant to compel his appearance;

Process to compel appearance.

and in the cases mentioned in section 25, clauses (*b*), (*c*), (*d*) and (*e*), the Presidency Magistrate may proceed as if he had received a complaint.

28. A complaint gives jurisdiction to a Presidency Magistrate—

Jurisdiction given by complaint.

(*a*) to inquire into or try (as the case may be) any offence covered by the facts complained of, or disclosed on such inquiry or trial,

(*b*) to try or commit for trial (as the case may be) any person not complained against, but who, at the time when the complaint is made, or subsequently, appears to have committed any offence so disclosed, and

(*c*) to issue process for the arrest or to compel the appearance of such person.

29. Nothing in section 27 or 28 shall be held to authorize a Presidency Magistrate to take cognizance, without complaint, of any offence falling under chapters XIX, XX or XXI of the Indian Penal Code; nor without sanction to receive a complaint, or to take cognizance without complaint of any offence, where such complaint or offence, by any law in force for the time being, may not be received or taken cognizance of without sanction.

Complaint or sanction required in certain cases.

30. Whenever a complaint is made to a Presidency Magistrate, such Magistrate, if he has jurisdiction in the case, shall examine the complainant; and such examination may be on oath or affirmation, or not, as the Magistrate in each case thinks fit:

Magistrate to examine complainant.

Provided that the Magistrate, if he thinks fit, may, before the matter of the complaint is brought before him, require it to be reduced to writing.

31. Where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Effect of omission to examine petitioner.

32. The Magistrate before whom the complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

Dismissal of complaint.

The dismissal of a complaint shall not prevent subsequent proceedings against the person complained against.

33. If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

Issue of process.

34. When a complaint is made before a Presidency Magistrate having jurisdiction in the case, that any person has committed, or is suspected of having committed, any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may (subject to the provisions of section 4) issue his summons directed to such person, requiring him to appear to answer the complaint, at a certain time and place, before such Magistrate as may then be there.

When summons may issue.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

35. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed, or is suspected of having committed—

Where warrant or summons may issue on complaint.

(*a*) any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months, or

(*b*) any offence triable exclusively by the High Court, or which, in the opinion of such Magistrate, ought to be tried by the High Court,

such Magistrate may (subject to the provisions of section 4) issue his warrant to arrest such person, or, if the thinks fit, his summons directed to such person, requiring him to appear to answer the complaint at a certain time and place before such Magistrate as may then be there.

36. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what he deems a reasonable time before the time therein appointed for appearing pursuant thereto,

Warrant to arrest, if summons not obeyed.

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

37. Whenever the Magistrate issues a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by his advocate, attorney or pleader.

Magistrate may dispense with personal attendance of accused.

But such Magistrate may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused person, and, if necessary, enforce such attendance by issuing a warrant to arrest him.

CHAPTER V.—OF PROSECUTIONS IN CERTAIN CASES.

38. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294A of the same Code, shall not be received by any Presidency Magistrate, unless it be made by order of, or under authority from, the Governor General in Council or the Local Government, or some officer empowered by the Governor General in Council or the Local Government to order or authorize such complaint, or unless it be made by the Advocate General.

Prosecutions for offences against the State.

39. A complaint of an offence of which any Judge or any public servant not removeable from his office without the sanction of the Government, is accused as such Judge or public servant, shall not be received by any Presidency Magistrate, except with the previous sanction or under the direction,

Prosecution of Judges and public servants.

(*a*) of the Government, or

(*b*) of some officer empowered in this behalf by the Government, or

(*c*) of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such complaint has not been limited by the Government.

No such Judge or public servant shall, unless with the previous sanction of the Government, be prosecuted for any act purporting to be done by him in the discharge of his duty.

The Government may, in any case or class of cases, prescribe the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial shall be held.

Power of Government as to prosecution.

In this section, the expression "Government" means either the Local Government or the Governor General in Council, and the expressions "Judge" and "public servant" have the meaning assigned to them respectively by the Indian Penal Code.

Definition of "Government," "Judge" and "public servant."

40. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179, 180 or 228 of that Code, shall not be received by any Presidency Magistrate, except with the sanction or on the complaint of the public servant concerned, or of his official superior.

Prosecution for contempts of the lawful authority of public servants.

41. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be received by any Presidency Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences against public justice.

42. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be received against any party to or witness in such proceedings, by any Presidency Magistrate, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

43. The sanction referred to in sections 40, 41 and 42 respectively may be expressed in general terms, and need not name the accused person, and may be given at any time. But it shall, so far as practicable, specify the Court or other place in which, and the occasion on which, the offence is alleged to have been committed.

Nature of sanction necessary.

A sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Presidency Magistrate to alter the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

44. When any civil, criminal or other Court inferior to a High Court is of opinion that there is sufficient ground for inquiring into any complaint mentioned in section 40, 41 or 42, such Court may either itself inquire into and commit the case for trial before the High Court, or may send the case for disposal to any Presidency Magistrate having jurisdiction.

Procedure in cases mentioned in section 40, 41 or 42.

The Court may send the accused person in custody, or take sufficient bail for his appearance, before such Magistrate; and may bind over any person to appear and give evidence in the case.

Nothing in this section shall prevent a Presidency Magistrate from disposing of cases under sections 172, 173, 174 and 175 of the Indian Penal Code where he himself is the public servant concerned.

45. A complaint of an offence under section 497 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the other person (if any) under whose care she was living at the time when the adultery was committed.

Prosecution for adultery.

A complaint of an offence under section 498 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of her husband at the time when the offence was committed.

Prosecution for enticing away married woman.

46. The application of the public servant or Court to a Presidency Magistrate to inquire into or try any case under this chapter shall be deemed a sufficient complaint.

Application to be deemed a complaint.

CHAPTER VI.—OF THE SUMMONS AND WARRANT.

47. Every summons issued by a Presidency Magistrate to an accused person shall be in writing, signed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Form of summons.

48. If the accused person can be found, the summons shall be served on him personally, wherever he may be, by delivering or tendering the summons to him.

Summons how served.

Every person to whom a summons is delivered or tendered under this section shall, if required by the person delivering or tendering the same, sign a receipt therefor, or countersign a copy thereof.

49. If the accused person cannot be found, the summons may be served by leaving it for him with some adult male member or servant of his family residing with him; and the person with whom the summons is so left shall, if so required by the serving officer, sign a receipt therefor, or countersign a copy thereof. If there is no such member or servant with whom the summons can be left, the serving officer shall fix it on some conspicuous part of the house in which the accused person ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

Service when accused cannot be found.

When the person summoned is in the service of Government or of any Railway Company, the Magistrate issuing the summons may send it to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served in manner hereinbefore provided.

Service on servants of Government and Railway Companies.

50. When a summons issued by a Presidency Magistrate is to be served at any place outside the local limits of his jurisdiction, he may send the summons in duplicate to the Magistrate of the place where the accused resides or is, to be there served.

Service of summons outside Presidency Towns.

51. When a summons issued by a Presidency Magistrate is served outside such local limits as aforesaid, and also in cases where the person who has served the same is not present at the hearing of the complaint, the service may be proved—

Proof of service in such cases and when server not present.

(*a*) by a solemn declaration, purporting to be made before a Magistrate, that such summons has been served, and such declaration may be endorsed on the duplicate summons and returned to the Magistrate who issued the summons, or

(*b*) by a copy of the summons purporting to be countersigned by the person to whom it is addressed, or

(*c*) by a receipt under section 48.

52. The provisions relating to a summons, its issue and service, contained in sections 47 to 51 (both inclusive), shall be applicable to every summons issued under this Act.

Provisions applicable to all summonses under Act.

53. A Presidency Magistrate may, notwithstanding the issue of a summons under this chapter, either before the appearance of the accused person as required by such summons, or after he fails so to appear, issue a warrant of arrest against him.

Issue of warrant in addition to summons.

54. A Presidency Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence alleged or suspected to have been committed by such person in a different district, or on the high seas, or in a foreign country: provided that if the offence were committed within such local limits, the Magistrate might issue a summons or warrant.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

55. On the attendance or apprehension of such person, if the Presidency Magistrate has not jurisdiction in the case, he shall either send such person to the Magistrate within the local limits of whose jurisdiction the offence is alleged to have been committed, or if the offence is bailable, take bail for his appearance before such Magistrate.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

When the Presidency Magistrate cannot satisfy himself as to the Magistrate to whom the person so attending or arrested should be sent, he shall report the case for the orders of the High Court.

56. Every warrant issued by a Presidency Magistrate shall be in writing under his hand, shall be directed to one or more Police-officers, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Form and direction of warrant.

A warrant issued under this Act remains in force until it is cancelled by the Magistrate who issued it, or until it is executed.

Continuance of warrant.

57. A fee of eight annas shall be paid for every summons or warrant issued by a Presidency Magistrate, except in the case of a summons to attend and give evidence or to produce documents, in which case there shall be paid a fee of four annas:

Fees for summonses and warrants.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the complainant is unable to pay the same, and shall remit it when the complaint is made by a public servant in the execution of his duty.

Power to remit fees.

58. A Presidency Magistrate, in issuing a warrant for the arrest of any person, may in his discretion direct by endorsement on the warrant, that if such person give sufficient bail as therein mentioned for his appearance before the Magistrate on a specified day to answer the complaint, the officer to whom the warrant is directed shall take such bail, and shall release such person from custody.

When Magistrate may direct bail to be taken.

The endorsement shall state (*a*) the number of sureties, (*b*) the amount in which they and the accused person are to be respectively bound, and (*c*) the day on which he is to appear before the Magistrate.

If bail be taken, the officer to whom the warrant is directed shall forward the recognizance to the Presidency Magistrate.

Recognizance to be forwarded.

59. When a warrant is directed to more Police-officers than one, it may be executed by all, or by any one or more, of such officer.

Warrant to several persons.

60. A warrant directed to any Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

Execution of warrant by Police-officer other than the one addressed.

61. Any Presidency Magistrate who issues a warrant of arrest may attend personally for the purpose of seeing that the warrant is duly executed.

Magistrate issuing warrant may superintend its execution.

62. Any such Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he may issue a warrant.

Arrest in presence of Magistrate.

63. A warrant issued by a Presidency Magistrate shall ordinarily be executed within the local limits of his jurisdiction.

Where warrant may be executed.

But if the person against whom the warrant is issued goes into, or is in, any place outside such limits, the warrant may be executed in such place.

64. A Presidency Magistrate may direct a warrant to be executed outside the local limits of his jurisdiction, either with or without endorsement by a Magistrate within the local limits of whose jurisdiction it is to be executed.

Execution of warrant outside issuing Magistrate's jurisdiction.

Such warrant shall ordinarily be endorsed by the Magistrate within the local limits of whose jurisdiction it is to be executed.

The warrant may be forwarded to such Magistrate for endorsement, either by post or by any Police-officer to whom it is directed.

The Magistrate to whom such warrant is forwarded by post shall endorse his name thereon and cause it to be executed within the local limits of his jurisdiction.

If the warrant is forwarded by a Police-officer to whom it is directed, he may take it either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, within the local limits of whose jurisdiction the warrant is to be executed.

Such Magistrate or Police-officer shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police-officer to whom the warrant is directed to execute the same within such limits, and the local police shall be bound to assist such officer in executing the warrant.

Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate or Police-officer within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police-officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Magistrate who issued it.

65. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Presidency Magistrate who issued the warrant be within twenty miles, or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 58, be brought before the Magistrate within the local limits of whose jurisdiction the arrest was made.

Procedure on execution of warrant outside issuer's jurisdiction.

Such Magistrate shall, if the person arrested appears to be the person intended by the Presidency Magistrate, direct his removal in custody to such Magistrate, unless such person is then ready and willing to give the bail (if any) required under section 58, in which case the Magistrate before whom he is so brought shall accept such bail and forward the recognizance to the Presidency Magistrate.

66. Every Magistrate or Police-officer to whom a warrant under this Act is directed for execution shall execute the same, or cause it to be executed.

Magistrate and Police-officer.

67. If a Presidency Magistrate having jurisdiction in the case has reason to believe that any person accused of an offence not coming within section 34 is absconding or concealing himself, so that a warrant issued against him under this Act cannot be executed, such Magistrate may issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days from the date of publishing the proclamation.

Proclamation for person absconding.

Such proclamation shall be published as follows—

Proclamation how published.

(*a*) it shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides;

(*b*) it shall be affixed to some conspicuous part of his ordinary place of abode, or some conspicuous place of such town or village; and

(*c*) a copy thereof shall be affixed to some conspicuous part of such Magistrate's Court-house.

A statement by the Magistrate to the effect that the proclamation was duly published shall be conclusive evidence of compliance with the requirements of this section.

Evidence of publication.

68. A Presidency Magistrate may order the attachment of any property, moveable or immoveable, belonging to any person believed to be absconding or concealing himself.

Attachment of property of person absconding.

Such order shall authorize the attachment of any property within the local limits of the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without such local limits when endorsed by the Magistrate of the district in which such property is situate.

If the property ordered to be attached be immoveable, the attachment under this section shall, in the case of land paying revenue to Government, be made through the Collector of the district in which the land is situate, and, in all other cases, (*a*) by seizure under the order of the Magistrate having jurisdiction; or (*b*) by the appointment of a manager and receiver; or (*c*) by an order prohibiting the payment of rent to the absent person; or by all or any two of such processes as such Magistrate deems proper.

If the person so believed to be absconding or concealing himself does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months from the date of the attachment, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Magistrate may cause it to be sold whenever he thinks fit.

69. When any person whose property is or has been at the disposal of Government under the last paragraph of section 68 appears or is found within two years from the date of the attachment, and proves to the satisfaction of the Magistrate by whose order the property was attached that he did not abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the nett proceeds of the sale, or if part only thereof has been sold, the nett proceeds of the sale and the residue of the property, shall, after satisfying thereout all costs incurred in consequence of the attachment, be delivered to him.

Restoration of forfeited property.

CHAPTER VII.—OF BAIL.

70. Every person arrested under this Act shall be kept in custody until he is discharged by the order of a competent Court, or until he is admitted to bail.

Custody of person arrested.

When any person appears or is brought before a Presidency Magistrate accused of any bailable offence, such person shall be admitted to bail: Provided that, in cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, the Magistrate may discharge him on his binding himself by a personal recognizance in such sum of money as the Magistrate thinks sufficient, to appear and attend at the time and place therein mentioned, and to continue so to attend until otherwise directed by the Magistrate.

When bail shall be taken.

71. When any person accused of any non-bailable offence appears or is brought before a Presidency Magistrate, such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail shall not be taken.

If the evidence given in support of the complaint is, in the opinion of the Magistrate, not such as to afford such grounds,

When bail may be taken.

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt,

but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

But if the Magistrate decide not to admit the accused person to bail, he shall commit him to custody by a warrant in the form (C) given in the third schedule hereto annexed, or to the like effect.

Warrant for intermediate custody.

Any Presidency Magistrate may, at any subsequent stage of any proceeding under this Act, cancel the admission under this section of any accused person to bail, and may commit him to custody, or may admit to bail any person who has been committed to custody under this section.

72. When any person accused before a Presidency Magistrate of any offence is admitted to bail, a recognizance, in such sum

Recognizance of accused and sureties.

of money as the Magistrate thinks sufficient, shall be entered into by the person so accused and one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue so to attend until otherwise directed by the Magistrate, and, if required, shall appear when called upon at the High Court, to answer the charge.

It is the duty of the Presidency Magistrate or other officer accepting bail to satisfy himself that every surety entering into such recognizance is a person of whom it may reasonably be presumed that he can, if necessary, satisfy its terms.

Every such recognizance shall be in the form (D) given in the third schedule hereto annexed, or to the like effect.

Discharge on bail.

73. After the recognizance has been entered into, the Presidency Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him; and in case he is in some jail, shall issue a warrant of release to the officer in charge of the jail, and such officer shall thereupon release him.

Admission to bail after failure in first instance.

74. If the accused person cannot find sufficient bail when permitted so to do, he may, if the Presidency Magistrate thinks fit, be admitted to bail upon finding the same at any time afterwards before conviction.

Power to order sufficient bail when that first taken is insufficient.

75. If, through mistake or fraud, insufficient bail have been taken, or if the bail become afterwards insufficient, the Presidency Magistrate may issue his warrant of arrest directing that the accused person be brought before him and may order such person to find sufficient bail, and on his failing so to do may commit him to prison.

Discharge of sureties.

76. The sureties for the attendance and appearance of an accused person admitted to bail may, at any time, apply to a Presidency Magistrate to discharge their recognizance.

On such application being made, the Magistrate shall issue his warrant of arrest, directing that the accused person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged, and shall call upon the accused person to find other sufficient sureties, and if he fail to do so, may commit him to prison.

Procedure to compel payment of penalty by accused.

77. Whenever, by reason of default of attendance or appearance of the person bailed, a Presidency Magistrate is of opinion that proceedings should be had to recover the penalty mentioned in the recognizance into which such person has entered, he shall proceed to recover the same, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the local limits of the jurisdiction of such Magistrate.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

Procedure to compel payment of penalty by sureties.

78. Whenever, by reason of default of attendance or appearance of the person bailed, the Presidency Magistrate is of opinion that proceedings should be had to recover from the sureties the penalty mentioned in the recognizance, he shall give them notice to pay the same, or to show cause why it should not be paid.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Presidency Magistrate shall proceed to recover the penalty from such sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to them, or either of them, which may be found within the local limits of the jurisdiction of such Magistrate. Such warrant may be executed within such limits; and it shall authorize the attachment and sale of any moveable property belonging to the sureties, or either of them, without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, such sureties shall be liable to confinement, by order of the Presidency Magistrate, in the civil jail, during a period not exceeding six months.

In what cases powers given by sections 77 and 78 may be exercised.

79. The powers given by sections 77 and 78 may be exercised by every Presidency Magistrate in every case in which a recognizance has been given for the appearance of any person, if default is made by the non-appearance of such person before such Magistrate, according to the conditions of the recognizance:

Remission of part of penalty.

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in any such recognizance and enforce payment in part only.

Deposit instead of bail.

80. When any person is required by a Presidency Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as the Magistrate may fix in lieu of such bail.

CHAPTER VIII.—OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

Procedure in preliminary inquiries.

81. Cases, triable by a High Court in the exercise of its ordinary original criminal jurisdiction, or which, in the opinion of the Presidency Magistrate before whom the accused person is brought, ought to be tried by such Court, shall be inquired into by a Presidency Magistrate; and in such inquiry he shall adopt the following procedure.

Examination of complainant and witnesses for prosecution.

82. When the accused person appears or is brought before the Magistrate, or if his personal attendance is dispensed with, after reasonable notice to his advocate, attorney or pleader, the Magistrate shall, at such time as he thinks fit, take the evidence of the complainant and of such persons as are stated by the complainant to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Such evidence shall be recorded in the manner described in clauses 3, 4 and 5 of section 115.

Examination to be in presence of accused.

83. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or, when his personal attendance is dispensed with, of his advocate, attorney or pleader (if any).

Procedure in inquiries preliminary to commitment.

The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Examination of accused how recorded.

84. Whenever an accused person is examined in the course of a preliminary inquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

Power of Magistrate to summon and examine any person.

85. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Adjournment of inquiry and remand.

86. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to adjourn the inquiry, the Magistrate may, by a written order, from time to time adjourn the inquiry on such terms as he thinks fit and remand the accused person for a reasonable time, not exceeding fifteen days.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable cause for a remand.

When accused person to be discharged.

87. When a Presidency Magistrate finds that there are not sufficient grounds for committing the accused person for trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be tried before himself, in which case he shall proceed accordingly.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

When accused to be committed for trial.

88. When evidence has been given before a Presidency Magistrate, which appears to justify him in committing the accused person for trial for an offence triable exclusively by the High Court, or which, in the opinion of the Magistrate, ought to be tried by such Court, the accused person shall be committed for trial accordingly.

Framing of charge on which accused is to be tried before High Court.

89. When the Magistrate determines to commit the accused person for trial before the High Court, he shall, after the evidence has been recorded, frame a charge under his hand, declaring with what offence the accused person is charged, and (subject to the provisions of the High Courts' Criminal Procedure Act, 1875) committing him for trial by such Court on such charge.

All such charges shall be drawn up in accordance with the provisions of chapter IX.

Form of commitment.

Pending such trial, the Magistrate may commit the accused person to custody by warrant in the form (E) given in the third schedule hereto annexed, or to the like effect, or may in case of a bailable offence release him on bail; and the charge, the record of the enquiry, and any weapon or other article necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Charge, &c., to be forwarded to High Court.

Commitment when to be notified.

When the accused person is committed for trial before the High Court, the Magistrate shall issue an order to such person as may be appointed by the Local Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge.

Charge to be explained, and copy furnished, to accused.

90. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him; and a copy thereof shall be furnished to him, if he so require.

List of witnesses for defence on trial before High Court.

91. The accused person shall be required at once to give in, orally or in writing, a list of the persons whom he wishes to be summoned to give evidence on his trial before the High Court.

The Magistrate may, if he thinks proper, summon all or any such persons to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

Further list.

The Magistrate may in his discretion allow the accused person to give in any further list of witnesses at a subsequent time.

Power to summon supplementary witnesses.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial. Such examination shall, if possible, be taken in the presence of the accused person.

Nothing in this section shall be deemed to preclude the accused person from giving at any time before his trial before the High Court to the

Clerk of the Crown a further list of the persons whom he wishes to be summoned to give evidence on such trial.

Summons to witnesses when accused person is to be committed.

92. When the person accused has been committed for trial, and has given in any list of the persons referred to in section 91, the Magistrate may either summon such persons to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognizances of complainants and witnesses.

93. Complainants and witnesses for the prosecution and defence, whose attendance before the High Court is necessary, and who appear before the Presidency Magistrate, shall execute before him recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

If any complainant or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Presidency Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him in custody to the High Court.

Detention in custody in case of refusal to attend or to execute recognizance.

CHAPTER IX.—OF THE CHARGE.

Form of Charges.

Charge to state offence.

94. Every charge under this Act shall state the offence with which the accused person is charged.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

Specific name of offence sufficient description.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused person notice of the matter with which he is charged.

How stated where offence has no specific name.

The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

What implied in charges.

The charge shall be written in English. If English is not understood by the accused person, the charge shall be interpreted to him in a language which he understands.

Language of charge.

If the accused person has been previously convicted of any offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, or of any other offence mentioned in section 3 or section 4 of Act No. VI of 1864 (*to authorize the punishment of whipping in certain cases*), and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If such statement is omitted, it may be added at any time before sentence is passed, but not afterwards.

Previous conviction when to be set out.

Illustrations.

(*a.*) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception 1, one or other of the three provisos to that exception applied to it.

(*b.*) A is charged, under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting. This is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(*c.*) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(*d.*) A is charged, under section 184 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in those words.

Particulars as to time, place and person.

95. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom, or the thing in respect of which, it was committed, as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

When manner of committing offence must be stated.

96. When the nature of the case is such that the particulars mentioned in sections 94 and 95 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

Illustrations.

(*a.*) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(*b.*) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(*c.*) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(*d.*) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(*e.*) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(*f.*) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

Forms in schedule.

97. The charge may be in the form given in the third schedule to this Act or to the like effect.

Effect of errors.

98. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 96, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Illustrations.

(*a.*) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit;" the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material:

(*b.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(*c.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(*d.*) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(*e.*) A was charged with murdering Haidar Baksh on the 20th January and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

Prisoner may apply for amendment.

99. Any accused person may apply to a Presidency Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Magistrate shall take into account the fact that he did or did not make such an application.

Magistrate may alter charge.

100. A Presidency Magistrate may, upon the application of the accused person, or of the complainant, or upon his own motion, alter any charge at any stage of the proceedings before judgment is pronounced.

Every such alteration shall be read and explained to the accused person.

When trial may proceed immediately after alteration.

101. If the alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may in his discretion, after making such alteration, proceed with the trial as if the altered charge had been the original charge.

When new trial may be directed or trial suspended.

102. If the alteration is such that proceeding immediately with the trial is likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the altered charge; and, after hearing his defence, the Magistrate may further adjourn the trial, to admit of the appearance of any witness whose evidence the Magistrate may consider to be material to the case, or whom the accused person may wish to be summoned in his defence.

Adjournment.

Recall of witnesses when charge altered.

103. In all cases of alteration of a charge, the complainant and accused person shall be allowed to recall and examine with reference to such alteration any witness who may have been examined.

Stay of proceedings if prosecution of offence in altered charge require previous sanction.

104. If the offence stated in the altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained, unless sanction has been already obtained for a prosecution on the same facts as those on which the altered charge is founded.

Joinder of Charges.

Separate charges for distinct offences.

105. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

More offences than one of same kind may be charged within a year of each other.

106. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged with, and tried at the same time for, any number of them not exceeding three.

I.—Trial of more than one offence.

107. I.—If in one series of acts, so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

II.—One offence falling within two definitions.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be inflicted for any of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed; but he must not receive for such offences, collectively, a punishment more severe than that which might have been inflicted for any one of such offences.

Illustrations

to paragraph I—

(*a*) A rescues B, a person in lawful custody, and in so doing causes grevious hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 333 of the Indian Penal Code.

(*b*) A has in his possession several seals knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 466 of the Indian Penal Code. A may be separately charged with, convicted of, and punished for, the possession of each seal, under section 473 of the Indian Penal Code.

(*c*) A, with intent to cause injury to B, institutes a criminal proceeding against him, knowing that there is no just or lawful ground for such proceeding. A also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charge. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d*) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 of the Indian Penal Code.

(*e*) A, knowing that B, a female minor, has been kidnapped in order that she may be subjected to grievous hurt, wrongfully confines her and detains her against her will as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f*) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant endeavouring, in the discharge of his duty as such, to suppress the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 325 and 152 of the Indian Penal Code.

(*g*) A threatens B, C and D at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h*) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, each of the three offences under section 302 of the Indian Penal Code.

The separate charges referred to in illustrations (*a*) to (*h*) respectively may be tried at the same time.

to paragraph II—

(*i*) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 323 only.

(*j*) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then moves the carcase in order to take it dishonestly out of B's possession without B's consent. A, may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 429 only.

(*k*) Several stolen sacks of corn are made over to A and B who know they are stolen property. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Presidency Magistrate who tries them may not inflict a severer punishment than if he had convicted them under one of those sections only.

(*l*) A dishonestly uses a forged document as genuine evidence, in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under one of those sections only.

to paragraph III—

(*m*) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

(*n*) A commits robbery on B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 392 or 394 only.

(*o*) A entices B, the wife of C, away from C, with intent to commit adultery with B, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

108. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to theft, or receiving stolen property, or criminal breach of trust, or cheating. He may be charged with theft, receiving stolen property, criminal breach of trust, and cheating, or he may be charged with having committed theft, or receiving stolen property, or criminal breach of trust, or cheating.

109. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence, he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. He may be convicted of criminal breach of trust, or of receiving stolen goods (as the case may be), though he was not charged with such offence.

110. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(*a*). A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(*b*). A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

111. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Presidency Magistrate thinks fit, and the provisions contained in the former part of this chapter shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(*a*). A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(*b*). A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(*c*). A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

112. When more charges than one are made against the same person, and when a conviction has been had on one or more of them, the complainant, or the Government Solicitor or other

Withdrawal of remaining charges on conviction on one of several charges.

officer conducting the prosecution, may, with the consent of the Presidency Magistrate, withdraw, or such Magistrate of his own accord may suspend, the inquiry into, or trial of, the remaining charge or charges.

Previous Acquittals or Convictions.

113. A person who has once been tried for an offence and convicted or acquitted of such offence, shall, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 108, or for which he might have been convicted under section 109.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 107, paragraph one.

A person acquitted or convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction, be subsequently charged with, and tried for, any other offence constituted by the same acts, which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with theft as a servant, or, upon the same facts, with theft simply, or with criminal breach of trust.

(*b*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed: he may afterwards be charged with, and tried for, robbery.

(*c*) A is tried for an assault and convicted. The person assaulted afterwards dies. A may be tried again for culpable homicide.

(*d*) A is tried, under section 270 of the Indian Penal Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life, and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e*) A is charged by a Presidency Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B, on the same facts, unless the case comes within paragraph three of this section.

(*f*) A is charged by a Presidency Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same facts.

(*g*) A, B and C are charged by a Presidency Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity on the same facts.

CHAPTER X.—OF THE TRIAL OF CASES BY PRESIDENCY MAGISTRATES.

114. The following procedure shall be observed in the trial of cases by Presidency Magistrates.

Cases may be tried summarily.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,
(*b*) the date of the commission of the offence,
(*c*) the name of the complainant,
(*d*) the name of the accused person,
(*e*) the offence complained of or proved,
(*f*) the prisoner's plea,
(*g*) the final order,
(*h*) the date of such order.

115. No Presidency Magistrate shall impose a fine exceeding two hundred rupees or imprisonment for a term exceeding six months, unless he has recorded the evidence of the witnesses.

Record of evidence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

Where the Magistrate records such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down, or cause to be taken down, any particular question or answer.

Every Magistrate recording the evidence of a witness shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

116. In cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, no formal charge need be made against the accused person; and the Magistrate may convict him of any offence punishable with fine only or with imprisonment for a term not exceeding six months, or with both, and which, from the facts proved, he appears to have committed.

Charge when dispensed with.

In cases in which the Magistrate has power to impose imprisonment for a term exceeding six months, there shall be a formal charge against the accused person.

Charge when necessary.

All charges under this section shall be drawn up by the Magistrate in accordance with the provisions of chapter IX.

117. Neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. No defect in the complaint or process shall invalidate the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Effect on proceedings of defect in complaint or process.

118. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto on which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless he thinks fit to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Dismissal or adjournment on non-appearance of complainant.

119. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

Procedure on appearance of parties.

120. If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Conviction on admission of truth of complaint.

121. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Procedure when no such admission is made.

122. Whenever any charge is drawn up under this Act, it shall be drawn up as soon as the Magistrate is of opinion that a *primâ facie* case has been established against the accused person, and shall be read and explained to the accused person, and he shall be asked whether he is guilty or has any defence to make.

Charge when drawn up.

123. If the accused person be examined, the procedure prescribed in section 84 shall be followed.

Procedure on examining accused.

124. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason, adjourn the hearing, on such terms as he thinks fit, to a day to be then appointed and stated in the presence of the parties.

Adjournment.

If on the day to which such hearing or such further hearing has been so adjourned, the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If on such day the complainant does not appear, the Magistrate may dismiss the complaint.

125. If a complainant, at any time before a final order is passed in any case punishable with fine only or with imprisonment for a term not exceeding six months, or with both, satisfies the said Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to do so.

Withdrawal of complaint.

The withdrawal under this section of a complaint shall operate as an acquittal of the accused person.

126. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Acquittal.

If the accused person is convicted, the Magistrate shall pass sentence upon him; and, in all cases in which the Magistrate inflicts imprisonment, or fine exceeding two hundred rupees, or both, he shall add to the final order mentioned in section 114, clause (*g*), a brief statement of the reasons for the conviction.

Sentence.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate shall be pronounced in his presence, except where the sentence is for fine only, in which case it may be pronounced in the presence of the accused person's advocate, attorney or pleader.

127. If in the course of any trial before a Presidency Magistrate, it appears that the case is one which he has not jurisdiction to try, or one which, in his opinion, ought to be tried by the High Court, he shall stop further proceedings under this chapter, and shall either forward the case to the Magistrate having jurisdiction, or commit the accused person, in accordance with the provisions of chapter VIII, to the High Court for trial.

Procedure when, after commencement of trial, Magistrate finds case beyond his jurisdiction.

128. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Presidency Magistrate considers him an habitual offender, be committed to the High Court.

Trial of persons previously convicted of offences against coinage, stamp law or property.

General Provisions as to Inquiries and Trials.

129. A Presidency Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor; but no person other than the Advocate-General, Standing Counsel, Government Solicitor or other officer generally or specially empowered by the Local Government in this behalf shall be entitled to do so without such permission.

Permission to conduct prosecution.

Any person conducting the case may do so personally or by an advocate, attorney or pleader.

130. Every person accused before a Presidency Magistrate of an offence, may of right be defended by any advocate, attorney or pleader.

Right of accused to be defended.

131. If an accused person, though not insane, cannot be made to understand the proceedings, the Magistrate may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as it thinks fit.

Procedure where accused does not understand proceedings.

132. The place in which the Court of a Presidency Magistrate is held for the purpose of inquiring into or trying any offence, shall be deemed an open Court, to which the public generally may have access, so far as the same can conveniently contain them:

Presidency Magistrates' Courts to be open.

Provided that the Magistrate may, if he thinks fit, order at any stage of any inquiry into or trial of any particular case, that the public generally, or any particular person, shall not have access to, or be, or remain in, the room or building used by the Magistrate.

133. In the case of offences which may lawfully be compounded, the injured person may compound the offence out of Court, or in Court with the permission of the Presidency Magistrate. Such composition shall have the effect of an acquittal of the accused.

Compounding offences.

CHAPTER XI.—OF EVIDENCE.

A.—Of securing the Attendance of Witnesses.

134. Any Presidency Magistrate may, at any stage of any proceeding, inquiry or trial under this Act, summon, in manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness; and the Magistrate shall summon and examine such person if his evidence appears essential to the just decision of the case.

Power to summon material witness or examine person present.

135. If a Presidency Magistrate has reason to believe that any witness, whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

When warrant of arrest may issue in first instance.

136. If any person summoned under this Act to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Presidency Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand to bring such person before him to testify as aforesaid.

Arrest of person disobeying summons.

137. If such warrant cannot be executed, and the Magistrate has reason to believe that the witness absconds or conceals himself for the purpose of preventing the execution thereof, he may issue a notice, requiring the attendance of such witness to give evidence at a time and place to be named therein, and such notice shall be affixed to some conspicuous part of such witness' ordinary place of abode, or, if he has no such abode, of the Magistrate's Court.

Procedure when warrant cannot be served.

If the witness does not attend at the time and place so named, the Magistrate may order the attachment of any moveable property belonging to such witness, equal in value, as nearly as may be, to the amount of the costs of attachment and of any fine to which the witness may be liable under the provisions of section 172 of the Indian Penal Code.

138. The provisions of section 68 and section 69 as to the attachment, sale and restoration of moveable property shall apply to all property ordered to be attached under section 137.

Attachment, &c., of property ordered to be attached under section 137.

139. Notwithstanding anything contained in the Prisoners' Testimony Act, 1869, any Presidency Magistrate desirous of examining, as a witness or accused person, in any case pending before him, any person confined in any jail within the local limits of his jurisdiction, may issue an order to the officer in charge of the said jail requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Magistrate for examination.

Power to order prisoner in jail to be brought up for examination.

The officer so in charge, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid.

140. The Presidency Magistrate may require complainants and witnesses for the prosecution and defence whose attendance before him is necessary, to execute recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon to prosecute or give evidence, as the case may be.

Power to require complainants, &c., to execute recognizances.

141. If any witness summoned or brought before a Presidency Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 205 or 206.

Committal of person refusing to answer.

B.—Of Witnesses.

142. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, it shall ordinarily be the duty of the complainant and accused to produce their own witnesses. But the Presidency Magistrate may in his discretion—

In cases triable upon summons.

(*a*) summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused;

(*b*) summon any witness named by the complainant or the accused:

Provided that the Magistrate may, before summoning a witness, require that his reasonable expenses incurred in attending for the purposes of the trial be deposited in Court.

143. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution, and shall summon to give evidence before him such of them as he thinks necessary.

In cases triable upon warrant.

The Magistrate shall also summon any witness, and take any evidence that may be offered, in behalf of the accused person, to answer or disprove the evidence against him.

C.—Of Securing Documentary Evidence.

144. Whenever a Presidency Magistrate considers that the production of any document or other thing is necessary or desirable for the purposes of any inquiry, trial, or other proceeding under this Act, he may issue a summons to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it at the time and place stated in the summons.

Summons to produce document required as evidence.

145. Where there is reason to believe that the person to whom the summons is addressed will not produce the document or

Issue of search-warrant in first instance.

other thing as directed in the summons, the Magistrate may issue a warrant to search for such document or thing in the first instance.

Procedure as to letters in custody of Postal Department or telegraph officer.

146. If any letter in the custody of the Postal Department is wanted for the purpose of any inquiry or trial by a Presidency Magistrate, the Magistrate may, if he is the Chief Magistrate, direct the postal authorities to deliver such letter to such person as the Magistrate directs, and if he is not the Chief Magistrate, may apply to the Chief Magistrate, who may, if he thinks fit, give such direction.

The letter referred to in any direction given under this section shall be delivered accordingly.

Power to impound document produced.

147. Any Presidency Magistrate may, if he thinks fit, impound any document or other thing produced before him, or may, at the conclusion of the proceedings, order it to be returned to the person who produced it.

D.—Of the Examination of Accused Persons.

Examination of accused.

148. At any stage of any inquiry or trial under this Act, the Magistrate may, without previously warning the accused person, put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not only in such inquiry or trial, but also in any other inquiry into, or trial for, any other offence which such answer may tend to show he has committed.

No influence to be used to induce disclosures.

149. Except as is provided in section 150, no influence, by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.

Tender of pardon to accomplice.

150. A Presidency Magistrate may, with the view of obtaining the evidence of any persons supposed to have been directly or indirectly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances, within his knowledge, relative to such offence and to every other person concerned in the perpetration thereof.

Every person accepting a tender under this section shall be examined as a witness in the case.

Such person, if not on bail, shall be detained in custody until the termination of the trial.

Commitment of person to whom pardon has been tendered.

151. When a pardon has been tendered under section 150, if before the trial it appears to the Presidency Magistrate that any person who has accepted such tender has either by wilfully concealing anything essential, or by giving false evidence, not complied with the conditions under which the tender was made, such Magistrate may commit him for trial for the offence in respect of which the pardon was so tendered, or for any other offence of which he may appear to have been guilty in connection with the same matter.

The statement made by a person under pardon which pardon has been withdrawn under this section, may be put in evidence against him.

E.—Special Rules of Evidence.

Deposition of medical witness.

152. The deposition of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any inquiry or trial under this Act, although the deponent is not called as a witness.

Power to summon medical witness.

The Presidency Magistrate may, if he thinks fit, summon and examine such deponent as to the subject-matter of his deposition.

Report of Chemical Examiner.

153. Any document purporting to be a report from the Chemical Examiner, or Assistant Chemical Examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any inquiry or trial under this Act, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any inquiry or trial under this Act.

Genuineness of signature may be presumed.

The Presidency Magistrate may presume that the signature to any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Power to summon Chemical Examiner.

The Presidency Magistrate may, if he thinks fit, summon and examine such Chemical Examiner or Assistant Chemical Examiner as to the subject-matter of his said report.

Previous conviction or acquittal how proved.

154. A previous conviction or acquittal may be proved (*a*) by an extract certified, under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the sentence or order, or (*b*), in case of a conviction either by a certificate signed by the officer in charge of the jail in which the punishment or any part thereof was inflicted or by production of the warrant of commitment under which the punishment was suffered.

Record of evidence in absence of accused.

155. If an accused person abscond, and after due pursuit cannot be arrested, the Presidency Magistrate may, in his absence, examine the witnesses (if any) produced on behalf of the prosecution, and record their depositions; and any such deposition may, on the arrest of such person, be put in on his trial for the offence with which he is charged, if the attendance of the deponent cannot be procured.

Convictions on evidence partly recorded by one Magistrate and partly by another.

156. Whenever any Presidency Magistrate, after having heard the whole or any part of the evidence in an inquiry or trial, ceases to exercise jurisdiction therein, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and re-commence the inquiry or trial:

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses be re-summoned and reheard, in which case the inquiry or trial shall be re-commenced:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new inquiry or trial.

When attendance of witness may be dispensed with.

157. Whenever in the course of a trial or inquiry under this Act it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Presidency Magistrate may dispense with such attendance.

Issue of commission and procedure thereunder.

158. Such Magistrate may direct a commission to any Magistrate of the District, or Magistrate of the first class, within the local limits of whose jurisdiction such witness may be.

The Magistrate to whom the commission is directed, or, if he be the Magistrate of the District, such Magistrate of the first class as he appoints in this behalf, shall proceed to the place where such witness is, or shall summon such witness before himself, and shall take his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant-cases under the Code of Criminal Procedure.

Commission in case of witness being within Presidency town.

If the witness is within the local limits of the jurisdiction of any Presidency Magistrate, other than the Magistrate dispensing with his attendance, the latter Magistrate may direct a commission to the former Magistrate, who thereupon shall have the like power to compel the attendance of, and to examine, such witness as he possesses for that purpose in cases pending before himself.

Complainant and accused may examine witness.

The complainant and the accused person may respectively forward interrogatories, in writing, upon which the Magistrate to whom the commission is directed shall examine the witness,

or the complainant and the accused person (if on bail) may appear before such Magistrate,

or the complainant and the accused person may so appear respectively by advocate, attorney or pleader,

and may examine, cross-examine and re-examine (as the case may be) the said witness.

Return of commission.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Magistrate by whom it was issued; and the commission, the return thereto, and the deposition of such witness, may be used as evidence in the case and shall form part of the record.

F.—Of Search-Warrants.

Search-warrant when grantable.

159. When a Presidency Magistrate considers that the production of any thing is essential to the conduct of an inquiry into an offence known or suspected to have been committed or to the discovery of the offender,

or when he considers that such inquiry or discovery will be furthered by a general search or inspection,

he may grant his search-warrant; and the officer charged with the execution of such warant may search or inspect any place within the local limits of the jurisdiction of such Magistrate.

The Magistrate may, if he thinks fit, specify in the warrant the particular place, building or part thereof to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place, building or part so specified.

Nothing in this section or in section 145 shall authorize a Magistrate to grant a warrant to search for a letter or telegram in the custody of the Postal Department or of a telegraph officer.

Search of house suspected to contain stolen property or forged documents.

160. If a Presidency Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin, or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable—

(*a*) to enter, with such assistance as may be required, and by force if necessary, such place, and

(*b*) to search the same as specified in the warrant, and

(*c*) to take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also any such instruments and materials as aforesaid, and

(*d*) to convey such property, documents, stamps, seals, coins, instruments or materials before a Presidency Magistrate, or to guard the same on the spot until the offender is taken before a Presidency Magistrate, or otherwise to dispose thereof in some place of safety, and

(*e*) to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

Direction, &c., of search-warrants.

161. The provisions of sections 59, 60 and 61 shall apply to all search-warrants issued under this chapter.

162. Whenever any place liable to search or inspection under this chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the officer or other person executing the warrant, allow such officer or other person free ingress thereto, and afford all reasonable facilities for a search therein.

Persons in charge of closed place to allow search.

163. A Police-officer or other person, authorized by a warrant to search any place, may break open any outer or inner door or window of such place, in order to execute the warrant, if, after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Place to be searched may be broken open.

164. If the place ordered to be searched is an apartment in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the officer or other person charged with the execution of the warrant shall, unless a warrant of arrest has been issued against her, give her notice that she is at liberty to withdraw.

Search of zanáná.

After giving such notice and allowing a reasonable time for such woman to withdraw, and affording her every reasonable facility for withdrawing, such officer or person may enter such apartment for the purpose of making the search, using at the same time every precaution consistent with this section for preventing the clandestine removal of the thing mentioned in the warrant.

165. Before making a search under this chapter the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search.

Search to be made in presence of witnesses.

The search shall be made in their presence, but they shall not be required to attend the Court of the Magistrate as witnesses, unless especially summoned by him.

The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search.

Occupant of place searched may attend.

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

Mode of searching women.

CHAPTER XII.—OF APPEALS.

167. Any person convicted on a trial held by a Presidency Magistrate, may appeal to the High Court if the Magistrate has sentenced him to imprisonment for a term exceeding six months, or to fine exceeding two hundred rupees:

Appeal by person convicted.

Provided that, where an accused person has been convicted on his own plea, no such appeal shall lie except as to the extent or legality of the sentence.

Sentences passed under section 13 on the same occasion shall, for the purposes of this section, be considered as one sentence.

For the purposes of the Indian Limitation Act, 1871, all appeals under this section and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

168. The Local Government may direct the Public Prosecutor or other officer specially or generally appointed in this behalf to present an appeal to the High Court from a Presidency Magistrate's order of acquittal or of dismissal, or of discharge; but in no other case shall there be an appeal by the prosecution from any order under this Act.

Appeal by Government from order of acquittal.

No appeal shall be presented under this section after two months from the date of the order complained of.

When an appeal is presented under this section, the High Court may order the accused person to be arrested and brought before it, and may commit him to prison pending the disposal of the appeal, or (if the offence of which he is accused be bailable) admit him to bail.

The High Court may, in any case so appealed, direct a new trial by any Presidency Magistrate, or may pass such order as may be warranted by law.

169. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copy of order to accompany petition.

170. If any person affected by an order passed under this Act desires to have a copy of such order or of any deposition or other part of the record, he shall, on applying for such copy, be furnished therewith; provided that he pay for the same, unless the Magistrate, for some special reason, thinks fit to furnish it free of cost.

Copies of proceedings.

171. If the appellant be in jail, he shall be at liberty to present his petition of appeal, and the copy of the order appealed against, to the officer in charge of the jail, who shall thereupon forward such petition and copy to the High Court.

Procedure when appellant in jail.

172. On receiving the petition of appeal and the copy of the order appealed against, the High Court shall peruse the same, and may fix a reasonable time for hearing the appellant or his advocate or pleader, or if he be present may hear him at once.

Procedure on receiving petition of appeal.

The High Court may, if it considers that there is no sufficient ground for altering or revising the order appealed against, reject the appeal summarily.

Power to reject appeal summarily.

Before rejecting an appeal under this section, the High Court may call for the record of the case, but shall not be bound to do so.

Power to call for record.

In rejecting under this section an appeal by a person convicted, the High Court shall not enhance the sentence.

Sentence not to be enhanced when appeal rejected under this section.

173. If the High Court does not reject the appeal summarily, it shall cause notice to be given to the appellant and the Public Prosecutor, Government Solicitor, or other officer empowered by Government in that behalf, of the day on which such appeal will be heard,

Notice of day for hearing appeal.

and in case of appeals under section 168 the High Court shall also cause a like notice to be given to the respondent.

All such notices shall be served in manner provided by this Act for serving a summons unless in the case of persons present in Court, to whom they may be given orally.

Service of notice.

174. The High Court shall send for the record of the case, and after perusing the same, and hearing the appellant or his advocate or pleader, if he appears, and the Government Solicitor or other officer empowered by Government in this behalf, if he appears, may—

High Court may alter or reverse finding and sentence, or enhance sentence.

(*a*) alter or reverse the order of such Court, or

(*b*) enhance any punishment which has been awarded, but not so as to inflict a greater punishment for the offence which, in the opinion of the High Court, he has committed, than the Presidency Magistrate could have inflicted for such offence, or

(*c*) order the appellant to be re-tried before any Presidency Magistrate or before the High Court, or

(*d*) if it considers that there is no sufficient ground for interfering with the sentence or order appealed against, reject the appeal.

175. Pending any appeal under section 167, the High Court may direct that the execution of the order appealed against be suspended, and, if the appellant be in confinement for a bailable offence, may order that he be released on bail.

Suspension of sentence pending appeal.
Release of appellant on bail.

Where the appellant is ultimately sentenced to imprisonment, the time during which he is so released shall be excluded in calculating the term of his imprisonment.

176. In dealing with any appeal under this chapter, the High Court, if it thinks additional evidence necessary, may either take such evidence itself, or may direct it to be taken by a Presidency Magistrate.

High Court may make or direct further inquiry.

When the additional evidence is taken by the Presidency Magistrate, he shall certify such evidence to the High Court, and the High Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the accused person or his advocate, attorney or pleader, shall be present when the additional evidence is taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined before a Magistrate under this section.

177. No order passed by a Presidency Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the accused person in his defence.

Order when reversible by reason of error or defect in charge or proceedings.

178. No irregularity in the proceedings prior to the commencement of the trial is a sufficient ground for reversing or altering any order passed in a trial properly held.

Irregularity before trial properly held.

179. When a Presidency Magistrate has passed an order inflicting punishment on any person for an offence not triable by such Magistrate, the High Court shall cancel the order, and either try the case itself or direct it to be tried by a Court of competent jurisdiction.

Procedure in case of conviction by Magistrate not having jurisdiction.

180. No appeal shall lie from any order of a Presidency Magistrate, except in the cases provided for by this Act or by any other law for the time being in force

Unless otherwise provided, no appeal to lie from order of Presidency Magistrate.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation, in case of a groundless complaint.

(*b.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*c.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*d.*) There is no appeal against an order of maintenance.

181. Whenever an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the applicant shall give to the Public Prosecutor, Government Solicitor, or such other officer as the Local Government appoints in this behalf, notice in writing of the application, together with a copy of the grounds on which it is to be made; and no order shall be made on the merits of the application unless at least twenty-four hours have elapsed between the giving of such notice and the hearing of the application.

Notice to Public Prosecutor of intention to apply under Act X of 1875, s. 147.

182. When the decision of any Presidency Magistrate is called in question in the High Court, the Magistrate may submit with the record of the case a statement setting forth the grounds of his decision and any facts which he thinks material to the issue; and the Court shall consider such statement before overruling or setting aside the said decision.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

CHAPTER XIII.—OF EXECUTION.

183. In cases tried by a Presidency Magistrate, the Magistrate passing any order inflicting imprisonment or whipping shall forward the accused person with a warrant for the execution of the sentence to the officer in charge of the jail of the Presidency town in which the trial was held,

Court to send accused with warrant for execution of sentence to officer in charge of jail.

or where there are more such jails than one, to the officer in charge of such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, the nature of the punishment to which he has been sentenced, and if he has been sentenced to imprisonment, the term for which he is to be imprisoned.

184. Every such warrant shall be in writing under the hand of the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (G) given in the third schedule to this Act or to the like effect.

Form and direction of warrant of commitment.

185. Whenever a Presidency Magistrate imposes a fine under this or any other Act for the time being in force, he may issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned.

Levy of fine.

Such warrant may be executed within the local limits of such Magistrate's jurisdiction, and it shall authorize the distress and sale of any such property without such limits when endorsed by the Magistrate of the District in which it is found.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Section to what cases applicable.

When a warrant is issued under this section, the Presidency Magistrate may order the offender to be imprisoned until return can be conveniently made to such warrant, unless the offender enter into a recognizance, with or without sureties, as the Magistrate thinks fit, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance. But if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the local limits of his jurisdiction whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant.

Detention of offender until return made to distress-warrant.

No distress made under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto.

Distress not illegal, nor distrainer a trespasser, for defect of form in proceedings.

The said warrant may be issued either by the Magistrate who imposes the fine, or by his successor in office.

Who may issue distress-warrant.

186. Whenever a Presidency Magistrate imposes a fine under any law in force for the time being, he may order the whole or any part of the fine to be paid in compensation—

Payment of fine in compensation.

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the injury complained of, where such injury can, in the opinion of such Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be imposed in a case which is subject to appeal, no such payment shall be made until the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, until after the decision of the appeal.

At the time of awarding damages in any subsequent civil suit relating to the same matter, the Court shall take into consideration any sum which may have been paid under this section.

187. When the punishment of whipping is imposed, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court: but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Whipping, if imposed in addition to imprisonment in appealable case, when to be inflicted.

188. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and, in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light ratan.

Mode of inflicting punishment of whipping.

In no case, if the cat-of-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the ratan be employed, shall such punishment exceed thirty stripes.

The punishment of whipping shall be inflicted in the presence of the officer in charge of the jail: provided that, in the case of a person under sixteen years of age, the Magistrate may order it to be inflicted in his own presence.

189. The punishment of whipping shall not be inflicted unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer or Magistrate present, that the offender is in a fit state of health to undergo such punishment.

Punishment not to be inflicted if offender not in fit state of health.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer or Magistrate present, that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

Stay of execution.

190. No sentence of whipping shall be executed by instalments.

Not to be executed by instalments.

191. In any case in which, under section 189, a sentence of whipping is, wholly or partially, prevented from being executed, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his descretion, either remit such sentence, or sentence the offender, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to

Procedure if punishment be prevented under section 189.

imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to inflict.

192. When sentence is passed under this Act on an escaped convict, such sentence, if of fine or whipping, shall take effect immediately, and, if of imprisonment, shall take effect after he has undergone the portion of his former sentence which remained unexpired at the time of his escape.

Currency of sentence on escaped convicts.

193. When a person already under sentence of imprisonment or transportation is sentenced under this Act to imprisonment, such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced.

Commencement of sentence on offender already sentenced for other offence.

PART III.

CHAPTER XIV.—OF LUNATICS.

194. When any person accused before a Presidency Magistrate of an offence appears to such Magistrate to be of unsound mind and incapable of making his defence, the Magistrate shall enquire into the fact of such unsoundness, and shall cause the accused person to be examined by such medical officer as the Local Government directs, and thereupon shall examine such officer as a witness, and shall reduce the examination into writing.

Procedure when accused is a lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

195. When, from the evidence given before a Presidency Magistrate, there appears to be sufficient ground for believing that an accused person committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of such act or that he was doing what was contrary to law, the Presidency Magistrate shall, if such accused person appears to be of sound mind at the time of the inquiry or trial, proceed with the case.

When accused appears to have been insane.

196. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Presidency Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient bail being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required before the Magistrate or such officer as the Magistrate appoints in this behalf.

Release of lunatic on bail.

If the offence be non-bailable, or if sufficient bail be not given, the Magistrate shall report the case for the order of the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

Custody when bail not given.

197. Whenever proceedings are stayed under section 194, the Presidency Magistrate may at any time resume the inquiry or trial, and require the accused person to appear or to be brought before him.

Resumption of inquiry or trial.

When the accused person has been released under section 196, and the sureties for his appearance produce him to the officer whom the Magistrate appoints in this behalf, the certificate of such officer that the accused person is capable of making his defence shall be receivable as evidence.

198. If, when the accused person appears or is again brought before the Magistrate, such Magistrate considers him capable of making his defence, the inquiry or trial shall proceed.

Procedure on accused appearing before Magistrate.

If the Magistrate considers the accused person to be still incapable of making his defence, the Magistrate shall again act according to section 194.

199. Whenever any person is acquitted by a Presidency Magistrate upon the ground that, at the time at which such person is alleged to have committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence complained of, or that he was doing what was contrary to law, the order of acquittal shall state specially whether he committed the act or not.

Finding in case of acquittal on ground of being lunatic.

200. Whenever such order states that the accused person committed the act alleged, the Presidency Magistrate before whom the trial was held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody, in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Procedure when lunatic committed the act alleged.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

201. When any person is confined under the provisions of section 196 or 200, the Inspector General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector General or by two of such visitors as aforesaid; and such Inspector General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

202. If such person is confined under section 196, and such Inspector General or visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Presidency Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 198; and the certificate of such Inspector General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

203. If such person is confined under the provisions of section 200, and such Inspector General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 200 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as it thinks fit.

204. Whenever any relative or friend of any person detained under the provisions of section 200 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person so detained shall be properly taken care of and shall be prevented from doing injury to himself or another, may order such person to be delivered to such relative or friend.

Delivery of lunatic to care of relative.

Whenever such person is so delivered over, it shall be upon condition that he shall be produced for the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 201 and 203 shall, *mutatis mutandis*, apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XV.—OF CONTEMPTS OF COURT.

205. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of a Presidency Magistrate, he may cause the offender to be detained in custody; and, at any time before the Magistrate leaves his Court on the same day, he may take cognizance of the offence, and sentence the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

Procedure in certain cases of contempt.

In every such case, the Magistrate shall record the acts constituting the offence, with the statement (if any) made by the offender as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate interrupted or insulted was sitting, and the nature of the insult or interruption.

206. If the Presidency Magistrate considers that a person accused of any of the offences referred to in section 205 should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate, after recording the facts constituting the offence and the statement of the accused person shall forward the case to another Presidency Magistrate, and shall require bail to be given for the appearance of such accused person before such other Magistrate, or, if sufficient bail be not given, shall forward such person under custody to such Magistrate.

Procedure where Court considers that accused should be imprisoned, or fined more than 200 rupees.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Presidency Magistrate; and may sentence the offender to punishment, as provided in the section under which he is charged.

207. When any Presidency Magistrate has sentenced an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

Discharge of offender on submission or apology.

CHAPTER XVI.—OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

A.—Security for keeping the Peace.

208. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Presidency Magistrate,

Personal recognizance to keep the peace in cases of conviction.

and such Magistrate is of opinion that it is necessary to require such person to execute a personal recognizance for keeping the peace,

he may, in addition to any other order passed in the case, order the person so convicted to execute a personal recognizance for keeping the peace during such period as the Magistrate thinks fit to fix, not exceeding one year.

209. Whenever a Presidency Magistrate is of opinion that it is necessary to require sureties for keeping the peace, in addition to the personal recognizance of the person so convicted, such Magistrate may require him to give such sureties, and may fix the penalties which the sureties shall be respectively bound to discharge, and may direct that, if such bail be not given, he shall be imprisoned for such term not exceeding one year as the Magistrate thinks fit.

Sureties for keeping the peace.

210. If the person so convicted be sentenced to imprisonment, the period so fixed, and the term of imprisonment in default of executing the recognizance, shall commence on the expiration of his sentence.

Commencement of period during which person may be bound to keep peace.

Where the order to execute such recognizance is not made at the time of signing, or by the Magistrate who signs the judgment, the person so convicted must be produced before the Magistrate making such order.

211. Whenever it appears to a Presidency Magistrate that it is necessary for the preservation of the peace that the term for which any person is so bound should be extended, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Extension of time for which person is bound.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend such term for a further period not exceeding one year from the expiration of the first year.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 215.

B.—Security for Good Behaviour.

212. Whenever it is proved before a Presidency Magistrate that any person is lurking within the local limits of his jurisdiction, or that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such person to enter into such recognizance, with sureties, for his good behaviour for a period not exceeding six months, as the Magistrate thinks sufficient.

When Magistrate may require security for good behaviour for six months.

213. Whenever it is proved before a Presidency Magistrate that any person is by repute

a robber, house-breaker or thief,

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood,

or of a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

When Magistrate may require security for good behaviour for one year.

214. Whenever it is proved before a Presidency Magistrate that any person is

an habitual robber, house-breaker or thief,

or an habitual receiver of stolen property, knowing the same to have been stolen,

or of a dangerous character,

and that his release without security, at the expiration of the limited period of one year, would be hazardous to the community,

the Magistrate shall record his opinion to that effect, and make an order requiring similar security for the good behaviour of such person for a period not exceeding three years.

If such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

Procedure where security required for more than one year.

C.—Provisions as to both Kinds of Security.

215. Whenever a Presidency Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, or that he is one of the persons referred to in sections 212, 213 and 214, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to execute a recognizance to keep the peace or for good behaviour, as the case may be.

Summons to person to show cause why he should not give bond to keep peace or for good behaviour.

EXPLANATION I.—A summons calling on a person to show cause why he should not execute such recognizance, may be issued on any report or other information which the Magistrate believes; but the Magistrate shall not require any person to execute such recognizance until the Magistrate has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may, if he thinks fit, recall any summons issued under this section.

216. Such summons shall set forth the substance of the report or information on which it is issued, the penalty to be specified in the recognizance, and the term for which it is to be in force, and, if bail are to be taken, their number, the penalties which they shall be respectively bound to discharge, and the time and place at which the person summoned is required to attend.

Contents of summons.

When the person believed to be likely to commit a breach of the peace or to be one of the persons referred to in sections 212, 213 and 214, is present in Court, no summons is necessary, but the Magistrate may at once require him to show cause why he should not be required to execute the recognizance.

217. If the person summoned does not attend on the day appointed at the hour and place named in the summons, the Presidency Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

When warrant of arrest may issue.

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded by the Magistrate on the warrant), that there is reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, or that there is reason to think that any person is one of the persons so referred to, the Magistrate may at any time issue a warrant for his arrest.

218. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 215, and may permit him to appear and execute the required recognizance, or show cause against such requisition, by an advocate, attorney or pleader.

Magistrate may dispense with personal attendance of person informed against.

219. If on the appearance of the person so informed against or, if his attendance is dispensed with, of his advocate, attorney or pleader, the Magistrate is not satisfied that there is occasion to bind over such person to keep the peace, or to be of good behaviour, the Magistrate shall direct his discharge.

Discharge of person informed against.

220. If the Magistrate is satisfied that it is necessary for the preservation of the peace or the maintenance of good behaviour that such person shall execute a recognizance, the Magistrate shall make an order accordingly.

Order to give bond and consequence of non-compliance.

The penalty specified in every recognizance executed under this chapter shall be fixed with due regard to the circumstances of the case and the means of the person bound.

The penalty which the sureties shall be jointly and severally bound to discharge shall not exceed the penalty which the principal debtor is bound to discharge.

221. If a person required to furnish security under section 214 does not furnish the same, or offers sureties whom the Magistrate rejects, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence which it thinks necessary, may pass such orders on the case as it thinks fit, provided that the period (if any) for which it may direct the security to be taken shall not exceed three years.

222. Whenever security is required under this chapter, the amount of the security, the number and description of sureties, and the period of time for which the recognizance is to remain in force, shall be stated in the order, and the recognizance shall be in the form (H) or (I), as the case may be, given in the third schedule hereto annexed or to the like effect.

Contents of order for security.

Form of recognizance.

223. In the event of any person required to give security under the provisions of this chapter failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Imprisonment in default of security.

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Term of imprisonment.

Imprisonment under this section may be rigorous or simple, as the High Court or Magistrate in each case directs.

224. If any person required under this chapter to enter into a recognizance is under sentence of imprisonment, he shall, on or after the expiration of his sentence, be brought up before the Magistrate for the purpose of entering into such recognizance.

Binding of sentenced person.

225. A Presidency Magistrate may at any time release any person imprisoned for failing to furnish security for good behaviour, whether by his own order or that of his predecessor in office, provided that the Magistrate is of opinion that such person may be released without hazard to the community.

Release of prisoners under requisition of security.

Whenever a Presidency Magistrate is of opinion that any person imprisoned for failing to furnish security for good behaviour, as ordered by the High Court, may be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Release of prisoner under requisition of security by order of High Court.

226. A surety for the peaceable conduct or good behaviour of another person may at any time apply to a Presidency Magistrate to discharge his recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his summons or warrant requiring the person for whom such surety is bound to appear or be brought before him.

When such person appears or is brought before the Magistrate, such Magistrate shall discharge the recognizance of the surety, and shall order such person to give a fresh surety.

227. The commission, or attempt to commit, or the abetment of, any offence whatever, and wherever it may be committed, is a breach of the recognizance.

Commission, &c., of offence, a breach.

228. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter has been forfeited, he shall record the grounds of such proof, and call upon the person bound by such recognizance to pay the penalty thereof, or to show cause why it should not be paid.

Recovery of penalty from principal.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any moveable property belonging to the person bound by such recognizance.

Such warrant may be executed within the local limits of the jurisdiction of the Magistrate who issued it; and it shall authorize the distress and sale of any moveable property belonging to the person so bound without such limits, when endorsed by the Magistrate of the District in which such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable to imprisonment by order of the Presidency Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person so bound has had an opportunity of showing cause against the enforcement, and until the breach of the condition of the recognizance has been proved.

229. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter by a surety has been forfeited, the Magistrate may give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

Recovery of penalty from surety.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover the penalty from such surety in manner provided by the last preceding section.

And in case such penalty cannot be so recovered, the Magistrate may sentence the surety to imprisonment in the civil jail for a period not exceeding six months.

230. Any previous conviction of the person to be bound may, in proceedings under this chapter, be proved in the manner prescribed in section 154.

Proof of previous conviction.

231. Proceedings under this chapter may be taken in any district in which the breach of the peace is apprehended, or in which an offence has been committed in breach of the bond, or in which the person whom it is desired to bind may be.

Where proceedings under this chapter may be taken.

232. The provisions of this chapter relating to security for good behaviour do not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act, 1874.

Provisions of chapter not applying to European vagrants.

CHAPTER XVII.—OF RESTORING POSSESSION OF IMMOVEABLE PROPERTY.

233. Whenever any person is convicted by a Presidency Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

Power to restore possession of immoveable property.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XVIII.—OF THE MAINTENANCE OF WIVES AND FAMILIES.

234. If any person, having sufficient means, neglects or refuses to maintain his wife, or his legitimate or illegitimate child unable to maintain itself, a Presidency Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his said wife, or child, or both, at such monthly rate not exceeding fifty rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs.

Order for maintenance of wives and children.

Such allowance shall be payable from the date of the order.

If any person so ordered wilfully neglects to comply with the order, a Presidency Magistrate may, for every breach of the order, issue a warrant for levying the amount due in manner hereinbefore provided for levying fines; and may sentence such person, for each month's allowance remaining unpaid, to imprisonment for any term not exceeding one month:

Enforcement of order.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

Proviso.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.

235. On the application of any person receiving, or ordered to pay, a monthly allowance under the provisions of section 234, and on proof of a change in the circumstances of such person, his wife or child, the Magistrate may make such alteration in the allowance ordered as he thinks fit, provided the monthly rate of fifty rupees be not exceeded.

Alteration in allowance.

236. A copy of the order of maintenance shall be given without fee to the person in whose favour it is made, or to his guardian (if any); and such order shall be enforceable by any Magistrate in any place where the person against whom it is made may be, on such Magistrate being satisfied as to the identity of the parties and the non-payment of the allowance due.

Enforcement of order.

PART IV.

CHAPTER XIX.—MISCELLANEOUS.

237. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings which are instituted in any Presidency Magistrate's Court.

Procedure in miscellaneous criminal cases and proceedings.

238. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by a Presidency Magistrate, and may be tried according to the provisions of this Act.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

239. The powers conferred on a Presidency Magistrate by section 238 may be exercised whether the offence is stated to have been committed within the local limits of his jurisdiction or not; but such powers shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within such limits.

Extent of jurisdiction.

240. A Presidency Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision by the High Court, may either commit the accused person to jail or release him on bail to appear for judgment when called upon.

Reference to High Court.

241. When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said order.

Disposal of case according to decision of High Court.

The High Court may direct by whom the costs of the reference shall be paid.

Direction as to costs.

242. Whenever any person causes a Police-officer to arrest another person, and whenever a complaint of any offence is made before any Presidency Magistrate, if it appears to the Magistrate by whom the case is heard that there was no sufficient ground for causing such arrest or for making such complaint, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the person so causing the arrest or making the complaint, to the person so arrested or complained against, for his loss of time and expenses in the matter, as the Magistrate thinks fit.

Compensation to person groundlessly given in charge or complained against.

In such cases, if more persons than one are arrested or complained against, the Magistrate may, in like manner, award to each of them such compensation, not exceeding fifty rupees, as such Magistrate thinks fit.

All compensation awarded under this section may be recovered as if it were a fine.

243. When the inquiry or trial before any Presidency Magistrate is concluded, he may make such order as he thinks fit for the disposal of any moveable property produced before him regarding which any offence appears to have been committed.

Order for disposal of property regarding which offence committed.

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

244. If any property alleged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Presidency Magistrate, or in prosecution of any complaint of an offence in regard to the obtaining thereof, and the person accused of such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted,

Power to order disposal of property connected with charge, in Police-custody.

or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty,

or if any property has been seized by a Police-officer under section 160,

any Presidency Magistrate may make an order for the delivery of such property to the person appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, may make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the person to whom the property is delivered, and to recover such property from him, so that the suit be instituted within six months next after such order has been made.

245. Subject to any rules that may be made by the Local Government, with the previous sanction of the Governor General in Council, a Presidency Magistrate may order

Expenses of complainants and witnesses.

payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

All persons to give information of certain offences.

246. Every person aware of the commission within the local limits of the jurisdiction of a Presidency Magistrate of any offence made punishable under sections 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Presidency Magistrate.

All persons to assist Magistrate and Police in certain cases.

247. Within such local limits every person is bound to assist a Presidency Magistrate or Police-officer demanding his aid

in the prevention of a breach of the peace,

or in the suppression of a riot or an affray,

or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

SCHEDULE I.

ACTS REPEALED.

(SEE SECTION 2.)

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1837 and." Sections twenty-two, twenty-three, twenty-six to thirty-one (both inclusive), thirty-six, thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-five to ninety-eight (both inclusive), one-hundred to one-hundred-and-four (both inclusive), one-hundred-and-six, one-hundred-and-eight to one-hundred-and-eleven (both inclusive). In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath." In section ninety-three, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
XLVIII of 1860	Amending Act XIII of 1856.	Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six.
LII of 1860 ...	Trials for breach of Railway Police Regulations	The whole.
XXI of 1864 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	The whole.
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten, twelve to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive). In section fifty-eight, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive). In section seventy-nine, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—*1st.*—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the first column.

2nd.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 70 and 71 of this Act.

3rd.—The High Court may try an offence entered in column 6 as triable by a Magistrate.

4th.—The last part of the schedule, headed "Offences against other Laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

5th.—The direction in column 4 is meant to indicate to Presidency Magistrates the manner in which the discretion vested in them by sections 34 and 35 is commonly to be used.

CHAPTER V.—OF ABETMENT.

1	2	3	4	5	6	7
Section.	OFFENCE.	Whether the Police may arrest without warrant or not.	Whether a warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Punishment under the Indian Penal Code.	By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as the warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto -	Ditto	Ditto -	Ditto -	Ditto

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto -	Ditto -	Ditto -	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto -	Ditto -	Ditto -	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto -	Ditto -	Ditto -	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed - - -	Ditto -	Ditto -	Ditto -	Imprisonment extending to one-eighth part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant -	Not bailable	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto -	Ditto -	Ditto -	Transportation of life or any shorter term, or imprisonment of either description for ten years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection	Ditto -	Ditto -	Ditto -	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto -	Ditto -	Ditto -	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.
126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the re-capture of such prisoner.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto -	Ditto -	Ditto -	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor, who has deserted.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons -	Ditto -	Fine of 500 rupees - -	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
144	Joining an unlawful assembly armed with any deadly weapon.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
145	Joining or continuing an unlawful assembly, knowing that it has been commanded to disperse.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
147	Rioting - - - - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
148	Rioting armed with a deadly weapon -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence -	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto -	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto -	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed - - -	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Fine of 1,000 rupees - - -	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Fine - - -	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	Or to go armed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
160	Committing affray - - -	Shall not arrest without warrant.	Summons -	Ditto -	Imprisonment of either description for one month, or fine of 100 rupees, or both.	Ditto.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade -	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant - -	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
	CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.					
172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c., require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
	If the document is required to be produced in or delivered to a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offence, &c.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto	Ditto	Ditto	Ditto	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
179	Being legally bound to state truth, and refusing to answer questions.	Ditto	Ditto	Ditto	Ditto	Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto	Ditto	Ditto	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto	Ditto	Ditto	Ditto	Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Ditto.
185	Bidding, by a person under a legal incapacity to purchase it, for property at a lawfully authorized sale, or bidding without intending to perform the obligations incurred thereby.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.	Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	Disobedience to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto -	Ditto -	Ditto -	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	Giving or fabricating false evidence in any other case.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto -	Ditto -	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto -	Ditto -	Ditto -	Death, or as above -	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto -	Ditto -	Ditto -	The same as for the offence -	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto -	Ditto	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto -	Ditto -	Bailable -	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.
200	Using as true any such declaration known to be false.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
209	False claim in a Court of Justice -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued*.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
214	Gift made to cause restoration of property in consideration of screening offender, if the offence be capital.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years.	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant [or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Public servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto -	Ditto -	Ditto -	Ditto - - - - - -	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto -	Summons -	Ditto -	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If under sentence of death - -	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation -	Ditto -	Ditto -	Not bailable -	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons -	Ditto -	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.
229	Personation of a juror or assessor - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting, coin.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting, the Queen's coin.	Ditto -	Ditto -	Ditto -	Transportation for life or imprisonment of either description for 10 years and fine.	Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If Queen's coin - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto -	Ditto -	Ditto -	The punishment provided for abetting the counterfeiting of such coin within British India.	Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

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CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
	Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law.	Ditto	Ditto	Ditto	Ditto	High Court.
245	Unlawfully taking from a mint any coining instrument.	Ditto	Ditto	Ditto	Ditto	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 2 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp.	Ditto	Ditto	Bailable	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Ditto	Ditto.
258	Sale of counterfeit Government stamp	Ditto	Ditto	Ditto	Ditto	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto	Ditto	Ditto	Ditto	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
262	Using a Government stamp known to have been before used.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure	Ditto	Ditto	Ditto	Ditto	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto	Ditto	Ditto	Ditto	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man, intended for sale, so as to make the same noxious.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man, knowing the same to be noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
275	Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Ditto	Ditto	Ditto	Ditto	Ditto.
276	Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto	Ditto	Ditto	Ditto	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
278	Making atmosphere noxious to health	Shall not arrest without warrant.	Ditto	Ditto	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy	Ditto	Warrant	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto	Ditto	Ditto	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
286	So dealing with any explosive substance	Ditto	Ditto	Ditto	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he has a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
290	Committing a public nuisance	Shall not arrest without warrant.	Ditto	Ditto	Fine of 200 rupees	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto	Ditto	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto	Ditto	Ditto	Ditto	Ditto.
294	Obscene songs	Ditto	Ditto	Ditto	Ditto	Ditto.
294A	Keeping a lottery-office	Shall not arrest without warrant.	Summons	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
	Publishing proposals relating to lotteries	Ditto	Ditto	Ditto	Fine of 1,000 rupees	Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto	Ditto	Ditto	Ditto	Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight, of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder	May arrest without warrant.	Warrant	Not bailable.	Death, transportation for life and fine	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1. Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant	Not bailable.	Death	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act	Ditto	Ditto	Bailable	Imprisonment of either description for two years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto	Ditto	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine	High Court.
306	Abetting the commission of suicide	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder	Ditto	Ditto	Ditto	Ditto	Ditto.
	If such act cause hurt to any person	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.
308	Attempt to commit culpable homicide	Ditto	Ditto	Bailable	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
	If such act cause hurt to any person	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, and fine.	Magistrate.
311	Being a thug	Ditto	Ditto	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
	Of Hurt.					
323	Voluntarily causing hurt - -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto -	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto -	Summons -	Bailable -	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restraint and wrongful Confinement.

341	Wrongfully restraining any person	May arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
343	Wrongfully confining for three or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant	Not bailable	Ditto	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder	Ditto	Ditto	Ditto	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto	Ditto	Ditto	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave	Shall not arrest without warrant.	Ditto	Bailable	Ditto	Ditto.
371	Habitual dealing in slaves	May arrest without warrant.	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto	Ditto	Ditto	Ditto	Ditto.
374	Unlawful compulsory labour	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

Of Rape.

376	Rape	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences - -	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft - - - - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto	Ditto -	Ditto -	Ditto - - -	High Court or Magistrate.

382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion - - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto -	Ditto -	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence.	Ditto -	Ditto -	Ditto -	Transportation for life - -	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant -	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence -	Ditto -	Ditto -	Ditto -	Transportation for life - -	Ditto.

Of Robbery and Dacoity.

392	Robbery - - - -	May arrest without warrant.	Warrant -	Not bailable.	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery - -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity - - - -	Ditto -	Ditto -	Ditto -	Ditto - - -	High Court.
396	Murder in dacoity - - -	Ditto -	Ditto -	Ditto -	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
399	Making preparation to commit dacoity -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 Offence.	Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	Criminal breach of trust - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	Dishonestly receiving stolen property, knowing it to be stolen.	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for ● years, or fine, or both.	High Court or Magistrate.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
413	Habitually dealing in stolen property -	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

Of Cheating.

417	Cheating - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

Of Fraudulent Deeds and Dispositions of Property.

421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto	Ditto	Ditto	Ditto	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto	Ditto	Ditto	Ditto	Ditto.
	Of Mischief.					
426	Mischief	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of 10 rupees or upwards.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
429	Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	Mischief by causing diminution of supply of water for agricultural purposes, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
431	Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.	Ditto	Ditto	Ditto	Ditto	Ditto.
432	Mischief by causing inundation or obstruction to public drainage, attended with damage.	Ditto	Ditto	Ditto	Ditto	Ditto.
433	Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	Mischief by destroying or moving, &c., a landmark fixed by public authority.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court.
436	Mischief by fire or explosive substance, with intent to destroy a house, &c.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore with intent to commit theft, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass	Ditto	Warrant	Ditto	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto	Ditto	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto	Ditto	Bailable	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft	Ditto	Ditto	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
453	Lurking house-trespass or house-breaking	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant -	Not bailable-	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
468	Forgery for the purpose of cheating -	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto -	Ditto -	Ditto -	Punishment for forgery -	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Not bailable	Ditto - - -	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the document is a valuable security or will.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
489	Removing, destroying, or defacing, any property-mark with intent to cause injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX.—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person, and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
494	Marrying again during the life-time of a husband or wife.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery - - - -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arr without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation - - -	Ditto -	Ditto -	Bailable -	Ditto - - -	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term, and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

	If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant -	Not bailable	.....	High Court.
	If punishable with imprisonment for three years and upwards but less than seven.	Ditto -	Ditto -	Ditto -	.....	High Court or Magistrate.
	If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons -	Bailable -	.....	Magistrate.
	If punishable with fine only - -	Ditto -	Ditto -	Ditto -	.....	Ditto.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 47).

To *A. B.*, of

Whereas complaint has this day been made before the undersigned Presidency Magistrate for the Town of that you on the day of 187 at (*state shortly the offence complained*) contrary to section of the Indian Penal Code [*or* of Act No. of 18 , *as the case may be*]: You are hereby required to appear in person [*or* by advocate, attorney or pleader, *as the case may be*] on the day of 187 , at o'clock in the forenoon [*or* afternoon] at the Court of before such Magistrate as may then be present, to answer to the said complaint and to be further dealt with according to law.

Dated the day of

(*Signed*) *C. D.*

Presidency Magistrate.

B.

FORM OF WARRANT OF ARREST (*section* 56).

To (*name and designation of the person who is to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*): You are hereby directed to apprehend the said and produce him at the Court of before such Magistrate as may then be present.

(*Signature.*)

Dated

[*This warrant may be endorsed as follows*:—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 71).

To the officer in charge of the

Whereas of is accused of ( ) you are hereby required to receive the said into your custody and to produce him before by whom [*or* which] the offence of which he is accused is to be tried [*or* enquired into] from time to time when so required.

D.

FORM OF RECOGNIZANCE (*section* 72).

We, *A. B.* of , *C. D.* of and *E. F.* of , do hereby bind ourselves jointly and severally that the said *A. B.* will attend on the day of 187 at the Court of the Presidency Magistrate of and continue so to attend until otherwise directed by the said Magistrate, and will, if required, appear when called upon at the High Court of Judicature at to answer the charge of , and in case of the said *A. B.* making default herein, we the said *A. B.*, *C. D.* and *E. F.* bind ourselves jointly and severally to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signatures.*)

Dated the day of 187 .

E.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY PENDING TRIAL BEFORE THE HIGH COURT (*section* 89).

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*) and has been committed to take his trial before the Court of .

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(*Signature.*)

(*Office and powers.*)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*sections* 93, 140).

I, , of , do hereby bind myself to appear at , in the Court of , at o'clock on the day of next, and then and there to prosecute (*or, as the case may be,* to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer; and in case of my making default herein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

G.

FORM OF WARRANT OF COMMITMENT AFTER SENTENCE (*section* 184).

To , the officer in charge of the Jail.

Whereas of was convicted before me (*name and official designation*) of the offence of (*mention the offence, quoting Act and section*), and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*): You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

(*Signature.*)

Dated day of

H.

FORM OF RECOGNIZANCE TO KEEP THE PEACE (*section* 222).

Whereas I, *A. B.* [*or* we, *A. B.*, *C. D.*, *etc.*], of , have been called upon to enter into a bond to keep the peace for the term of , I hereby bind myself [*or* each of us hereby binds himself] not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of my [*or* any of us] making default therein, I bind myself [*or* he binds himself] to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE RECOGNIZANCE OF THE PRINCIPAL.

I, *E. F.* of , hereby declare myself surety for the abovementioned *A. B.*, that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

I.

FORM OF RECOGNIZANCE FOR GOOD BEHAVIOUR (*section* 222).

Whereas I, , inhabitant of , have been called upon to enter into a bond to be of good behaviour to Her Majesty and to all Her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty, and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the abovesaid , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 97.)

(1).—CHARGES WITH ONE HEAD.

(*a.*) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

(*b*). That you, on or about the day of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

On Penal Code, section 121.

(*c*) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature of the Magistrate.*]

[*To be substituted for* (*b*).]

(2.) That you, on or about the day of , at , with the intention of inducing the Honourable *A. B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

On section 124.

(3). That you, being a public servant in the Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

On section 161.

(4.) That you, on or about the day of at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On section 304.

(5.) That you, on or about the day of at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

On section 306.

(6.) That you, on or about the day of , at , voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of the High Court.

On section 325.

(7.) That you, on or about the day of , at , committed robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

On section 392.

(8.) That you, on or about the day of , at , committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

On section 395.

(9.) That you, on or about the day of , at , did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section , and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

On section 166.

(10.) That you, on or about the , day of at , in the course of the trial of before stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

On section 193.

[*In cases tried by Magistrates, substitute* " within my cognizance " *for* " within the cognizance of

the High Court." *In* (*c*), *omit* "by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(*a*.) I, [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

On Penal Code, sections 241 and 242.

(*b*.) *First*.—That you, on or about the day of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(*c*.) And I hereby commit you to the said Court to be tried on the said charges.

[*Signature of the Magistrate.*]

On sections 302 and 304.

For (*b*). *First*.—That you, on or about the day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On sections 379 and 382.

For (*b*). *First*.—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

ALTERNATIVE CHARGES.

Alternative charges on section 193.

For (*b*). That you, on or about the day of at , in the course of the inquiry into before , stated in evidence that "

and that you, on or about the day of , at in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

In trials before Magistrates, substitute, "within my cognizance," *for* "within the cognizance of the High Court," *and omit* "by the said Court."

WHITLEY STOKES,
Secretary to the Govt. of India.

The Gazette of India.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th February 1877, and is hereby promulgated for general information:—

ACT No. IV OF 1877.

THE PRESIDENCY MAGISTRATES' ACT, 1877.

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THE FIRST SCHEDULE—ENACTMENTS REPEALED.

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An Act to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Magistrates' Act, 1877":

Commencement.

And it shall come into force on the first day of April 1877.

Repeal of Acts.

2. On and from that day the Acts mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Saving of powers under local laws.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Matters indicated in second schedule.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any law referred to in section 14,

whether a warrant or a summons shall ordinarily issue in the first instance, and

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

The punishment for each offence under the Indian Penal Code is indicated by the sixth column of the same schedule.

Pending cases.

5. Cases pending when this Act comes into force in any of the Courts of Police Magistrates, or in the town of Bombay in the Court of Petty Sessions, shall be dealt with, as far as may be, according to the procedure herein provided.

Definitions.

6. In this Act, unless there be something repugnant in the subject or context:—

"writing." "writing" includes print, lithography, photography and engraving:

"bailable offence or case." "bailable offence" means an offence for, and "bailable case" means a case in, which bail may be taken under any law in force for the time being:

"non-bailable offence or case." "non-bailable offence" means an offence for, and "non-bailable case" means a case in, which bail may not be taken under any law in force for the time being:

"chapter." "chapter" means a chapter of this Act:

"place." "place" includes also house, building and vessel: and

Words referring to acts done. words which refer to acts done extend also to illegal omissions.

CHAPTER II.—CONSTITUTION AND POWERS OF THE PRESIDENCY MAGISTRATES' COURTS.

Establishment of Presidency Magistrates' Courts.

7. The Local Government may, with the sanction of the Governor General in Council,

(*a*) constitute within the towns of Calcutta, Madras and Bombay, respectively, so many divisions as the said Government thinks fit,

(*b*) define the extent thereof respectively,

(*c*) from time to time alter the number of such divisions and their respective extents, and

(*d*) establish a Presidency Magistrate's Court for each of such divisions.

Appointment of Presidency Magistrates.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns, respectively, and may suspend or remove any person so appointed.

Any such person may sit and act as a Magistrate in any of the said Courts, and any two or more of such persons may (subject to rules made under section 9) sit together as a Bench.

All persons appointed under this section shall be called Presidency Magistrates.

Presidency Magistrates to be Justices of the Peace.

Every such person shall, by virtue of his office, be a Justice of the Peace for the town of which he is a Magistrate,

Local limits of jurisdiction.

and shall exercise jurisdiction in all places within the local limits of the ordinary original criminal jurisdiction of the High Court, and within the limits of the port of such town and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues.

The area comprised within such local limits shall be deemed to be a district within the meaning of the Code of Criminal Procedure and of this Act.

Bombay Court of Petty Sessions.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which, under any law in force immediately before the passing of this Act, may be exercised by the Court of Petty Sessions, and such Court is hereby abolished.

Appointment and powers of Chief Magistrate.

9. In each of the said towns the Local Government shall appoint one of the Presidency Magistrates to be Chief Magistrate. Such Magistrate shall exercise in such town all the powers which by any law or rule are required to be exercised by any Senior or Chief Magistrate, and may, with the previous sanction of the Local Government, make rules, consistent with this Act, to regulate

(*a*) the conduct and distribution of business and secure uniformity of practice in the Courts of the Magistrates of the Town:

(*b*) the times and places at which Benches of Magistrates shall sit:

(*c*) the constitution of Benches:

(*d*) the mode of settling differences of opinion which may arise between Magistrates in session.

Notwithstanding the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Chief Magistrate only.

References in Acts to Magistrates of Police.

10. All existing Magistrates of Police shall be deemed to be Presidency Magistrates under this Act, and all references in any Act now in force to Magistrates of Police shall be deemed to be made to Presidency Magistrates.

Sentences which Presidency Magistrates may pass.

11. Any Presidency Magistrate may pass the following sentences:—

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine not exceeding one thousand rupees:

Whipping.

A Presidency Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Presidency Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award. But no punishment inflicted under this section shall exceed the punishment provided for the offence by the Indian Penal Code or any special or local law.

Imprisonment in default of payment of fine.

12. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Presidency Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in fixing the period of imprisonment in default of payment of the fine

Proviso as to cases decided by Magistrate.

Provided that, in no case decided by a Presidency Magistrate, where imprisonment has been inflicted as part of the substantive sentence, shall the period of imprisonment inflicted in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Where a person is sentenced to fine only, the Presidency Magistrate may fix such term of imprisonment in default of payment of fine as is allowed by law, provided the term does not exceed two years.

Sentence in cases of simultaneous conviction of several offences.

13. When a person is convicted, at one trial, of two or more offences punishable under the same section or different sections of any law, the Presidency Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such law which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other:

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction competent to inflict.

Offences under enactments not specifying Court authorized to try.

14. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by a Presidency Magistrate. But no such Magistrate shall pass any sentence in excess of his powers.

Offence committed in Magistrate's presence.

15. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and when the offender is arrested may commit him to custody or, if the offence is bailable, may admit him to bail.

Power to record statements and confessions.

16. A Presidency Magistrate may record any confession or other statement made to him at any place within the local limits of his jurisdiction by any person with reference to any offence.

Such confessions shall be recorded in the manner provided by section 84, and such statements shall be recorded in the manner prescribed in section 115, clauses 3, 4 and 5, and such statements and confessions shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried.

No Presidency Magistrate shall record any such confession unless, upon inquiry, he has reason to believe that it was made voluntarily; and on recording any such confession, he shall make a memorandum at the foot thereof to the following effect:—

"I believe that this confession was voluntarily made. It was read over to the person making it and was admitted by him to be correct."

(Signed) *A. B.*,
Presidency Magistrate.

Power to compel restoration of abducted females.

17. Upon complaint made to a Presidency Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge or government of such child, and may compel compliance with such order, using force if necessary.

PART II.

CHAPTER III.—THE PLACE OF INQUIRY AND TRIAL.

Place for inquiry and trial of offence.

18. Every offence shall ordinarily be inquired into, and, if triable by a Magistrate, shall be tried, in the district in which it was committed. If triable by a High Court, it shall (subject to the provisions of section 64A of the Code of Criminal Procedure) be tried by the High Court to which the Magistrate commits.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

Accused triable in district where act done, or where consequence ensues.

19. When a person is accused of the commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or any such consequence has ensued.

Illustrations.

(*a.*) A is wounded in district X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b.*) A is wounded in district X, and is, during twenty days, unable to follow his ordinary pursuits in district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c.*) A is put in fear of injury in district X, and is thereby induced, in district Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in X or Y.

Place for trial where act is offence by reason of relation to other offence.

20. When an act is an offence by reason of its relation to any other act which is also an offence, the charge of the first-mentioned offence may be inquired into and tried, either in the district in which it was committed, or in the district in which the other act was committed.

Illustrations.

(*a.*) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b.*) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in the district in which any of them were at any time dishonestly received or retained.

(*c.*) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(*d.*) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of their original concerted plan and with reference to their common object.

Place for inquiry or trial where scene of offence is uncertain;

or offence not committed in one district only;

or offence is continuing;

or consists of several acts in different districts;

21. When it is uncertain in which of several districts an offence was committed; or

where an offence is committed partly in one district and partly in another; or

where an offence is a continuing one and continues to be committed in more districts than one; or

where an offence consists of several acts done in different districts,

it may be inquired into and tried in any of such districts.

An offence committed on a journey or voyage may be inquired into and tried in any district through or into which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

or offence is committed on journey or voyage.

Being a thug or dacoit. Escaping from custody.

22. The offence of being a thug, or of having belonged to a gang of dacoits, or of having escaped from custody, may be inquired into and tried wherever the accused person happens to be when the complaint is made.

Criminal misappropriation and criminal breach of trust.

The offence of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried either in the district in which the property which is the subject of the offence was received by the accused person, or in any other district in which the offence was committed.

Murder as a thug, dacoity or dacoity with murder.

The offence of murder as a thug, dacoity or dacoity with murder, may be inquired into and tried wherever the person accused happens to be when arrested, or in any other district in which he might be tried under any other provision of this Act, or any other law relating to the trial of such offence.

Stealing cattle.

The offence of stealing an animal may be inquired into and tried either in the district in which such animal was stolen, or in any other district through or into which it was conveyed.

High Court to decide, in case of doubt, district where inquiry shall take place.

23. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

24. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person in his defence, or the prosecutor in his prosecution, was actually prejudiced by such error, in either of which cases a new trial may be ordered.

CHAPTER IV.—OF THE COGNIZANCE OF OFFENCES.

When Presidency Magistrate may take cognizance of offences.

25. A Presidency Magistrate may take cognizance of any offence—

(*a*) upon receiving a complaint by a private person,

(*b*) upon information or report by a Police officer,

(*c*) upon information received under section 246,

(*d*) if committed in his presence,

(*e*) upon application under chapter V.

Who may make complaints.

26. Any person acquainted with the facts of a case may make a complaint.

Process to compel appearance.

27. On receipt of a complaint a Presidency Magistrate may, if the person complained of be not already in custody, proceed by summons or warrant to compel his appearance;

and in the cases mentioned in section 25, clauses (*b*), (*c*), (*d*) and (*e*), the Presidency Magistrate may proceed as if he had received a complaint.

Jurisdiction given by complaint.

28. A complaint gives jurisdiction to a Presidency Magistrate—

(*a*) to inquire into or try (as the case may be) any offence covered by the facts complained of, or disclosed on such inquiry or trial,

(*b*) to try or commit for trial (as the case may be) any person not complained against, but who, at the time when the complaint is made, or subsequently, appears to have committed any offence so disclosed, and

(*c*) to issue process for the arrest or to compel the appearance of such person.

Complaint or sanction required in certain cases.

29. Nothing in section 27 or 28 shall be held to authorize a Presidency Magistrate to take cognizance, without complaint, of any offence falling under chapters XIX, XX or XXI of the Indian Penal Code; nor without sanction to receive a complaint, or to take cognizance without complaint of any offence, where such complaint or offence, by any law in force for the time being, may not be received or taken cognizance of without sanction.

Magistrate to examine complainant.

30. Whenever a complaint is made to a Presidency Magistrate, such Magistrate, if he has jurisdiction in the case, shall examine the complainant; and such examination may be on oath or affirmation, or not, as the Magistrate in each case thinks fit:

Provided that the Magistrate, if he thinks fit, may, before the matter of the complaint is brought before him, require it to be reduced to writing.

31. Where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Effect of omission to examine petitioner.

32. The Magistrate before whom the complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

Dismissal of complaint.

The dismissal of a complaint shall not prevent subsequent proceedings against the person complained against.

33. If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

Issue of process.

34. When a complaint is made before a Presidency Magistrate having jurisdiction in the case, that any person has committed, or is suspected of having committed, any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may (subject to the provisions of section 4) issue his summons directed to such person, requiring him to appear to answer the complaint, at a certain time and place, before such Magistrate as may then be there.

When summons may issue.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

35. When a complaint is made before a Presidency Magistrate having jurisdiction in the case that any person has committed, or is suspected of having committed—

Where warrant or summons may issue on complaint.

(*a*) any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months, or

(*b*) any offence triable exclusively by the High Court, or which, in the opinion of such Magistrate, ought to be tried by the High Court,

such Magistrate may (subject to the provisions of section 4) issue his warrant to arrest such person, or, if he thinks fit, his summons directed to such person, requiring him to appear to answer the complaint at a certain time and place before such Magistrate as may then be there.

36. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what he deems a reasonable time before the time therein appointed for appearing pursuant thereto,

Warrant to arrest, if summons not obeyed.

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

37. Whenever the Magistrate issues a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by his advocate, attorney or pleader.

Magistrate may dispense with personal attendance of accused.

But such Magistrate may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused person, and, if necessary, enforce such attendance by issuing a warrant to arrest him.

CHAPTER V.—OF PROSECUTIONS IN CERTAIN CASES.

38. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294A of the same Code, shall not be received by any Presidency Magistrate, unless it be made by order of, or under authority from, the Governor General in Council or the Local Government, or some officer empowered by the Governor General in Council or the Local Government to order or authorize such complaint, or unless it be made by the Advocate General.

Prosecutions for offences against the State.

39. A complaint of an offence of which any Judge or any public servant not removeable from his office without the sanction of the Government, is accused as such Judge or public servant, shall not be received by any Presidency Magistrate, except with the previous sanction or under the direction,

Prosecution of Judges and public servants.

(*a*) of the Government, or

(*b*) of some officer empowered in this behalf by the Government, or

(*c*) of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such complaint has not been limited by the Government.

No such Judge or public servant shall, unless with the previous sanction of the Government, be prosecuted for any act purporting to be done by him in the discharge of his duty.

The Government may, in any case or class of cases, prescribe the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial shall be held.

Power of Government as to prosecution.

In this section, the expression "Government" means either the Local Government or the Governor General in Council, and the expressions "Judge" and "public servant" have the meaning assigned to them respectively by the Indian Penal Code.

Definition of "Government," "Judge" and "public servant."

40. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179, 180 or 228 of that Code, shall not be received by any Presidency Magistrate, except with the sanction or on the complaint of the public servant concerned, or of his official superior.

Prosecution for contempts of the lawful authority of public servants.

41. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be received by any Presidency Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences against public justice.

42. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be received against any party to or witness in such proceedings, by any Presidency Magistrate, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

43. The sanction referred to in sections 40, 41 and 42 respectively may be expressed in general terms, and need not name the accused person, and may be given at any time. But it shall, so far as practicable, specify the Court or other place in which, and the occasion on which, the offence is alleged to have been committed.

Nature of sanction necessary.

A sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Presidency Magistrate to alter the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

44. When any civil, criminal or other Court inferior to a High Court is of opinion that there is sufficient ground for inquiring into any complaint mentioned in section 40, 41 or 42, such Court may either itself inquire into and commit the case for trial before the High Court, or may send the case for disposal to any Presidency Magistrate having jurisdiction.

Procedure in cases mentioned in section 40, 41 or 42.

The Court may send the accused person in custody, or take sufficient bail for his appearance, before such Magistrate; and may bind over any person to appear and give evidence in the case.

Nothing in this section shall prevent a Presidency Magistrate from disposing of cases under sections 172, 173, 174 and 175 of the Indian Penal Code where he himself is the public servant concerned.

45. A complaint of an offence under section 497 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the other person (if any) under whose care she was living at the time when the adultery was committed.

Prosecution for adultery.

A complaint of an offence under section 498 of the Indian Penal Code shall be made only by the husband of the woman concerned, or by the person (if any) having the care of her on behalf of her husband at the time when the offence was committed.

Prosecution for enticing away married woman.

46. The application of the public servant or Court to a Presidency Magistrate to inquire into or try any case under this chapter shall be deemed a sufficient complaint.

Application to be deemed a complaint.

CHAPTER VI.—OF THE SUMMONS AND WARRANT.

47. Every summons issued by a Presidency Magistrate to an accused person shall be in writing signed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Form of summons.

48. If the accused person can be found, the summons shall be served on him personally, wherever he may be, by delivering or tendering the summons to him.

Summons how served.

Every person to whom a summons is delivered or tendered under this section shall, if required by the person delivering or tendering the same, sign a receipt therefor, or countersign a copy thereof.

49. If the accused person cannot be found, the summons may be served by leaving it for him with some adult male member or servant of his family residing with him; and the person with whom the summons is so left shall, if so required by the serving officer, sign a receipt therefor, or countersign a copy thereof. If there is no such member or servant with whom the summons can be left, the serving officer shall fix it on some conspicuous part of the house in which the accused person ordinarily resides, and thereupon the summons shall be deemed to have been duly served.

Service when accused cannot be found.

When the person summoned is in the service of Government or of any Railway Company, the Magistrate issuing the summons may send it to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served in manner hereinbefore provided.

Service on servants of Government and Railway Companies.

50. When a summons issued by a Presidency Magistrate is to be served at any place outside the local limits of his jurisdiction, he may send the summons in duplicate to the Magistrate of the place where the accused resides or is, to be there served.

Service of summons outside Presidency Towns.

51. When a summons issued by a Presidency Magistrate is served outside such local limits as aforesaid, and also in cases where the person who has served the same is not present at the hearing of the complaint, the service may be proved—

Proof of service in such cases and when server not present.

(*a*) by a solemn declaration, purporting to be made before a Magistrate, that such summons has been served, and such declaration may be endorsed on the duplicate summons and returned to the Magistrate who issued the summons, or

(*b*) by a copy of the summons purporting to be countersigned by the person to whom it is addressed, or

(*c*) by a receipt under section 48.

52. The provisions relating to a summons, its issue and service, contained in sections 47 to 51 (both inclusive), shall be applicable to every summons issued under this Act.

Provisions applicable to all summonses under Act.

53. A Presidency Magistrate may, notwithstanding the issue of a summons under this chapter, either before the appearance of the accused person as required by such summons, or after he fails so to appear, issue a warrant of arrest against him.

Issue of warrant in addition to summons.

54. A Presidency Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence alleged or suspected to have been committed by such person in a different district, or on the high seas, or in a foreign country: provided that if the offence were committed within such local limits, the Magistrate might issue a summons or warrant.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

55. On the attendance or apprehension of such person, if the Presidency Magistrate has not jurisdiction in the case, he shall either send such person to the Magistrate within the local limits of whose jurisdiction the offence is alleged to have been committed, or if the offence is bailable, take bail for his appearance before such Magistrate.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

When the Presidency Magistrate cannot satisfy himself as to the Magistrate to whom the person so attending or arrested should be sent, he shall report the case for the orders of the High Court.

56. Every warrant issued by a Presidency Magistrate shall be in writing under his hand, shall be directed to one or more Police-officers, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Form and direction of warrant.

A warrant issued under this Act remains in force until it is cancelled by the Magistrate who issued it, or until it is executed.

Continuance of warrant.

57. A fee of eight annas shall be paid for every summons or warrant issued by a Presidency Magistrate, except in the case of a summons to attend and give evidence or to produce documents, in which case there shall be paid a fee of four annas:

Fees for summonses and warrants.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the complainant is unable to pay the same, and shall remit it when the complaint is made by a public servant in the execution of his duty.

Power to remit fees.

58. A Presidency Magistrate, in issuing a warrant for the arrest of any person, may in his discretion direct by endorsement on the warrant, that if such person give sufficient bail as therein mentioned for his appearance before the Magistrate on a specified day to answer the complaint, the officer to whom the warrant is directed shall take such bail, and shall release such person from custody.

When Magistrate may direct bail to be taken.

The endorsement shall state (*a*) the number of sureties, (*b*) the amount in which they and the accused person are to be respectively bound, and (*c*) the day on which he is to appear before the Magistrate.

If bail be taken, the officer to whom the warrant is directed shall forward the recognizance to the Presidency Magistrate.

Recognizance to be forwarded.

59. When a warrant is directed to more Police-officers than one, it may be executed by all, or by any one or more, of such officer.

Warrant to several persons.

60. A warrant directed to any Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

Execution of warrant by Police-officer other than the one addressed.

61. Any Presidency Magistrate who issues a warrant of arrest may attend personally for the purpose of seeing that the warrant is duly executed.

Magistrate issuing warrant may superintend its execution.

62. Any such Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he may issue a warrant.

Arrest in presence of Magistrate.

63. A warrant issued by a Presidency Magistrate shall ordinarily be executed within the local limits of his jurisdiction.

Where warrant may be executed.

But if the person against whom the warrant is issued goes into, or is in, any place outside such limits, the warrant may be executed in such place.

64. A Presidency Magistrate may direct a warrant to be executed outside the local limits of his jurisdiction, either with or without endorsement by a Magistrate within the local limits of whose jurisdiction it is to be executed.

Execution of warrant outside issuing Magistrate's jurisdiction.

Such warrant shall ordinarily be endorsed by the Magistrate within the local limits of whose jurisdiction it is to be executed.

The warrant may be forwarded to such Magistrate for endorsement, either by post or by any Police-officer to whom it is directed.

The Magistrate to whom such warrant is forwarded by post shall endorse his name thereon and cause it to be executed within the local limits of his jurisdiction.

If the warrant is forwarded by a Police-officer to whom it is directed, he may take it either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, within the local limits of whose jurisdiction the warrant is to be executed.

Such Magistrate or Police-officer shall endorse his name thereon, and such endorsement shall be sufficient authority to the Police-officer to whom the warrant is directed to execute the same within such limits, and the local police shall be bound to assist such officer in executing the warrant.

Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate or Police-officer within the local limits of whose jurisdiction the warrant is to be executed will prevent such execution, the Police-officer to whom it is directed may execute the same without such endorsement in any place beyond the local limits of the jurisdiction of the Magistrate who issued it.

65. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Presidency Magistrate who issued the warrant be within twenty miles, or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 58, be brought before the Magistrate within the local limits of whose jurisdiction the arrest was made.

Procedure on execution of warrant outside issuer's jurisdiction.

Such Magistrate shall, if the person arrested appears to be the person intended by the Presidency Magistrate, direct his removal in custody to such Magistrate, unless such person is then ready and willing to give the bail (if any) required under section 58, in which case the Magistrate before whom he is so brought shall accept such bail and forward the recognizance to the Presidency Magistrate.

66. Every Magistrate or Police-officer to whom a warrant under this Act is directed for execution shall execute the same, or cause it to be executed.

Magistrate and Police-officer.

67. If a Presidency Magistrate having jurisdiction in the case has reason to believe that any person accused of an offence not coming within section 34 is absconding or concealing himself, so that a warrant issued against him under this Act cannot be executed, such Magistrate may issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days from the date of publishing the proclamation.

Proclamation for person absconding.

Proclamation how published.

Such proclamation shall be published as follows—

(*a*) it shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides;

(*b*) it shall be affixed to some conspicuous part of his ordinary place of abode, or some conspicuous place of such town or village; and

(*c*) a copy thereof shall be affixed to some conspicuous part of such Magistrate's Court-house.

A statement by the Magistrate to the effect that the proclamation was duly published shall be conclusive evidence of compliance with the requirements of this section.

Evidence of publication.

68. A Presidency Magistrate may order the attachment of any property, moveable or immoveable, belonging to any person believed to be absconding or concealing himself.

Attachment of property of person absconding.

Such order shall authorize the attachment of any property within the local limits of the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without such local limits when endorsed by the Magistrate of the district in which such property is situate.

If the property ordered to be attached be immoveable, the attachment under this section shall, in the case of land paying revenue to Government, be made through the Collector of the district in which the land is situate, and, in all other cases, (*a*) by seizure under the order of the Magistrate having jurisdiction; or (*b*) by the appointment of a manager and receiver; or (*c*) by an order prohibiting the payment of rent to the absent person; or by all or any two of such processes as such Magistrate deems proper.

If the person so believed to be absconding or concealing himself does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months from the date of the attachment, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Magistrate may cause it to be sold whenever he thinks fit.

69. When any person whose property is or has been at the disposal of Government under the last paragraph of section 68 appears or is found within two years from the date of the attachment, and proves to the satisfaction of the Magistrate by whose order the property was attached that he did not abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the nett proceeds of the sale, or if part only thereof has been sold, the nett proceeds of the sale and the residue of the property, shall, after satisfying thereout all costs incurred in consequence of the attachment, be delivered to him.

Restoration of forfeited property.

CHAPTER VII.—OF BAIL.

70. Every person arrested under this Act shall be kept in custody until he is discharged by the order of a competent Court, or until he is admitted to bail.

Custody of person arrested.

When any person appears or is brought before a Presidency Magistrate accused of any bailable offence, such person shall be admitted to bail: Provided that, in cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, the Magistrate may discharge him on his binding himself by a personal recognizance in such sum of money as the Magistrate thinks sufficient, to appear and attend at the time and place therein mentioned, and to continue so to attend until otherwise directed by the Magistrate.

When bail shall be taken.

71. When any person accused of any non-bailable offence appears or is brought before a Presidency Magistrate, such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail shall not be taken.

If the evidence given in support of the complaint is, in the opinion of the Magistrate, not such as to afford such grounds,

When bail may be taken.

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt,

but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

But if the Magistrate decide not to admit the accused person to bail, he shall commit him to custody by a warrant in the form (C) given in the third schedule hereto annexed, or to the like effect.

Warrant for intermediate custody.

Any Presidency Magistrate may, at any subsequent stage of any proceeding under this Act, cancel the admission under this section of any accused person to bail, and may commit him to custody, or may admit to bail any person who has been committed to custody under this section.

72. When any person accused before a Presidency Magistrate of any offence is admitted to bail, a recognizance, in such sum

Recognizance of accused and sureties.

of money as the Magistrate thinks sufficient, shall be entered into by the person so accused and one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue so to attend until otherwise directed by the Magistrate, and, if required, shall appear when called upon at the High Court, to answer the charge.

It is the duty of the Presidency Magistrate or other officer accepting bail to satisfy himself that every surety entering into such recognizance is a person of whom it may reasonably be presumed that he can, if necessary, satisfy its terms.

Every such recognizance shall be in the form (D) given in the third schedule hereto annexed, or to the like effect.

73. After the recognizance has been entered into, the Presidency Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him; and in case he is in some jail, shall issue a warrant of release to the officer in charge of the jail, and such officer shall thereupon release him.

Discharge on bail.

74. If the accused person cannot find sufficient bail when permitted so to do, he may, if the Presidency Magistrate thinks fit, be admitted to bail upon finding the same at any time afterwards before conviction.

Admission to bail after failure in first instance.

75. If, through mistake or fraud, insufficient bail have been taken, or if the bail become afterwards insufficient, the Presidency Magistrate may issue his warrant of arrest directing that the accused person be brought before him and may order such person to find sufficient bail, and on his failing so to do may commit him to prison.

Power to order sufficient bail when that first taken is insufficient.

76. The sureties for the attendance and appearance of an accused person admitted to bail may, at any time, apply to a Presidency Magistrate to discharge their recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his warrant of arrest, directing that the accused person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged, and shall call upon the accused person to find other sufficient sureties, and if he fail to do so, may commit him to prison.

77. Whenever, by reason of default of attendance or appearance of the person bailed, a Presidency Magistrate is of opinion that proceedings should be had to recover the penalty mentioned in the recognizance into which such person has entered, he shall proceed to recover the same, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the local limits of the jurisdiction of such Magistrate.

Procedure to compel payment of penalty by accused.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

78. Whenever, by reason of default of attendance or appearance of the person bailed, the Presidency Magistrate is of opinion that proceedings should be had to recover from the sureties the penalty mentioned in the recognizance, he shall give them notice to pay the same, or to show cause why it should not be paid.

Procedure to compel payment of penalty by sureties.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Presidency Magistrate shall proceed to recover the penalty from such sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to them, or either of them, which may be found within the local limits of the jurisdiction of such Magistrate. Such warrant may be executed within such limits; and it shall authorize the attachment and sale of any moveable property belonging to the sureties, or either of them, without such limits, when endorsed by the Magistrate within the local limits of whose jurisdiction such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, such sureties shall be liable to confinement, by order of the Presidency Magistrate, in the civil jail, during a period not exceeding six months.

79. The powers given by sections 77 and 78 may be exercised by every Presidency Magistrate in every case in which a recognizance has been given for the appearance of any person, if default is made by the non-appearance of such person before such Magistrate, according to the conditions of the recognizance:

In what cases powers given by sections 77 and 78 may be exercised.

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in any such recognizance and enforce payment in part only.

Remission of part of penalty.

80. When any person is required by a Presidency Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as the Magistrate may fix in lieu of such bail.

Deposit instead of bail.

CHAPTER VIII.—OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

81. Cases, triable by a High Court in the exercise of its ordinary original criminal jurisdiction, or which, in the opinion of the Presidency Magistrate before whom the accused person is brought, ought to be tried by such Court, shall be inquired into by a Presidency Magistrate; and in such inquiry he shall adopt the following procedure.

Procedure in preliminary inquiries.

82. When the accused person appears or is brought before the Magistrate, or if his personal attendance is dispensed with, after reasonable notice to his advocate, attorney or pleader, the Magistrate shall, at such time as he thinks fit, take the evidence of the complainant and of such persons as are stated by the complainant to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Examination of complainant and witnesses for prosecution.

Such evidence shall be recorded in the manner described in clauses 3, 4 and 5 of section 115.

83. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or, when his personal attendance is dispensed with, of his advocate, attorney or pleader (if any).

Examination to be in presence of accused.

The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Procedure in inquiries preliminary to commitment.

84. Whenever an accused person is examined in the course of a preliminary inquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

Examination of accused how recorded.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

85. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Power of Magistrate to summon and examine any person.

86. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to adjourn the inquiry, the Magistrate may, by a written order, from time to time adjourn the inquiry on such terms as he thinks fit and remand the accused person for a reasonable time, not exceeding fifteen days.

Adjournment of inquiry and remand.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable cause for a remand.

87. When a Presidency Magistrate finds that there are not sufficient grounds for committing the accused person for trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be tried before himself, in which case he shall proceed accordingly.

When accused person to be discharged.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

88. When evidence has been given before a Presidency Magistrate, which appears to justify him in committing the accused person for trial for an offence triable exclusively by the High Court, or which, in the opinion of the Magistrate, ought to be tried by such Court, the accused person shall be committed for trial accordingly.

When accused to be committed for trial.

89. When the Magistrate determines to commit the accused person for trial before the High Court, he shall, after the evidence has been recorded, frame a charge under his hand, declaring with what offence the accused person is charged, and (subject to the provisions of the High Courts' Criminal Procedure Act, 1875) committing him for trial by such Court on such charge.

Framing of charge on which accused is to be tried before High Court.

All such charges shall be drawn up in accordance with the provisions of chapter IX.

Pending such trial, the Magistrate may commit the accused person to custody by warrant in the form (E) given in the third schedule hereto annexed, or to the like effect, or may in case of a bailable offence release him on bail; and the charge, the record of the enquiry, and any weapon or other article necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Form of commitment.

Charge, &c., to be forwarded to High Court.

When the accused person is committed for trial before the High Court, the Magistrate shall issue an order to such person as may be appointed by the Local Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge.

Commitment when to be notified.

90. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him; and a copy thereof shall be furnished to him, if he so require.

Charge to be explained, and copy furnished, to accused.

91. The accused person shall be required at once to give in, orally or in writing, a list of the persons whom he wishes to be summoned to give evidence on his trial before the High Court.

List of witnesses for defence on trial before High Court.

The Magistrate may, if he thinks proper, summon all or any such persons to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

The Magistrate may in his discretion allow the accused person to give in any further list of witnesses at a subsequent time.

Further list.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial. Such examination shall, if possible, be taken in the presence of the accused person.

Power to summon supplementary witnesses.

Nothing in this section shall be deemed to preclude the accused person from giving at any time before his trial before the High Court to the

Clerk of the Crown a further list of the persons whom he wishes to be summoned to give evidence on such trial.

Summons to witnesses when accused person is to be committed.

92. When the person accused has been committed for trial, and has given in any list of the persons referred to in section 91, the Magistrate may either summon such persons to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognizances of complainants and witnesses.

93. Complainants and witnesses for the prosecution and defence, whose attendance before the High Court is necessary, and who appear before the Presidency Magistrate, shall execute before him recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

Detention in custody in case of refusal to attend or to execute recognizance.

If any complainant or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Presidency Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him in custody to the High Court.

CHAPTER IX.—OF THE CHARGE.

Form of Charges.

Charge to state offence.

94. Every charge under this Act shall state the offence with which the accused person is charged.

Specific name of offence sufficient description.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

How stated where offence has no specific name.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the accused person notice of the matter with which he is charged.

The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

What implied in charges.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

Language of charge.

The charge shall be written in English. If English is not understood by the accused person, the charge shall be interpreted to him in a language which he understands.

Previous conviction when to be set out.

If the accused person has been previously convicted of any offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, or of any other offence mentioned in section 3 or section 4 of Act No. VI of 1864 (*to authorize the punishment of whipping in certain cases*), and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If such statement is omitted, it may be added at any time before sentence is passed, but not afterwards.

Illustrations.

(*a.*) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception 1, one or other of the three provisos to that exception applied to it.

(*b.*) A is charged; under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting. This is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(*c.*) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(*d.*) A is charged, under section 184 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in those words.

Particulars as to time, place and person.

95. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom, or the thing in respect of which, it was committed, as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

When manner of committing offence must be stated.

96. When the nature of the case is such that the particulars mentioned in sections 94 and 95 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

Illustrations.

(*a.*) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(*b.*) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(*c.*) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(*d.*) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(*e.*) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(*f.*) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

Forms in schedule.

97. The charge may be in the form given in the third schedule to this Act or to the like effect.

Effect of errors.

98. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 96, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Illustrations.

(*a.*) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit;" the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(*b.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(*c.*) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(*d.*) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(*e.*) A was charged with murdering Haidar Baksh on the 20th January and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

Prisoner may apply for amendment.

99. Any accused person may apply to a Presidency Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Magistrate shall take into account the fact that he did or did not make such an application.

Magistrate may alter charge.

100. A Presidency Magistrate may, upon the application of the accused person, or of the complainant, or upon his own motion, alter any charge at any stage of the proceedings before judgment is pronounced.

Every such alteration shall be read and explained to the accused person.

When trial may proceed immediately after alteration.

101. If the alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may in his discretion, after making such alteration, proceed with the trial as if the altered charge had been the original charge.

When new trial may be directed or trial suspended.

102. If the alteration is such that proceeding immediately with the trial is likely, in the opinion of the Presidency Magistrate, to prejudice the accused person in his defence, the Magistrate may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the altered charge; and, after hearing his defence, the Magistrate may further adjourn the trial, to admit of the appearance of any witness whose evidence the Magistrate may consider to be material to the case, or whom the accused person may wish to be summoned in his defence.

Adjournment.

Recall of witnesses when charge altered.

103. In all cases of alteration of a charge, the complainant and accused person shall be allowed to recall and examine with reference to such alteration any witness who may have been examined.

Stay of proceedings if prosecution of offence in altered charge require previous sanction.

104. If the offence stated in the altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained, unless sanction has been already obtained for a prosecution on the same facts as those on which the altered charge is founded.

Joinder of Charges.

Separate charges for distinct offences.

105. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

More offences than one of same kind may be charged within a year of each other.

106. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged with, and tried at the same time for, any number of them not exceeding three.

I.—Trial of more than one offence.

107. I.—If in one series of acts, so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

II.—One offence falling within two definitions.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be inflicted for any of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed; but he must not receive for such offences, collectively, a punishment more severe than that which might have been inflicted for any one of such offences.

Illustrations

to paragraph I—

(*a*) A rescues B, a person in lawful custody, and in so doing causes grevious hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 333 of the Indian Penal Code.

(*b*) A has in his possession several seals knowing them to be counterfeit and intending to use them for the purpose of committing several forgeries punishable under section 466 of the Indian Penal Code. A may be separately charged with, convicted of, and punished for, the possession of each seal, under section 473 of the Indian Penal Code.

(*c*) A, with intent to cause injury to B, institutes a criminal proceeding against him, knowing that there is no just or lawful ground for such proceeding. A also falsely accuses B of having committed an offence, knowing that there is no just or lawful ground for such charge. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d*) A, with intent to cause injury to B, falsely accuses him of having committed an offence, knowing that there is no just or lawful ground for such charge. On the trial, A gives false evidence against B, intending thereby to cause B to be convicted of a capital offence. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 of the Indian Penal Code.

(*e*) A, knowing that B, a female minor, has been kidnapped in order that she may be subjected to grievous hurt, wrongfully confines her and detains her against her will as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f*) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant endeavouring, in the discharge of his duty as such, to suppress the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 325 and 152 of the Indian Penal Code.

(*g*) A threatens B, C and D at the same time with injury to their persons with intent to cause alarm to them. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h*) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, each of the three offences under section 302 of the Indian Penal Code.

The separate charges referred to in illustrations (*a*) to (*h*) respectively may be tried at the same time.

to paragraph II—

(*i*) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 323 only.

(*j*) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then moves the carcase in order to take it dishonestly out of B's possession without B's consent. A, may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a more severe punishment than if he had convicted him under section 429 only.

(*k*) Several stolen sacks of corn are made over to A and B who know they are stolen property. A and B thereupon voluntarily assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Presidency Magistrate who tries them may not inflict a severer punishment than if he had convicted them under one of those sections only.

(*l*) A dishonestly uses a forged document as genuine evidence, in order to convict B, a public servant, of an offence under section 167 of the Indian Penal Code. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the same Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under one of those sections only.

to paragraph III—

(*m*) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

(*n*) A commits robbery on B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 392 or 394 only.

(*o*) A entices B, the wife of C, away from C, with intent to commit adultery with B, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Presidency Magistrate who tries him may not inflict a severer punishment than if he had convicted him under section 497 only.

108. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to theft, or receiving stolen property, or criminal breach of trust, or cheating. He may be charged with theft, receiving stolen property, criminal breach of trust, and cheating, or he may be charged with having committed theft, or receiving stolen property, or criminal breach of trust, or cheating.

109. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence, he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. He may be convicted of criminal breach of trust, or of receiving stolen goods (as the case may be), though he was not charged with such offence.

110. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(*a*). A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(*b*). A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

111. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Presidency Magistrate thinks fit, and the provisions contained in the former part of this chapter shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(*a*). A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(*b*). A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(*c*). A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

112. When more charges than one are made against the same person, and when a conviction has been had on one or more of them, the complainant, or the Government Solicitor or other

Withdrawal of remaining charges on conviction on one of several charges.

officer conducting the prosecution, may, with the consent of the Presidency Magistrate, withdraw, or such Magistrate of his own accord may suspend, the inquiry into, or trial of, the remaining charge or charges.

Previous Acquittals or Convictions.

113. A person who has once been tried for an offence and convicted or acquitted of such offence, shall, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 108, or for which he might have been convicted under section 109.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 107, paragraph one.

A person acquitted or convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence constituted by any acts may, notwithstanding such acquittal or conviction, be subsequently charged with, and tried for, any other offence constituted by the same acts, which he may have committed if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with theft as a servant, or, upon the same facts, with theft simply, or with criminal breach of trust.

(*b*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed: he may afterwards be charged with, and tried for, robbery.

(*c*) A is tried for an assault and convicted. The person assaulted afterwards dies. A may be tried again for culpable homicide.

(*d*) A is tried, under section 270 of the Indian Penal Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life, and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e*) A is charged by a Presidency Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B, on the same facts, unless the case comes within paragraph three of this section.

(*f*) A is charged by a Presidency Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same facts.

(*g*) A, B and C are charged by a Presidency Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity on the same facts.

CHAPTER X.—OF THE TRIAL OF CASES BY PRESIDENCY MAGISTRATES.

114. The following procedure shall be observed in the trial of cases by Presidency Magistrates.

Cases may be tried summarily.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,
(*b*) the date of the commission of the offence,
(*c*) the name of the complainant,
(*d*) the name of the accused person,
(*e*) the offence complained of or proved,
(*f*) the prisoner's plea,
(*g*) the final order,
(*h*) the date of such order.

115. No Presidency Magistrate shall impose a fine exceeding two hundred rupees or imprisonment for a term exceeding six months, unless he has recorded the evidence of the witnesses.

Record of evidence.

Sentences passed under section 13 on the same occasion shall for the purposes of this section be considered as one sentence.

Where the Magistrate records such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down, or cause to be taken down, any particular question or answer.

Every Magistrate recording the evidence of a witness shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

116. In cases punishable with fine only, or with imprisonment for a term not exceeding six months, or with both, no formal charge need be made against the accused person; and the Magistrate may convict him of any offence punishable with fine only or with imprisonment for a term not exceeding six months, or with both, and which, from the facts proved, he appears to have committed.

Charge when dispensed with.

In cases in which the Magistrate has power to impose imprisonment for a term exceeding six months, there shall be a formal charge against the accused person.

Charge when necessary.

All charges under this section shall be drawn up by the Magistrate in accordance with the provisions of chapter IX.

117. Neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. No defect in the complaint or process shall invalidate the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Effect on proceedings of defect in complaint or process.

118. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto on which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless he thinks fit to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Dismissal or adjournment on non-appearance of complainant.

119. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

Procedure on appearance of parties.

120. If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Conviction on admission of truth of complaint.

121. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Procedure when no such admission is made.

122. Whenever any charge is drawn up under this Act, it shall be drawn up as soon as the Magistrate is of opinion that a *primâ facie* case has been established against the accused person, and shall be read and explained to the accused person, and he shall be asked whether he is guilty or has any defence to make.

Charge when drawn up.

123. If the accused person be examined, the procedure prescribed in section 84 shall be followed.

Procedure on examining accused.

124. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason, adjourn the hearing, on such terms as he thinks fit, to a day to be then appointed and stated in the presence of the parties.

Adjournment.

If on the day to which such hearing or such further hearing has been so adjourned, the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If on such day the complainant does not appear, the Magistrate may dismiss the complaint.

125. If a complainant, at any time before a final order is passed in any case punishable with fine only or with imprisonment for a term not exceeding six months, or with both, satisfies the said Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to do so.

Withdrawal of complaint.

The withdrawal under this section of a complaint shall operate as an acquittal of the accused person.

126. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Acquittal.

If the accused person is convicted, the Magistrate shall pass sentence upon him; and, in all cases in which the Magistrate inflicts imprisonment, or fine exceeding two hundred rupees, or both, he shall add to the final order mentioned in section 114, clause (*g*), a brief statement of the reasons for the conviction.

Sentence.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate shall be pronounced in his presence, except where the sentence is for fine only, in which case it may be pronounced in the presence of the accused person's advocate, attorney or pleader.

127. If in the course of any trial before a Presidency Magistrate, it appears that the case is one which he has not jurisdiction to try, or one which, in his opinion, ought to be tried by the High Court, he shall stop further proceedings under this chapter, and shall either forward the case to the Magistrate having jurisdiction, or commit the accused person, in accordance with the provisions of chapter VIII, to the High Court for trial.

Procedure when, after commencement of trial, Magistrate finds case beyond his jurisdiction.

128. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Presidency Magistrate considers him an habitual offender, be committed to the High Court.

Trial of persons previously convicted of offences against coinage, stamp law or property.

General Provisions as to Inquiries and Trials.

129. A Presidency Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor; but no person other than the Advocate-General, Standing Counsel, Government Solicitor or other officer generally or specially empowered by the Local Government in this behalf shall be entitled to do so without such permission.

Permission to conduct prosecution.

Any person conducting the case may do so personally or by an advocate, attorney or pleader.

130. Every person accused before a Presidency Magistrate of an offence, may of right be defended by any advocate, attorney or pleader.

Right of accused to be defended.

131. If an accused person, though not insane, cannot be made to understand the proceedings, the Magistrate may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as it thinks fit.

Procedure where accused does not understand proceedings.

132. The place in which the Court of a Presidency Magistrate is held for the purpose of inquiring into or trying any offence, shall be deemed an open Court, to which the public generally may have access, so far as the same can conveniently contain them:

Presidency Magistrates' Courts to be open.

Provided that the Magistrate may, if he thinks fit, order at any stage of any inquiry into or trial of any particular case, that the public generally, or any particular person, shall not have access to, or be, or remain in, the room or building used by the Magistrate.

133. In the case of offences which may lawfully be compounded, the injured person may compound the

Compounding offences.

offence out of Court, or in Court with the permission of the Presidency Magistrate. Such composition shall have the effect of an acquittal of the accused.

CHAPTER XI.—OF EVIDENCE.

A.—Of securing the Attendance of Witnesses.

134. Any Presidency Magistrate may, at any stage of any proceeding, inquiry or trial under this Act, summon, in manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness; and the Magistrate shall summon and examine such person if his evidence appears essential to the just decision of the case.

Power to summon material witness or examine person present.

135. If a Presidency Magistrate has reason to believe that any witness, whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

When warrant of arrest may issue in first instance.

136. If any person summoned under this Act to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Presidency Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand to bring such person before him to testify as aforesaid.

Arrest of person disobeying summons.

137. If such warrant cannot be executed, and the Magistrate has reason to believe that the witness absconds or conceals himself for the purpose of preventing the execution thereof, he may issue a notice, requiring the attendance of such witness to give evidence at a time and place to be named therein, and such notice shall be affixed to some conspicuous part of such witness' ordinary place of abode, or, if he has no such abode, of the Magistrate's Court.

Procedure when warrant cannot be served.

If the witness does not attend at the time and place so named, the Magistrate may order the attachment of any moveable property belonging to such witness, equal in value, as nearly as may be, to the amount of the costs of attachment and of any fine to which the witness may be liable under the provisions of section 172 of the Indian Penal Code.

138. The provisions of section 68 and section 69 as to the attachment, sale and restoration of moveable property shall apply to all property ordered to be attached under section 137.

Attachment, &c., of property ordered to be attached under section 137.

139. Notwithstanding anything contained in the Prisoners' Testimony Act, 1869, any Presidency Magistrate desirous of examining, as a witness or accused person, in any case pending before him, any person confined in any jail within the local limits of his jurisdiction, may issue an order to the officer in charge of the said jail requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Magistrate for examination.

Power to order prisoner in jail to be brought up for examination.

The officer so in charge, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the jail for the purpose aforesaid.

140. The Presidency Magistrate may require complainants and witnesses for the prosecution and defence whose attendance before him is necessary, to execute recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon to prosecute or give evidence, as the case may be.

Power to require complainants, &c., to execute recognizances.

141. If any witness summoned or brought before a Presidency Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 205 or 206.

Committal of person refusing to answer.

B.—Of Witnesses.

142. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, it shall ordinarily be the duty of the complainant and accused to produce their own witnesses. But the Presidency Magistrate may in his discretion—

In cases triable upon summons.

(*a*) summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused;

(*b*) summon any witness named by the complainant or the accused:

Provided that the Magistrate may, before summoning a witness, require that his reasonable expenses incurred in attending for the purposes of the trial be deposited in Court.

143. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution, and shall summon to give evidence before him such of them as he thinks necessary.

In cases triable upon warrant.

The Magistrate shall also summon any witness, and take any evidence that may be offered, in behalf of the accused person, to answer or disprove the evidence against him.

C.—Of Securing Documentary Evidence.

144. Whenever a Presidency Magistrate considers that the production of any document or other thing is necessary or desirable for the purposes of any inquiry trial, or other proceeding under this Act, he may issue a summons to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it at the time and place stated in the summons.

Summons to produce document required as evidence.

145. Where there is reason to believe that th person to whom the summons is addressed will not produce the document or

Issue of search-warrant in first instance.

other thing as directed in the summons, the Magistrate may issue a warrant to search for such document or thing in the first instance.

Procedure as to letters in custody of Postal Department or telegraph officer.

146. If any letter in the custody of the Postal Department is wanted for the purpose of any inquiry or trial by a Presidency Magistrate, the Magistrate may, if he is the Chief Magistrate, direct the postal authorities to deliver such letter to such person as the Magistrate directs, and if he is not the Chief Magistrate, may apply to the Chief Magistrate, who may, if he thinks fit, give such direction.

The letter referred to in any direction given under this section shall be delivered accordingly.

Power to impound document produced.

147. Any Presidency Magistrate may, if he thinks fit, impound any document or other thing produced before him, or may, at the conclusion of the proceedings, order it to be returned to the person who produced it.

D.—Of the Examination of Accused Persons.

Examination of accused.

148. At any stage of any inquiry or trial under this Act, the Magistrate may, without previously warning the accused person, put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not only in such inquiry or trial, but also in any other inquiry into, or trial for, any other offence which such answer may tend to show he has committed.

No influence to be used to induce disclosures.

149. Except as is provided in section 150, no influence, by means of any promise or threat or otherwise, shall be used to an accused person to induce him to disclose or withhold any matter within his knowledge.

Tender of pardon to accomplice.

150. A Presidency Magistrate may, with the view of obtaining the evidence of any persons supposed to have been directly or indirectly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances, within his knowledge, relative to such offence and to every other person concerned in the perpetration thereof.

Every person accepting a tender under this section shall be examined as a witness in the case.

Such person, if not on bail, shall be detained in custody until the termination of the trial.

Commitment of person to whom pardon has been tendered.

151. When a pardon has been tendered under section 150, if before the trial it appears to the Presidency Magistrate that any person who has accepted such tender has either by wilfully concealing anything essential, or by giving false evidence, not complied with the conditions under which the tender was made, such Magistrate may commit him for trial for the offence in respect of which the pardon was so tendered, or for any other offence of which he may appear to have been guilty in connection with the same matter.

The statement made by a person under pardon which pardon has been withdrawn under this section, may be put in evidence against him.

E.—Special Rules of Evidence.

Deposition of medical witness.

152. The deposition of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any inquiry or trial under this Act, although the deponent is not called as a witness.

The Presidency Magistrate may, if he thinks fit, summon and examine such deponent as to the subject-matter of his deposition.

Power to summon medical witness.

Report of Chemical Examiner.

153. Any document purporting to be a report from the Chemical Examiner, or Assistant Chemical Examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any inquiry or trial under this Act, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any inquiry or trial under this Act.

The Presidency Magistrate may presume that the signature to any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Genuineness of signature may be presumed.

Power to summon Chemical Examiner.

The Presidency Magistrate may, if he thinks fit, summon and examine such Chemical Examiner or Assistant Chemical Examiner as to the subject-matter of his said report.

Previous conviction or acquittal how proved.

154. A previous conviction or acquittal may be proved (*a*) by an extract certified, under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the sentence or order, or (*b*), in case of a conviction either by a certificate signed by the officer in charge of the jail in which the punishment or any part thereof was inflicted or by production of the warrant of commitment under which the punishment was suffered.

Record of evidence in absence of accused.

155. If an accused person abscond, and after due pursuit cannot be arrested, the Presidency Magistrate may, in his absence, examine the witnesses (if any), produced on behalf of the prosecution, and record their depositions; and any such deposition may, on the arrest of such person, be put in on his trial for the offence with which he is charged, if the attendance of the deponent cannot be procured.

Convictions on evidence partly recorded by one Magistrate and partly by another.

156. Whenever any Presidency Magistrate, after having heard the whole or any part of the evidence in an inquiry or trial, ceases to exercise jurisdiction therein, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and re-commence the inquiry or trial:

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses be re-summoned and re-heard, in which case the inquiry or trial shall be re-commenced:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new inquiry or trial.

When attendance of witness may be dispensed with.

157. Whenever in the course of a trial or inquiry under this Act it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, the Presidency Magistrate may dispense with such attendance.

Issue of commission and procedure thereunder.

158. Such Magistrate may direct a commission to any Magistrate of the District, or Magistrate of the first class, within the local limits of whose jurisdiction such witness may be.

The Magistrate to whom the commission is directed, or, if he be the Magistrate of the District, such Magistrate of the first class as he appoints in this behalf, shall proceed to the place where such witness is, or shall summon such witness before himself, and shall take his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant-cases under the Code of Criminal Procedure.

Commission in case of witness being within Presidency town.

If the witness is within the local limits of the jurisdiction of any Presidency Magistrate, other than the Magistrate dispensing with his attendance, the latter Magistrate may direct a commission to the former Magistrate, who thereupon shall have the like power to compel the attendance of, and to examine, such witness as he possesses for that purpose in cases pending before himself.

Complainant and accused may examine witness.

The complainant and the accused person may respectively forward interrogatories, in writing, upon which the Magistrate to whom the commission is directed shall examine the witness,

or the complainant and the accused person (if on bail) may appear before such Magistrate,

or the complainant and the accused person may so appear respectively by advocate, attorney, or pleader,

and may examine, cross-examine and re-examine (as the case may be) the said witness.

Return of commission.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Magistrate by whom it was issued; and the commission, the return thereto, and the deposition of such witness, may be used as evidence in the case and shall form part of the record.

F.—Of Search-Warrants.

Search-warrant when grantable.

159. When a Presidency Magistrate considers that the production of any thing is essential to the conduct of an inquiry into an offence known or suspected to have been committed or to the discovery of the offender,

or when he considers that such inquiry or discovery will be furthered by a general search or inspection,

he may grant his search-warrant; and the officer charged with the execution of such warant may search or inspect any place within the local limits of the jurisdiction of such Magistrate.

The Magistrate may, if he thinks fit, specify in the warrant the particular place, building or part thereof to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place, building or part so specified.

Nothing in this section or in section 145 shall authorize a Magistrate to grant a warrant to search for a letter or telegram in the custody of the Postal Department or of a telegraph officer.

Search of house suspected to contain stolen property or forged documents.

160. If a Presidency Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin, or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable—

(*a*) to enter, with such assistance as may be required, and by force if necessary, such place, and

(*b*) to search the same as specified in the warrant, and

(*c*) to take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also any such instruments and materials as aforesaid, and

(*d*) to convey such property, documents, stamps, seals, coins, instruments or materials before a Presidency Magistrate, or to guard the same on the spot until the offender is taken before a Presidency Magistrate, or otherwise to dispose thereof in some place of safety, and

(*e*) to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

Direction, &c., of search-warrants.

161. The provisions of sections 59, 60 and 61 shall apply to all search-warrants issued under this chapter.

162. Whenever any place liable to search or inspection under this chapter is closed, any person residing in, or being in charge of, such place shall, on demand of the officer or other person executing the warrant, allow such officer or other person free ingress thereto, and afford all reasonable facilities for a search therein.

Persons in charge of closed place to allow search.

163. A Police-officer or other person, authorized by a warrant to search any place, may break open any outer or inner door or window of such place, in order to execute the warrant, if, after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Place to be searched may be broken open.

164. If the place ordered to be searched is an apartment in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the officer or other person charged with the execution of the warrant shall, unless a warrant of arrest has been issued against her, give her notice that she is at liberty to withdraw.

Search of zanána.

After giving such notice and allowing a reasonable time for such woman to withdraw, and affording her every reasonable facility for withdrawing, such officer or person may enter such apartment for the purpose of making the search, using at the same time every precaution consistent with this section for preventing the clandestine removal of the thing mentioned in the warrant.

165. Before making a search under this chapter the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search.

Search to be made in presence of witnesses.

The search shall be made in their presence, but they shall not be required to attend the Court of the Magistrate as witnesses, unless especially summoned by him.

The occupant of the place searched, or some person in his behalf, shall, in every instance, be permitted to attend during the search.

Occupant of place searched may attend.

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

Mode of searching women.

CHAPTER XII.—OF APPEALS.

167. Any person convicted on a trial held by a Presidency Magistrate, may appeal to the High Court if the Magistrate has sentenced him to imprisonment for a term exceeding six months, or to fine exceeding two hundred rupees:

Appeal by person convicted.

Provided that, where an accused person has been convicted on his own plea, no such appeal shall lie except as to the extent or legality of the sentence.

Sentences passed under section 13 on the same occasion shall, for the purposes of this section, be considered as one sentence.

For the purposes of the Indian Limitation Act, 1871, all appeals under this section and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

168. The Local Government may direct the Public Prosecutor or other officer specially or generally appointed in this behalf to present an appeal to the High Court from a Presidency Magistrate's order of acquittal or of dismissal, or of discharge; but in no other case shall there be an appeal by the prosecution from any order under this Act.

Appeal by Government from order of acquittal.

No appeal shall be presented under this section after two months from the date of the order complained of.

When an appeal is presented under this section, the High Court may order the accused person to be arrested and brought before it, and may commit him to prison pending the disposal of the appeal, or (if the offence of which he is accused be bailable) admit him to bail.

The High Court may, in any case so appealed, direct a new trial by any Presidency Magistrate, or may pass such order as may be warranted by law.

169. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copy of order to accompany petition.

170. If any person affected by an order passed under this Act desires to have a copy of such order or of any deposition or other part of the record, he shall, on applying for such copy, be furnished therewith; provided that he pay for the same, unless the Magistrate, for some special reason, thinks fit to furnish it free of cost.

Copies of proceedings.

171. If the appellant be in jail, he shall be at liberty to present his petition of appeal, and the copy of the order appealed against, to the officer in charge of the jail, who shall thereupon forward such petition and copy to the High Court.

Procedure when appellant in jail.

172. On receiving the petition of appeal and the copy of the order appealed against, the High Court shall peruse the same, and may fix a reasonable time for hearing the appellant or his advocate or pleader, or if he be present may hear him at once.

Procedure on receiving petition of appeal.

The High Court may, if it considers that there is no sufficient ground for altering or revising the order appealed against, reject the appeal summarily.

Power to reject appeal summarily.

Before rejecting an appeal under this section, the High Court may call for the record of the case, but shall not be bound to do so.

Power to call for record.

In rejecting under this section an appeal by a person convicted, the High Court shall not enhance the sentence.

Sentence not to be enhanced when appeal rejected under this section.

173. If the High Court does not reject the appeal summarily, it shall cause notice to be given to the appellant and the Public Prosecutor, Government Solicitor, or other officer empowered by Government in that behalf, of the day on which such appeal will be heard,

Notice of day for hearing appeal.

and in case of appeals under section 168, the High Court shall also cause a like notice to be given to the respondent.

All such notices shall be served in manner provided by this Act for serving a summons, unless in the case of persons present in Court, to whom they may be given orally.

Service of notice.

174. The High Court shall send for the record of the case, and after perusing the same, and hearing the appellant or his advocate or pleader, if he appears, and the Government Solicitor or other officer empowered by Government in this behalf, if he appears, may—

High Court may alter or reverse finding and sentence, or enhance sentence.

(*a*) alter or reverse the order of such Court, or

(*b*) enhance any punishment which has been awarded, but not so as to inflict a greater punishment for the offence which, in the opinion of the High Court, he has committed, than the Presidency Magistrate could have inflicted for such offence, or

(*c*) order the appellant to be re-tried before any Presidency Magistrate or before the High Court, or

(*d*) if it considers that there is no sufficient ground for interfering with the sentence or order appealed against, reject the appeal.

175. Pending any appeal under section 167, the High Court may direct that the execution of the order appealed against be suspended, and, if the appellant be in confinement for a bailable offence, may order that he be released on bail.

Suspension of sentence pending appeal.

Release of appellant on bail.

Where the appellant is ultimately sentenced to imprisonment, the time during which he is so released shall be excluded in calculating the term of his imprisonment.

176. In dealing with any appeal under this chapter, the High Court, if it thinks additional evidence upon any point bearing upon the guilt or innocence of the accused person to be necessary, may either take such evidence itself, or may direct it to be taken by a Presidency Magistrate.

High Court may make or direct further inquiry.

When the additional evidence is taken by the Presidency Magistrate, he shall certify such evidence to the High Court, and the High Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the accused person or his advocate, attorney or pleader, shall be present when the additional evidence is taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined before a Magistrate under this section.

177. No order passed by a Presidency Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the accused person in his defence.

Order when reversible by reason of error or defect in charge or proceedings.

178. No irregularity in the proceedings prior to the commencement of the trial is a sufficient ground for reversing or altering any order passed in a trial properly held.

Irregularity before trial properly held.

179. When a Presidency Magistrate has passed an order inflicting punishment on any person for an offence not triable by such Magistrate, the High Court shall cancel the order, and either try the case itself or direct it to be tried by a Court of competent jurisdiction.

Procedure in case of conviction by Magistrate not having jurisdiction.

180. No appeal shall lie from any order of a Presidency Magistrate, except in the cases provided for by this Act or by any other law for the time being in force.

Unless otherwise provided, no appeal to lie from order of Presidency Magistrate.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation, in case of a groundless complaint.

(*b.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*c.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*d.*) There is no appeal against an order of maintenance.

181. Whenever an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the applicant shall give to the Public Prosecutor, Government Solicitor, or such other officer as the Local Government appoints in this behalf, notice in writing of the application, together with a copy of the grounds on which it is to be made; and no order shall be made on the merits of the application unless at least twenty-four hours have elapsed between the giving of such notice and the hearing of the application.

Notice to Public Prosecutor of intention to apply under Act X of 1875, s. 147.

182. When the decision of any Presidency Magistrate is called in question in the High Court, the Magistrate may submit with the record of the case a statement setting forth the grounds of his decision and any facts which he thinks material to the issue; and the Court shall consider such statement before overruling or setting aside the said decision.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

CHAPTER XIII.—OF EXECUTION.

183. In cases tried by a Presidency Magistrate, the Magistrate passing any order inflicting imprisonment or whipping shall forward the accused person with a warrant for the execution of the sentence to the officer in charge of the jail of the Presidency town in which the trial was held,

Court to send accused with warrant for execution of sentence to officer in charge of jail.

or where there are more such jails than one, to the officer in charge of such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, the nature of the punishment to which he has been sentenced, and if he has been sentenced to imprisonment, the term for which he is to be imprisoned.

184. Every such warrant shall be in writing under the hand of the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (G) given in the third schedule to this Act or to the like effect.

Form and direction of warrant of commitment.

185. Whenever a Presidency Magistrate imposes a fine under this or any other Act for the time being in force, he may issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property belonging to the offender, although the sentence directs that, in default of payment of the fine, the offender shall be imprisoned.

Levy of fine.

Such warrant may be executed within the local limits of such Magistrate's jurisdiction, and it shall authorize the distress and sale of any such property without such limits when endorsed by the Magistrate of the District in which it is found.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Section to what cases applicable.

When a warrant is issued under this section, the Presidency Magistrate may order the offender to be imprisoned until return can be conveniently made to such warrant, unless the offender enter into a recognizance, with or without sureties, as the Magistrate thinks fit, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance. But if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the local limits of his jurisdiction whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant.

Detention of offender until return made to distress-warrant.

No distress made under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto.

Distress not illegal, nor distrainer a trespasser, for defect of form in proceedings.

The said warrant may be issued either by the Magistrate who imposes the fine, or by his successor in office.

Who may issue distress-warrant.

186. Whenever a Presidency Magistrate imposes a fine under any law in force for the time being, he may order the whole or any part of the fine to be paid in compensation—

Payment of fine in compensation.

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the injury complained of, where such injury can, in the opinion of such Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be imposed in a case which is subject to appeal, no such payment shall be made until the period allowed for presenting the appeal has elapsed, or, if an appeal be presented, until after the decision of the appeal.

At the time of awarding damages in any subsequent civil suit relating to the same matter, the Court shall take into consideration any sum which may have been paid under this section.

187. When the punishment of whipping is imposed, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court: but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Whipping, if imposed in addition to imprisonment in appealable case, when to be inflicted.

188. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and, in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light ratan.

Mode of inflicting punishment of whipping.

In no case, if the cat-of-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the ratan be employed, shall such punishment exceed thirty stripes.

The punishment of whipping shall be inflicted in the presence of the officer in charge of the jail: provided that, in the case of a person under sixteen years of age, the Magistrate may order it to be inflicted in his own presence.

189. The punishment of whipping shall not be inflicted unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer or Magistrate present, that the offender is in a fit state of health to undergo such punishment.

Punishment not to be inflicted if offender not in fit state of health.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer or Magistrate present, that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

Stay of execution.

190. No sentence of whipping shall be executed by instalments.

Not to be executed by instalments.

191. In any case in which, under section 189, a sentence of whipping is, wholly or partially, prevented from being executed, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his descretion, either remit such sentence, or sentence the offender, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not executed, to

Procedure if punishment be prevented under section 189.

imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to inflict.

192. When sentence is passed under this Act on an escaped convict, such sentence, if of fine or whipping, shall take effect immediately, and, if of imprisonment, shall take effect after he has undergone the portion of his former sentence which remained unexpired at the time of his escape.

Currency of sentence on escaped convicts.

193. When a person already under sentence of imprisonment or transportation is sentenced under this Act to imprisonment, such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced.

Commencement of sentence on offender already sentenced for other offence.

PART III.

CHAPTER XIV.—OF LUNATICS.

194. When any person accused before a Presidency Magistrate of an offence appears to such Magistrate to be of unsound mind and incapable of making his defence, the Magistrate shall enquire into the fact of such unsoundness, and shall cause the accused person to be examined by such medical officer as the Local Government directs, and thereupon shall examine such officer as a witness, and shall reduce the examination into writing.

Procedure when accused is a lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

195. When, from the evidence given before a Presidency Magistrate, there appears to be sufficient ground for believing that an accused person committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of such act or that he was doing what was contrary to law, the Presidency Magistrate shall, if such accused person appears to be of sound mind at the time of the inquiry or trial, proceed with the case.

When accused appears to have been insane.

196. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Presidency Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient bail being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required before the Magistrate or such officer as the Magistrate appoints in this behalf.

Release of lunatic on bail.

If the offence be non-bailable, or if sufficient bail be not given, the Magistrate shall report the case for the order of the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

Custody when bail not given.

197. Whenever proceedings are stayed under section 194, the Presidency Magistrate may at any time resume the inquiry or trial, and require the accused person to appear or to be brought before him.

Resumption of inquiry or trial.

When the accused person has been released under section 196, and the sureties for his appearance produce him to the officer whom the Magistrate appoints in this behalf, the certificate of such officer that the accused person is capable of making his defence shall be receivable as evidence.

198. If, when the accused person appears or is again brought before the Magistrate, such Magistrate considers him capable of making his defence, the inquiry or trial shall proceed.

Procedure on accused appearing before Magistrate.

If the Magistrate considers the accused person to be still incapable of making his defence, the Magistrate shall again act according to section 194.

199. Whenever any person is acquitted by a Presidency Magistrate upon the ground that, at the time at which such person is alleged to have committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence complained of, or that he was doing what was contrary to law, the order of acquittal shall state specially whether he committed the act or not.

Finding in case of acquittal on ground of being lunatic.

200. Whenever such order states that the accused person committed the act alleged, the Presidency Magistrate before whom the trial was held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody, in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Procedure when lunatic committed the act alleged.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

201. When any person is confined under the provisions of section 196 or 200, the Inspector General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector General or by two of such visitors as aforesaid; and such Inspector General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

202. If such person is confined under section 196, and such Inspector General or visitors as aforesaid shall certify that in his or their opinion, such person is capable of making his defence, he shall be taken before the Presidency Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 198; and the certificate of such Inspector General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

203. If such person is confined under the provisions of section 200, and such Inspector General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 200 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as it thinks fit.

204. Whenever any relative or friend of any person detained under the provisions of section 200 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person so detained shall be properly taken care of and shall be prevented from doing injury to himself or another, may order such person to be delivered to such relative or friend.

Delivery of lunatic to care of relative.

Whenever such person is so delivered over, it shall be upon condition that he shall be produced for the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 201 and 203 shall, *mutatis mutandis*, apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XV.—OF CONTEMPTS OF COURT.

205. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of a Presidency Magistrate, he may cause the offender to be detained in custody; and, at any time before the Magistrate leaves his Court on the same day, he may take cognizance of the offence, and sentence the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

Procedure in certain cases of contempt.

In every such case, the Magistrate shall record the acts constituting the offence, with the statement (if any) made by the offender as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate interrupted or insulted was sitting, and the nature of the insult or interruption.

206. If the Presidency Magistrate considers that a person accused of any of the offences referred to in section 205 should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate, after recording the facts constituting the offence and the statement of the accused person shall forward the case to another Presidency Magistrate, and shall require bail to be given for the appearance of such accused person before such other Magistrate, or, if sufficient bail be not given, shall forward such person under custody to such Magistrate.

Procedure where Court considers that accused should be imprisoned, or fined more than 200 rupees.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Presidency Magistrate; and may sentence the offender to punishment, as provided in the section under which he is charged.

207. When any Presidency Magistrate has sentenced an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

Discharge of offender on submission or apology.

CHAPTER XVI.—OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

A.—Security for keeping the Peace.

208. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Presidency Magistrate,

Personal recognizance to keep the peace in cases of conviction.

and such Magistrate is of opinion that it is necessary to require such person to execute a personal recognizance for keeping the peace,

he may, in addition to any other order passed in the case, order the person so convicted to execute a personal recognizance for keeping the peace during such period as the Magistrate thinks fit to fix, not exceeding one year.

209. Whenever a Presidency Magistrate is of opinion that it is necessary to require sureties for keeping the peace, in addition to the personal recognizance of the person so convicted, such Magistrate may require him to give such sureties, and may fix the penalties which the sureties shall be respectively bound to discharge, and may direct that, if such bail be not given, he shall be imprisoned for such term not exceeding one year as the Magistrate thinks fit.

Sureties for keeping the peace.

210. If the person so convicted be sentenced to imprisonment, the period so fixed, and the term of imprisonment in default of executing the recognizance, shall commence on the expiration of his sentence.

Commencement of period during which person may be bound to keep peace.

Where the order to execute such recognizance is not made at the time of signing, or by the Magistrate who signs the judgment, the person so convicted must be produced before the Magistrate making such order.

211. Whenever it appears to a Presidency Magistrate that it is necessary for the preservation of the peace that the term for

Extension of time for which person is bound.

which any person is so bound should be extended, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend such term for a further period not exceeding one year from the expiration of the first year.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 215.

B.—Security for Good Behaviour.

212. Whenever it is proved before a Presidency Magistrate that any person is lurking within the local limits of his jurisdiction, or that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such person to enter into such recognizance, with sureties, for his good behaviour for a period not exceeding six months, as the Magistrate thinks sufficient.

When Magistrate may require security for good behaviour for six months.

213. Whenever it is proved before a Presidency Magistrate that any person is by repute

When Magistrate may require security for good behaviour for one year.

a robber, house-breaker or thief,

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood,

or of a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

214. Whenever it is proved before a Presidency Magistrate that any person is an habitual robber, house-breaker or thief,

Procedure where security required for more than one year.

or an habitual receiver of stolen property, knowing the same to have been stolen,

or of a dangerous character,

and that his release without security, at the expiration of the limited period of one year, would be hazardous to the community,

the Magistrate shall record his opinion to that effect, and make an order requiring similar security for the good behaviour of such person for a period not exceeding three years.

If such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

C.—Provisions as to both Kinds of Security.

215. Whenever a Presidency Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, or that he is one of the persons referred to in sections 212, 213 and 214, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to execute a recognizance to keep the peace or for good behaviour, as the case may be.

Summons to person to show cause why he should not give bond to keep peace or for good behaviour.

EXPLANATION I.—A summons calling on a person to show cause why he should not execute such recognizance, may be issued on any report or other information which the Magistrate believes; but the Magistrate shall not require any person to execute such recognizance until the Magistrate has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may, if he thinks fit, recall any summons issued under this section.

216. Such summons shall set forth the substance of the report or information on which it is issued, the penalty to be specified in the recognizance, and the term for which it is to be in force, and, if bail are to be taken, their number, the penalties which they shall be respectively bound to discharge, and the time and place at which the person summoned is required to attend.

Contents of summons.

When the person believed to be likely to commit a breach of the peace or to be one of the persons referred to in sections 212, 213 and 214, is present in Court, no summons is necessary, but the Magistrate may at once require him to show cause why he should not be required to execute the recognizance.

217. If the person summoned does not attend on the day appointed at the hour and place named in the summons, the Presidency Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

When warrant of arrest may issue.

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded by the Magistrate on the warrant), that there is reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, or that there is reason to think that any person is one of the persons so referred to, the Magistrate may at any time issue a warrant for his arrest.

218. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 215, and may permit him to appear and execute the required recognizance, or show cause against such requisition, by an advocate, attorney or pleader.

Magistrate may dispense with personal attendance of person informed against.

219. If on the appearance of the person so informed against or, if his attendance is dispensed with, of his advocate, attorney or pleader, the Magistrate is not satisfied that there is occasion to bind over such person to keep the peace, or to be of good behaviour, the Magistrate shall direct his discharge.

Discharge of person informed against.

220. If the Magistrate is satisfied that it is necessary for the preservation of the peace or the maintenance of good behaviour that such person shall execute a recognizance, the Magistrate shall make an order accordingly.

Order to give bond and consequence of non-compliance.

The penalty specified in every recognizance executed under this chapter shall be fixed with due regard to the circumstances of the case and the means of the person bound.

The penalty which the sureties shall be jointly and severally bound to discharge shall not exceed the penalty which the principal debtor is bound to discharge.

221. If a person required to furnish security under section 214 does not furnish the same, or offers sureties whom the Magistrate rejects, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence which it thinks necessary, may pass such orders on the case as it thinks fit, provided that the period (if any) for which it may direct the security to be taken shall not exceed three years.

222. Whenever security is required under this chapter, the amount of the security, the number and description of sureties, and the period of time for which the recognizance is to remain in force, shall be stated in the order, and the recognizance shall be in the form (H) or (I), as the case may be, given in the third schedule hereto annexed or to the like effect.

Contents of order for security.

Form of recognizance.

223. In the event of any person required to give security under the provisions of this chapter failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Imprisonment in default of security.

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Term of imprisonment.

Imprisonment under this section may be rigorous or simple, as the High Court or Magistrate in each case directs.

224. If any person required under this chapter to enter into a recognizance is under sentence of imprisonment, he shall, on or after the expiration of his sentence, be brought up before the Magistrate for the purpose of entering into such recognizance.

Binding of sentenced person.

225. A Presidency Magistrate may at any time release any person imprisoned for failing to furnish security for good behaviour, whether by his own order or that of his predecessor in office, provided that the Magistrate is of opinion that such person may be released without hazard to the community.

Release of prisoners under requisition of security.

Whenever a Presidency Magistrate is of opinion that any person imprisoned for failing to furnish security for good behaviour, as ordered by the High Court, may be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Release of prisoner under requisition of security by order of High Court.

226. A surety for the peaceable conduct or good behaviour of another person may at any time apply to a Presidency Magistrate to discharge his recognizance.

Discharge of sureties.

On such application being made, the Magistrate shall issue his summons or warrant requiring the person for whom such surety is bound to appear or be brought before him.

When such person appears or is brought before the Magistrate, such Magistrate shall discharge the recognizance of the surety, and shall order such person to give a fresh surety.

227. The commission, or attempt to commit, or the abetment of, any offence whatever, and wherever it may be committed, is a breach of the recognizance.

Commission, &c., of offence, a breach.

228. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter has been forfeited, he shall record the grounds of such proof, and call upon the person bound by such recognizance to pay the penalty thereof, or to show cause why it should not be paid.

Recovery of penalty from principal.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any moveable property belonging to the person bound by such recognizance.

Such warrant may be executed within the local limits of the jurisdiction of the Magistrate who issued it; and it shall authorize the distress and sale of any moveable property belonging to the person so bound without such limits, when endorsed by the Magistrate of the District in which such property is found.

If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable to imprisonment by order of the Presidency Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person so bound has had an opportunity of showing cause against the enforcement, and until the breach of the condition of the recognizance has been proved.

229. Whenever it is proved before a Presidency Magistrate that any recognizance entered into under this chapter by a surety has been forfeited, the Magistrate may give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

Recovery of penalty from surety.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover the penalty from such surety in manner provided by the last preceding section.

And in case such penalty cannot be so recovered, the Magistrate may sentence the surety to imprisonment in the civil jail for a period not exceeding six months.

230. Any previous conviction of the person to be bound may, in proceedings under this chapter, be proved in the manner prescribed in section 154.

Proof of previous conviction.

231. Proceedings under this chapter may be taken in any district in which the breach of the peace is apprehended, or in which an offence has been committed in breach of the bond, or in which the person whom it is desired to bind may be.

Where proceedings under this chapter may be taken.

232. The provisions of this chapter relating to security for good behaviour do not apply to European British subjects in cases where they may be dealt with under the European Vagrancy Act, 1874.

Provisions of chapter not applying to European vagrants.

CHAPTER XVII.—OF RESTORING POSSESSION OF IMMOVEABLE PROPERTY.

233. Whenever any person is convicted by a Presidency Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

Power to restore possession of immoveable property.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XVIII.—OF THE MAINTENANCE OF WIVES AND FAMILIES.

234. If any person, having sufficient means, neglects or refuses to maintain his wife, or his legitimate or illegitimate child unable to maintain itself, a Presidency Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his said wife, or child, or both, at such monthly rate not exceeding fifty rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs.

Order for maintenance of wives and children.

Such allowance shall be payable from the date of the order.

If any person so ordered wilfully neglects to comply with the order, a Presidency Magistrate may, for every breach of the order, issue a warrant for levying the amount due in manner hereinbefore provided for levying fines; and may sentence such person, for each month's allowance remaining unpaid, to imprisonment for any term not exceeding one month:

Enforcement of order.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

Proviso.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent.

235. On the application of any person receiving, or ordered to pay, a monthly allowance under the provisions of section 234, and on proof of a change in the circumstances of such person, his wife or child, the Magistrate may make such alteration in the allowance ordered as he thinks fit, provided the monthly rate of fifty rupees be not exceeded.

Alteration in allowance.

236. A copy of the order of maintenance shall be given without fee to the person in whose favour it is made, or to his guardian (if any); and such order shall be enforceable by any Magistrate in any place where the person against whom it is made may be, on such Magistrate being satisfied as to the identity of the parties and the non-payment of the allowance due.

Enforcement of order.

PART IV.

CHAPTER XIX.—MISCELLANEOUS.

237. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings which are instituted in any Presidency Magistrate's Court.

Procedure in miscellaneous criminal cases and proceedings.

238. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by a Presidency Magistrate, and may be tried according to the provisions of this Act.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

239. The powers conferred on a Presidency Magistrate by section 238 may be exercised whether the offence is stated to have been committed within the local limits of his jurisdiction or not; but such powers shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within such limits.

Extent of jurisdiction.

240. A Presidency Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision by the High Court, may either commit the accused person to jail or release him on bail to appear for judgment when called upon.

Reference to High Court.

241. When a question has been so referred, the High Court shall pass such order thereon as it thinks fit, and shall cause a copy of such order to be sent to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said order.

Disposal of case according to decision of High Court.

The High Court may direct by whom the costs of the reference shall be paid.

Direction as to costs.

242. Whenever any person causes a Police-officer to arrest another person, and whenever a complaint of any offence is made before any Presidency Magistrate, if it appears to the Magistrate by whom the case is heard that there was no sufficient ground for causing such arrest or for making such complaint, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the person so causing the arrest or making the complaint, to the person so arrested or complained against, for his loss of time and expenses in the matter, as the Magistrate thinks fit.

Compensation to person groundlessly given in charge or complained against.

In such cases, if more persons than one are arrested or complained against, the Magistrate may, in like manner, award to each of them such compensation, not exceeding fifty rupees, as such Magistrate thinks fit.

All compensation awarded under this section may be recovered as if it were a fine.

243. When the inquiry or trial before any Presidency Magistrate is concluded, he may make such order as he thinks fit for the disposal of any moveable property produced before him regarding which any offence appears to have been committed.

Order for disposal of property regarding which offence committed.

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

244. If any property alleged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Presidency Magistrate, or in prosecution of any complaint of an offence in regard to the obtaining thereof, and the person accused of such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted,

Power to order disposal of property connected with charge, in Police-custody.

or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty,

or if any property has been seized by a Police-officer under section 160,

any Presidency Magistrate may make an order for the delivery of such property to the person appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, may make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the person to whom the property is delivered, and to recover such property from him, so that the suit be instituted within six months next after such order has been made.

245. Subject to any rules that may be made by the Local Government, with the previous sanction of the Governor General in Council, a Presidency Magistrate may order

Expenses of complainants and witnesses.

payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

246. Every person aware of the commission of any offence punishable under sections 121, 121A, 122, 123, 124, 124A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Presidency Magistrate.

All persons to give information of certain offences.

247. Within such local limits every person is bound to assist a Presidency Magistrate or Police-officer demanding his aid

(a) in the prevention of a breach of the peace, or in the suppression of a riot or an affray, or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

All persons to assist Magistrate and Police in certain cases.

SCHEDULE I.

ACTS REPEALED.

(SEE SECTION 2.)

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1837 and." Sections twenty-two, twenty-three, twenty-six to thirty-one (both inclusive), thirty-six; thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-five to ninety-eight (both inclusive), one-hundred to one-hundred-and-four (both inclusive), one-hundred-and-six, one-hundred-and-eight to one-hundred-and-eleven (both inclusive). In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath." In section ninety-three, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate." Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six. The whole.
LII of 1860 ...	Trials for breach of Railway Police Regulations	The whole.
XXI of 1864 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	
XLVIII of 1860	Amending Act XIII of 1856.	
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten, twelve to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive). In section fifty-eight, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate." Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive). In section seventy-nine, the words "or to a Magistrate," "or the Magistrate," and "or Magistrate."
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—1*st*.—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the first column.

2*nd*.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 70 and 71 of this Act.

3*rd*.—The High Court may try an offence entered in column 7 as triable by a Magistrate.

4*th*.—The last part of the schedule, headed "Offences against other Laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

5*th*.—The direction in column 4 is meant to indicate to Presidency Magistrates the manner in which the discretion vested in them by sections 34 and 35 is commonly to be used.

CHAPTER V.—OF ABETMENT.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto -	Ditto -	Ditto -	Ditto - -	Ditto

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto -	Ditto -	Ditto -	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto -	Ditto -	Ditto -	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed - -	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto -	Ditto -	Ditto -	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed - - -	Ditto -	Ditto -	Ditto -	Imprisonment extending to one-eighth part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant -	Not bailable	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto -	Ditto -	Ditto -	Transportation of life or any shorter term, or imprisonment of either description for ten years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection	Ditto -	Ditto -	Ditto -	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto -	Ditto -	Ditto -	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.

126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the re-capture of such prisoner.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto -	Ditto -	Ditto -	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor, who has deserted.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons -	Ditto -	Fine of 500 rupees - -	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto -	Summons - -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
144	Joining an unlawful assembly armed with any deadly weapon.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto
145	Joining or continuing an unlawful assembly, knowing that it has been commanded to disperse.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
147	Rioting - - - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
148	Rioting armed with a deadly weapon -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence -	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto -	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto -	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed - - -	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Fine of 1,000 rupees - -	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Fine - - -	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
159	Or to go armed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
160	Committing affray - - -	Shall not arrest without warrant.	Summons -	Ditto -	Imprisonment of either description for one month, or fine of 100 rupees, or both.	Ditto.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with refereuce to himself.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade -	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant - -	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.

172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c., require attendance in person, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
	If the document is required to be produced in or delivered to a Court of Justice.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
179	Being legally bound to state truth, and refusing to answer questions.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Ditto.
185	Bidding, by a person under a legal incapacity to purchase it, for property at a lawfully authorized sale, or bidding without intending to perform the obligations incurred thereby.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.	Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	Disobedience to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto -	Ditto -	Ditto -	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	Giving or fabricating false evidence in any other case.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto -	Ditto -	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto -	Ditto -	Ditto -	Death, or as above -	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto -	Ditto -	Ditto -	The same as for the offence -	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto -	Ditto	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto -	Ditto -	Bailable -	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.
200	Using as true any such declaration known to be false.	Ditto -	Ditto -	Ditto -	Ditto -	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
209	False claim in a Court of Justice -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years -	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
214	Gift made to cause restoration of property in consideration of screening offender, if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover moveable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant [or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Public servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto -	Ditto -	Ditto -	Ditto - - - - - -	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto -	Summons -	Ditto -	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto -	Ditto -	Ditto -	Ditto - - - - - -	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Ditto - - - - -	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what *Court triable.*
	If under sentence of death - -	May arrest without warrant.	Warrant -	Not bailable -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation -	Ditto -	Ditto -	Not bailable -	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons -	Ditto -	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.

229	Personation of a juror or assessor - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting, coin.	May arrest without warrant.	Warrant -	Not bailable -	Imprisonment of either description for 7 years and fine.	High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting, the Queen's coin.	Ditto -	Ditto -	Ditto -	Transportation for life or imprisonment of either description for 10 years and fine.	Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If Queen's coin - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto -	Ditto -	Ditto -	The punishment provided for abetting the counterfeiting of such coin within British India.	Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant -	Not bailable-	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
	Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law.	Ditto -	Ditto -	Ditto -	Ditto - - -	High Court.
245	Unlawfully taking from a mint any coining instrument.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	Ditto.

CHAPTER XII.—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant -	Not bailable-	Imprisonment of either description for 2 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
258	Sale of counterfeit Government stamp -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto -	Ditto -	Ditto -	Ditto - - -	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
262	Using a Government stamp known to have been before used.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man, intended for sale, so as to make the same noxious.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man, knowing the same to be noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto	Ditto	Ditto	Ditto	Ditto.
275	Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Ditto	Ditto	Ditto	Ditto	Ditto.
276	Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto	Ditto	Ditto	Ditto	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.
278	Making atmosphere noxious to health	Shall not arrest without warrant.	Ditto	Ditto	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy	Ditto	Warrant	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto	Ditto	Ditto	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
286	So dealing with any explosive substance	Ditto	Ditto	Ditto	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he has a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
290	Committing a public nuisance	Shall not arrest without warrant.	Ditto	Ditto	Fine of 200 rupees	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto	Ditto	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto	Ditto	Ditto	Ditto	Ditto.
294	Obscene songs	Ditto	Ditto	Ditto	Ditto	Ditto.
294A	Keeping a lottery-office	Shall not arrest without warrant.	Summons	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
	Publishing proposals relating to lotteries	Ditto	Ditto	Ditto	Fine of 1,000 rupees	Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto	Ditto	Ditto	Ditto	Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight, of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder	May arrest without warrant.	Warrant	Not bailable.	Death, transportation for life and fine	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1. Section.	Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant	Not bailable.	Death	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act	Ditto	Ditto	Bailable	Imprisonment of either description for two years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto	Ditto	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine	High Court.
306	Abetting the commission of suicide	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder	Ditto	Ditto	Ditto	Ditto	Ditto.
	If such act cause hurt to any person	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.
308	Attempt to commit culpable homicide	Ditto	Ditto	Bailable	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
	If such act cause hurt to any person	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, and fine.	Magistrate.
311	Being a thug	Ditto	Ditto	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
			Of Hurt.			
323	Voluntarily causing hurt	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto	Warrant	Ditto	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto	Ditto	Ditto	Ditto	Ditto.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto	Ditto	Bailable	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto	Ditto	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto	Summons	Bailable	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restraint and wrongful Confinement.

341	Wrongfully restraining any person	May arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
343	Wrongfully confining for three or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 2 years, or fine, or both	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant -	Not bailable	Ditto - - -	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons -	Ditto -	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping - - - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder -	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto -	Ditto -	Ditto -	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave -	Shall not arrest without warrant.	Ditto -	Bailable -	Ditto - - -	Ditto.
371	Habitual dealing in slaves - -	May arrest without warrant.	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
374	Unlawful compulsory labour - - -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

Of Rape.

376	Rape - - - -	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto	Ditto	Ditto	Ditto	High Court or Magistrate.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto	Ditto	Ditto	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto	Ditto	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence.	Ditto	Ditto	Ditto	Transportation for life	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant -	Not bailable.	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence -	Ditto -	Ditto -	Ditto -	Transportation for life - -	Ditto.

Of Robbery and Dacoity.

392	Robbery - - - -	May arrest without warrant.	Warrant -	Not bailable.	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery - -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity - - - - -	Ditto -	Ditto -	Ditto -	Ditto - - - -	High Court.
396	Murder in dacoity - - -	Ditto -	Ditto -	Ditto -	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
399	Making preparation to commit dacoity -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.

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CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 Offence.	Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	Criminal breach of trust	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant.	Ditto	Ditto	Ditto	Ditto	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	Dishonestly receiving stolen property, knowing it to be stolen.	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	Ditto	Ditto	Ditto	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
413	Habitually dealing in stolen property	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

Of Cheating.

417	Cheating	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation	Ditto	Ditto	Ditto	Ditto	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

Of Fraudulent Deeds and Dispositions of Property.

421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	Of Mischief.					
426	Mischief - - - -	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of 10 rupees or upwards.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
429	Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	Mischief by causing diminution of supply of water for agricultural purposes, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
431	Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
432	Mischief by causing inundation or obstruction to public drainage, attended with damage.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
433	Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	Mischief by destroying or moving, &c., a landmark fixed by public authority.	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
436	Mischief by fire or explosive substance, with intent to destroy a house, &c.	Ditto -	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore, with intent to commit theft, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass - - -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass - - -	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto -	Ditto -	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
453	Lurking house-trespass or house-breaking. -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant -	Not bailable-	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
468	Forgery for the purpose of cheating -	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto -	Ditto -	Ditto -	Punishment for forgery -	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Not bailable	Ditto - - -	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the document is a valuable security or will.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
489	Removing, destroying, or defacing, any property-mark with intent to cause injury.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX.—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person, and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
494	Marrying again during the life-time of a husband or wife.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery - - - - -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation - - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*continued.*

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation - - -	Ditto -	Ditto -	Bailable -	Ditto - - -	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term, and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

	If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant -	Not bailable	.....	High Court.
	If punishable with imprisonment for three years and upwards but less than seven.	Ditto -	Ditto -	Ditto -	.....	High Court or Magistrate.
	If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons -	Bailable -	.....	Magistrate.
	If punishable with fine only - -	Ditto -	Ditto -	Ditto -	.....	Di to.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 47).

To *A. B.*, of

Whereas complaint has this day been made before the undersigned Presidency Magistrate for the Town of that you on the day of 187 at (*state shortly the offence complained*) contrary to section of the Indian Penal Code [*or* of Act No. of 18 , *as the case may be*] : You are hereby required to appear in person [*or* by advocate, attorney or pleader, *as the case may be*] on the day of 187 , at o'clock in the forenoon [*or* afternoon] at the Court of before such Magistrate as may then be present, to answer to the said complaint and to be further dealt with according to law.

Dated the day of

(*Signed*) *C. D.*

Presidency Magistrate.

B.

FORM OF WARRANT OF ARREST (*section* 56).

To (*name and designation of the person who is to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*) : You are hereby directed to apprehend the said and produce him at the Court of before such Magistrate as may then be present.

(*Signature.*)

Dated

[*This warrant may be endorsed as follows* :—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 71).

To the officer in charge of the

Whereas of is accused of ( ) you are hereby required to receive the said into your custody and to produce him before by whom [*or* which] the offence of which he is accused is to be tried [*or* enquired into] from time to time when so required.

D.

FORM OF RECOGNIZANCE (*section* 72).

We, *A. B.* of , *C. D.* of and *E. F.* of , do hereby bind ourselves jointly and severally that the said *A. B.* will attend on the day of 187 at the Court of the Presidency Magistrate of and continue so to attend until otherwise directed by the said Magistrate, and will, if required, appear when called upon at the High Court of Judicature at to answer the charge of , and in case of the said *A. B.* making default herein, we the said *A. B.*, *C. D.* and *E. F.* bind ourselves jointly and severally to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signatures.*)

Dated the day of 187 .

E.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY PENDING TRIAL BEFORE THE HIGH COURT (*section* 89).

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*) and has been committed to take his trial before the Court of

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(*Signature.*)

(*Office and powers.*)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*sections* 93, 140).

I, , of , do hereby bind myself to appear at , in the Court of , at o'clock on the day of next, and then and there to prosecute (*or, as the case may be,* to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer; and in case of my making default herein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

Dated (*Signature.*)

G.

FORM OF WARRANT OF COMMITMENT AFTER SENTENCE (*section* 184).

To , the officer in charge of the Jail.

Whereas of was convicted before me (*name and official designation*) of the offence of (*mention the offence, quoting Act and section*), and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*): You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

(*Signature.*)

Dated day of

H.

FORM OF RECOGNIZANCE TO KEEP THE PEACE (*section* 222).

Whereas I, *A. B.* [*or* we, *A. B.*, *C. D.*, *etc.*], of , have been called upon to enter into a bond to keep the peace for the term of , I hereby bind myself [*or* each of us hereby binds himself] not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of my [*or* any of us] making default therein, I bind myself [*or* he binds himself] to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE RECOGNIZANCE OF THE PRINCIPAL.

I, *E. F.* of , hereby declare myself surety for the abovementioned *A. B.*, that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

I.

FORM OF RECOGNIZANCE FOR GOOD BEHAVIOUR (*section* 222).

Whereas I, , inhabitant of , have been called upon to enter into a bond to be of good behaviour to Her Majesty and to all Her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty, and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the abovesaid , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty, her heirs and successors the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 97.)

(1).—CHARGES WITH ONE HEAD.

(*a.*) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows :—

(*b*). That you, on or about the day of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

On Penal Code, section 121.

(*c.*) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature of the Magistrate.*]

[*To be substituted for* (*b*).]

(2.) That you, on or about the day of , at , with the intention of inducing the Honourable *A. B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

On section 124.

(3). That you, being a public servant in the Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

On section 161.

(4.) That you, on or about the day of at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

On section 304.

(5.) That you, on or about the day of , at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

On section 306.

(6.) That you, on or about the day of , at , voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 325 of the Indian Penal Code, and within the cognizance of the High Court.

On section 325.

(7.) That you, on or about the day of , at , committed robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

On section 392.

(8.) That you, on or about the day of , at , committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

On section 395.

(9.) That you, on or about the day of , at , did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section , and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

On section 166.

(10.) That you, on or about the day of at , in the course of the trial of before stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

On section 193.

[*In cases tried by Magistrates, substitute* " within my cognizance " *for* " within the cognizance of

the High Court." *In* (*c*), *omit* "by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(*a*.) I, [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows:—

On Penal Code, sections 241 and 242.

(*b*.) *First*.—That you, on or about the day of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(*c*.) And I hereby commit you to the said Court to be tried on the said charges.

[*Signature of the Magistrate.*]

For (*b*). On sections 302 and 304.

First.—That you, on or about the day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

For (*b*). On sections 379 and 382.

First.—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

ALTERNATIVE CHARGES.

For (*b*). Alternative charges on section 193.

That you, on or about the day of at , in the course of the inquiry into before stated in evidence that " ," and that you, on or about the day of , at in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

In trials before Magistrates, substitute, "within my cognizance," *for* "within the cognizance of the High Court," *and omit* "by the said Court."

WHITLEY STOKES,
Secretary to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information:—

ACT NO. V OF 1877.

THE STRAITS SETTLEMENTS EMIGRATION ACT, 1877.

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THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

An Act to regulate the Emigration of Native Labourers from the Presidency of Fort Saint George to the Straits Settlements.

WHEREAS it is expedient to regulate emigration under engagements to labour from the Presidency of Fort Saint George to the Straits Settlements; It is hereby enacted as follows :—

Preamble.

I.—PRELIMINARY.

Short title.

I. This Act may be called "The Straits Settlements Emigration Act, 1877:"

Local extent.

It extends only to the territories under the government of the Governor of Fort Saint George in Council;

Commencement.

And it shall come into force on such date as the Governor of Fort St. George in Council, with the previous sanction of the Governor General in Council, may, by notification in the *Fort St. George Gazette*, direct.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"Emigrate" denotes the departure of any Native of India out of the said territories, under an engagement to labour in the said Settlements :

"Emigrate."

"Emigrant" means a person who "emigrates" within the meaning of the above definition :

"Emigrant."

"Magistrate" means a Magistrate of a District, a Magistrate of a division of a district, or any other person appointed by the Governor of Fort St. George in Council to perform the functions of a Magistrate under this Act :

"Magistrate."

"Vessel" includes anything made for the conveyance by water of human beings or property.

"Vessel."

From what port emigration lawful.

3. It shall not be lawful to emigrate except from such ports as may from time to time be declared by the Governor of Fort St. George in Council, by a notification in the *Fort Saint George Gazette*, to be ports from which emigration under this Act shall be lawful.

The Local Government may, at any time, by a like notification, revoke any such notification.

II.—EMIGRATION AGENTS.

Appointment of Emigration Agents.

4. The Government of the Straits Settlements may, from time to time, appoint such persons as the Governor of Fort St. George in Council approves, to act as Emigration Agents at such ports as aforesaid.

Any Emigration Agent so appointed may be suspended or removed by the Government of the Straits Settlements.

III.—PROTECTORS OF EMIGRANTS.

Appointment of Protector of Emigrants.

5. The Governor of Fort St. George in Council shall direct such persons as he thinks fit to act as Protectors of Emigrants under this Act at such ports and for such local areas as may be assigned to them respectively, and may, with the sanction of the Governor General in Council, assign to such persons such establishment as the Governor of Fort St. George in Council thinks fit.

General duties of Protector.

6. Every Protector of Emigrants, in addition to any special duties assigned to him by this Act, shall, so far as is in his power, protect and aid all emigrants with his advice or otherwise, and cause all the provisions of this Act to be duly complied with.

Inspection of vessels with return emigrants.

He may also inspect on arrival all vessels bringing return emigrants to the port at which he is Protector, and inquire into the treatment received by such emigrants both during the period of their service in the Straits Settlements and also during the voyage, and shall make a report thereon to the Governor of Fort St. George in Council.

Such Protector shall also aid and advise such return emigrants, so far as he reasonably can, when called upon by them to do so.

IV.—EMIGRATION DEPÔT.

Establishment and licensing of depôt.

7. Every Emigration Agent shall establish a suitable depôt for emigrants at the port at which he is Agent. Such depôt may be licensed by the local Protector of Emigrants after being inspected and approved of by him.

Fee for license.

For every such license the Emigration Agent shall pay to the Protector of Emigrants a fee of fifteen rupees.

Inspection by Protector.

8. The Protector of Emigrants may, at any time, examine into the state of the depôt and the manner in which the emigrants are therein lodged, fed, clothed and otherwise provided for and attended to, and shall do so at least once a year.

And he may at any time cancel the license, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the local Emigration Agent fails to comply with any of the requirements of this Act.

Agent and his subordinates to afford facilities for inspection.

The Emigration Agent and all persons in charge of, or employed in, the depôt, shall give the Protector every facility for making such inspections as he may deem necessary or proper, and shall afford him all such information respecting the depôt and the emigrants as he may require.

Supply of medical aid and comforts.

9. The Emigration Agent shall provide at the depôt such medical aid and comforts as the Protector may from time to time direct.

V.—RECRUITERS OF LABOURERS.

Protector to license recruiters.

10. Each Protector of Emigrants shall license so many fit persons as he deems necessary, to be recruiters of labourers for the Straits Settlements; and no person shall engage or attempt to engage any Native of India to emigrate, or shall otherwise act or be employed as a recruiter of labourers, except under a license from a Protector of Emigrants.

Duration and cancelment of license.

11. No such license shall be in force for a longer period than one year; and in case of misconduct on the part of any recruiter, the Protector of Emigrants who granted it may cancel his license before the expiration of the period for which it was granted.

Form of license.

12. Every such license shall specify the local limits within which the person licensed may recruit labourers, and shall be in the form set forth in the first schedule hereto annexed.

Fee for license.

For every such license the recruiter shall pay to the Protector a fee of five rupees.

Recruiter to obtain Magistrate's countersignature to license.

13. No recruiter shall engage, or attempt to engage, labourers in any district without having first exhibited his license to a Magistrate in such district, and obtained the countersignature of such Magistrate thereupon.

No Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act.

If any Magistrate who has countersigned a license afterwards finds reason to think that the licensee is by character or other cause unfitted to be a recruiter under this Act, he may require the licensee to produce the license and may cancel his signature; or he may, if he thinks fit, impound the license and send it to the Emigration Agent for cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his signature as aforesaid, shall, without delay, report his refusal or cancellation and the grounds of it to the Protector of Emigrants who has authority to cancel the recruiter's license.

VI.—CONTRACTS WITH EMIGRANTS.

Conditions of validity of emigration contracts.

14. No contract made by a recruiter with a Native of India to emigrate shall be enforceable by the recruiter or his principal unless it—

(*a*) is expressed in writing;

(*b*) is executed by the recruiter on behalf of some principal in the Straits Settlements;

(*c*) states the terms, if any, agreed on as to the redemption of the recruit's engagement for employment, or of the unexpired term of such engagement;

(*d*) the term of the recruit's employment, the nature of the services to be performed by him, and the rate of wages to be paid in respect of the same are registered in the manner provided in section eighteen.

But nothing contained in this section shall be deemed to prevent such Native from insisting, if he thinks fit, that such contract shall be performed.

Contents of such contracts.

15. Every such contract shall—

(*a*) contain an engagement for employment to be provided by such principal for a definite term not exceeding three years; and

(*b*) specify the nature of the services to be performed by such recruit and the rates of wages (not less than twelve cents a day for an able-bodied male adult) payable in respect of the same.

Certain agreements declared void.

16. Save as provided by section fourteen, clause (*c*), every agreement entered into by a Native of India in the territories subject to the Governor of Fort Saint George in Council, to pay money to any person in the Straits Settlements, in consideration of pecuniary or other assistance given to such Native to emigrate, shall be illegal and void.

Every contract not containing the particulars required by section fifteen shall be illegal and void.

Medical examination of intending emigrants.

17. Every recruit who has entered into such a contract as aforesaid shall be brought by the recruiter before the Civil Surgeon of the district or such other medical officer as the Local Government appoints in this behalf or, in default of such appointment, before such medical officer as the Magistrate directs.

The medical officer shall thereupon examine the recruit, and shall either reject him or shall certify that he is in a fit state of health and able in point of physical condition to proceed to the Straits Settlements and to work there.

Dependents.

If it is intended that any persons shall accompany the recruit as his dependents, the recruiter shall also bring them before the medical officer for the purpose of obtaining certificates that they are in a fit state of health and able in point of physical condition to perform the journey to the Straits Settlements; and the medical officer shall examine such persons and shall give or refuse certificates according to his opinion as to their fitness and ability.

Form of certificates.

Certificates shall be in the form set forth in the second schedule hereto annexed; and the recruiter shall pay to the medical officer such fee for each person so examined as the Local Government may from time to time prescribe.

Emigrant to appear before Magistrate,

18. Every certified recruit and every accompanying dependent shall appear with the recruiter before a Magistrate in the district within which the contract with the recruit was entered into.

and be examined.

The Magistrate shall thereupon inspect the instrument of contract and the medical certificate of the recruit, and shall, apart from the recruiter, examine the recruit with reference to his contract.

If it appears on such examination that the recruit understands the nature of the contract he has entered into, and that he is willing to fulfil the same, the Magistrate shall register

(*a*) the name, the father's name and the age of such recruit:

(*b*) the name of the village or place in which he resides:

(*c*) the port of embarkation to which it is intended he shall proceed:

(*d*) the name of his employer:

(*e*) the term of his employment, the nature of the services to be performed by him and the rate of wages to be paid in respect of the same.

The recruit shall thereupon be deemed an emigrant under this Act.

If the Magistrate thinks that the recruit does not understand the nature of the contract into which he has entered, or has been induced to enter into it by fraud or misrepresentation, or finds that the contract is not in accordance with section fifteen, he shall refuse to register the particulars specified as aforesaid, and record his reasons for such refusal.

Registration when to be refused.

19. On the appearance of any person claiming to be dependent on an emigrant, the Magistrate, after inspecting the medical certificate, shall, apart from the recruiter, examine such person if able to give intelligent answers to questions as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

Examination of dependents.

If the Magistrate is satisfied that such dependence and willingness exist, he shall register the dependent as a dependent on such emigrant.

But if the Magistrate sees reason to doubt the existence of such dependence or willingness, he may refuse to register the alleged dependent, and, if so, shall record his reasons for such refusal.

20. The Magistrate shall furnish to every emigrant an authenticated copy on substantial paper of the matters registered under sections 18 and 19.

Copies of registered matters.

21. A copy of every entry made in the registry book by a Magistrate, shall be forthwith forwarded by such Magistrate to the Emigration Agent and to the Protector of Emigrants.

Copy of entry in register to be sent to Emigration Agent and Protector.

22. The registration required by sections 18 and 19 shall, in the case of emigrants recruited in any local area for which a Protector of Emigrants has been appointed, be effected before him instead of a Magistrate; and such Protector shall furnish to the emigrant one copy of the matters so registered, and another copy of the same matters to the Emigration Agent.

Registration.

23. For the registration of every recruit under section 18, the recruiter shall pay to the Magistrate or to the Protector of Emigrants, as the case may be, such fee not exceeding one rupee, as may be from time to time directed by the Local Government.

Fee for registration.

VII.—ARRIVAL AT DEPÔT AND PROCEDURE THEREON.

24. The arrival of each emigrant at the depôt shall immediately be reported by the person in charge of the depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Arrival at depôt to be reported.

The Emigration Agent may institute such examination of the emigrants as he thinks fit in order to satisfy himself of their fitness to emigrate.

25. The Protector of Emigrants shall, within forty-eight hours after the arrival at the depôt of each emigrant not registered by himself, question such emigrant as to the mode in which he has been treated on his journey to the depôt, and shall at the same time examine the emigrant's contract and the copy of the register furnished to him under section 20.

Duty of Emigration Agent on arrival of emigrants.

If, for any reason, further inquiry is necessary, he shall make such enquiry forthwith.

26. If in the opinion of the Protector of Emigrants the examination and enquiry made under section 25 disclose no valid reason against the fulfilment of the contract, and the emigrant has not become physically unfit for emigration, the Protector and the Emigration Agent shall countersign the emigrant's copy of the register and the Emigration Agent shall make out and deliver to the emigrant an embarkation-pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant and the name of his father, certifying that he has been duly registered for emigration to the Straits Settlements and mentioning the port of debarkation.

Contersignature of register.

Grant of embarkation pass.

27. If the Protector of Emigrants considers that any emigrant is physically unfit to emigrate, and that he has not dishonestly represented himself as physically fit;

When the emigrant to be sent back to the place of registration.

or that any such irregularity has occurred in the recruitment of any such emigrant, as makes it just to vacate the contract;

or if the Emigration Agent refuses without the consent of the Protector to countersign the emigrant's copy of the register as required by section 26, or to be bound by the contract;

the Protector of Emigrants may order the Emigration Agent, or the recruiter with whom the contract was made, forthwith to pay to him such reasonable sum as is necessary to enable such emigrant to return to the place where his name was registered under section 18; and may take any steps he thinks necessary for the conveyance of such emigrant to such place;

Payment of expenses of sending him back.

and any emigrant who from his state of health is in the opinion of the Protector of Emigrants physically unfit to undertake such return, shall be entitled to be fed, lodged and attended to at the port of embarkation at the expense of the Emigration Agent until he is reported by the Protector of Emigrants fit to undertake such return to such place.

28. If a dependent has accompanied such emigrant, the Protector of Emigrants may order the Emigration Agent or recruiter to pay such sum as is necessary to enable him to return to the place at which his name was registered under section 19, as well as to feed or lodge him during the detention (if any) of the emigrant at the depôt.

Payment of expenses of dependent accompanying emigrant.

29. If the Protector of Emigrants has reason to think that any dependent is in such a state of health that his journey to the Straits Settlements, or his detention in the depôt, would be dangerous to himself or others, he shall so certify to the Emigration Agent, and thereupon

Effect of such dependent's unfitness from ill-health to return to Straits.

the emigrant to whom such dependent is attached shall be entitled, if he so wishes, to return as if he himself had been found under section 27 to be physically unfit to emigrate.

If the emigrant still desires to emigrate, then the dependent shall be kept and returned to the place at which he was registered as if he were an emigrant falling under section 27.

30. If upon the arrival of any emigrant or dependent at the depôt, it appear that, during the journey thither, he has suffered any ill-treatment, or the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

Compensation to emigrant or dependent for ill-treatment on journey to depôt.

31. On failure of the Emigration Agent or of such recruiter for twenty-four hours to comply with an order of the Protector for the payment of any sum, ordered to be paid under any of the four last preceding sections, the Protector may pay the same to, or on behalf of, the emigrant.

Failure of Emigration Agent, &c., to pay such expenses.

Every sum so paid shall be recoverable by the Protector, with six per cent. per annum interest from the date of payment, from the Emigration Agent, or from such recruiter.

No further proof shall be required by any Court in any such case than that the Protector gave such Emigration Agent or recruiter an order to pay such money, and that the Emigration Agent or recruiter for a space of twenty-four hours made default in complying therewith.

32. Whenever the Emigration Agent refuses, without the consent of the Protector, to countersign an emigrant's copy of the register as required by section 26, or is chargeable with a breach of any duty which any contract with an emigrant expressly or by implication imposes upon him, the Protector may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of damages for the breach of such contract.

Suits against Emigration Agent for breach of contract.

In every such suit the contract entered into by the recruiter shall be deemed to have been entered into by, and to be binding on, the Emigration Agent.

VIII.—EMIGRANT VESSELS.

33. No Master or other person in charge of a vessel shall receive on board any emigrant unless such vessel has been licensed, under the law for the time being in force relating to the carriage by sea of Native passengers, to carry passengers for the intended voyage and unless the Master of such vessel has obtained a certificate from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act.

or without certificate from Protector.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

34. On embarkation, every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section 26, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigrant to give his pass to Master.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

Emigration Agent to be present at embarkation.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list of all emigrants on board, signed by himself and mentioning the port of debarkation, and shall retain a counterpart of such list signed by the Emigration Agent.

Master to deliver list of emigrants.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration under this Act to the said Settlements shall cease from a day to be specified in such notification.

Power to prohibit emigration to the Straits Settlements.

When any notification has been published under this section, emigration under this Act and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

38. Such notification may be revoked in like manner by the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

Revocation of prohibition.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

Making unlawful contract of labour.

or whoever engages, or attempts to engage, any Native of India to enter into any such contract as is hereby declared illegal,

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers for the Straits Settlements,

Recruiting without being licensed.

or being a recruiter duly licensed under this Act, removes or attempts to remove any person whom he engages in any district from such district until the particulars required by section 18 have been duly registered,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any police-officer may for such offence arrest him without warrant.

Use of force, fraud, &c., to cause a Native to emigrate.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to imprisonment for a term not exceeding six months, or to fine not exceeding five hundred rupees, or to both.

False representation of Government authority.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

Receiving emigrants on board without license or certificate.

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a term which may extend to three months, or to fine not exceeding two hundred rupees, or to both, and the vessel shall be liable to be forfeited.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections 34 and 36, shall be liable to a fine not exceeding two hundred rupees.

Failure to comply with requirements of sections 34 and 36.

44. Any Master of a vessel landing any emigrant or dependent at any port other than the port of debarkation specified in embarkation-pass and list, unless in case of stress of weather or other unavoidable accident, shall be liable for every emigrant or dependent so landed to a fine not exceeding two hundred rupees, or to imprisonment for a term which may extend to one month, or to both.

Penalty for landing emigrant or dependent at other than specified port.

45. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section 36, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Taking on board, after clearance, emigrants not entered in list.

46. All prosecutions under sections 42, 43, 44 and 45 shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Prosecutions under this Act by whom to be instituted.

47. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Customs officers may search and detain for purposes of this Act.

XI.—MISCELLANEOUS.

48. Nothing in this Act shall apply to any vessels in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

Act not to apply to certain vessels,

49. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

or to contracts with Native seamen and menial servants.

50. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

51. The Indian Emigration Act, 1871, shall not apply to the Straits Settlements, unless and until the Governor General in Council, by notification in the *Gazette of India*, declares it so to apply.

Indian Emigration Act, 1871, not to apply to Straits Settlements.

52. Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) is hereby repealed.

Repeal of Act XIV of 1872.

THE FIRST SCHEDULE.

(*See section* 12.)

Office of the Protector of Emigrants at the Port of .

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1877, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force until the day of , unless previously cancelled.

(Sd.) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 17.)

I hereby certify that I have this day examined *A. B.*, and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,

(*Here add designation of examining officer.*)

* These words to be omitted in case of women and children not engaging for labour.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information :—

ACT No. VI OF 1877.

An Act for postponing the day on which the Opium Act, 1876, is to come into force.

WHEREAS the Opium Act, No. XXIII of 1876, section one, enacts that the said Act shall come into force on the first day of April 1877 : And whereas it is expedient to postpone the day on which such Act shall come into force; It is hereby enacted as follows :—

Preamble.

1. The said Act No. XXIII of 1876 shall come into force, not on the first day of April 1877, but on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Opium Act when to take effect.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 24, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information :—

ACT No. V OF 1877.

THE STRAITS SETTLEMENTS EMIGRATION ACT, 1877.

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THE SECOND SCHEDULE.

An Act to regulate the Emigration of Native Labourers from the Presidency of Fort Saint George to the Straits Settlements.

Preamble.

WHEREAS it is expedient to regulate emigration under engagements to labour from the Presidency of Fort Saint George to the Straits Settlements; It is hereby enacted as follows :—

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Straits Settlements Emigration Act, 1877:"

Local extent.

It extends only to the territories under the government of the Governor of Fort Saint George in Council;

Commencement.

And it shall come into force on such date as the Governor of Fort St. George in Council, with the previous sanction of the Governor General in Council, may, by notification in the *Fort St. George Gazette* direct.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"Emigrate" denotes the departure of any Native of India out of the said territories, under an engagement to labour in the said Settlements :

"Emigrate."

"Emigrant" means a person who "emigrates" within the meaning of the above definition :

"Emigrant."

"Magistrate" means a Magistrate of a District, a Magistrate of a division of a district, or any other person appointed by the Governor of Fort St. George in Council to perform the functions of a Magistrate under this Act :

"Magistrate."

"Vessel" includes anything made for the conveyance by water of human beings or property.

"Vessel."

From what port emigration lawful.

3. It shall not be lawful to emigrate except from such ports as may from time to time be declared by the Governor of Fort St. George in Council, by a notification in the *Fort Saint George Gazette*, to be ports from which emigration under this Act shall be lawful.

The Local Government may, at any time, by a like notification, revoke any such notification.

II.—EMIGRATION AGENTS.

Appointment of Emigration Agents.

4. The Government of the Straits Settlements may, from time to time, appoint such persons as the Governor of Fort St. George in Council approves, to act as Emigration Agents at such ports as aforesaid.

Any Emigration Agent so appointed may be suspended or removed by the Government of the Straits Settlements.

III.—PROTECTORS OF EMIGRANTS.

Appointment of Protector of Emigrants.

5. The Governor of Fort St. George in Council shall direct such persons as he thinks fit to act as Protectors of Emigrants under this Act at such ports and for such local areas as may be assigned to them respectively, and may, with the sanction of the Governor General in Council, assign to such persons such establishment as the Governor of Fort St. George in Council thinks fit.

General duties of Protector.

6. Every Protector of Emigrants, in addition to any special duties assigned to him by this Act, shall, so far as is in his power, protect and aid all emigrants with his advice or otherwise, and cause all the provisions of this Act to be duly complied with.

Inspection of vessels with return emigrants.

He may also inspect on arrival all vessels bringing return emigrants to the port at which he is Protector, and inquire into the treatment received by such emigrants both during the period of their service in the Straits Settlements and also during the voyage, and shall make a report thereon to the Governor of Fort St. George in Council.

Such Protector shall also aid and advise such return emigrants, so far as he reasonably can, when called upon by them to do so.

IV.—EMIGRATION DEPÔT.

Establishment and licensing of depôt.

7. Every Emigration Agent shall establish a suitable depôt for emigrants at the port at which he is Agent. Such depôt may be licensed by the local Protector of Emigrants after being inspected and approved of by him.

Fee for license.

For every such license the Emigration Agent shall pay to the Protector of Emigrants a fee of fifteen rupees.

Inspection by Protector.

8. The Protector of Emigrants may, at any time, examine into the state of the depôt and the manner in which the emigrants are therein lodged, fed, clothed and otherwise provided for and attended to, and shall do so at least once a year.

And he may at any time cancel the license, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the local Emigration Agent fails to comply with any of the requirements of this Act.

Agent and his subordinates to afford facilities for inspection.

The Emigration Agent and all persons in charge of, or employed in, the depôt, shall give the Protector every facility for making such inspections as he may deem necessary or proper, and shall afford him all such information respecting the depôt and the emigrants as he may require.

Supply of medical aid and comforts.

9. The Emigration Agent shall provide at the depôt such medical aid and comforts as the Protector may from time to time direct.

V.—RECRUITERS OF LABOURERS.

Protector to license recruiters.

10. Each Protector of Emigrants shall license so many fit persons as he deems necessary, to be recruiters of labourers for the Straits Settlements; and no person shall engage or attempt to engage any Native of India to emigrate, or shall otherwise act or be employed as a recruiter of labourers, except under a license from a Protector of Emigrants.

Duration and cancelment of license.

11. No such license shall be in force for a longer period than one year; and in case of misconduct on the part of any recruiter, the Protector of Emigrants who granted it may cancel his license before the expiration of the period for which it was granted.

Form of license.

12. Every such license shall specify the local limits within which the person licensed may recruit labourers, and shall be in the form set forth in the first schedule hereto annexed.

Fee for license.

For every such license the recruiter shall pay to the Protector a fee of five rupees.

Recruiter to obtain Magistrate's countersignature to license.

13. No recruiter shall engage, or attempt to engage, labourers in any district without having first exhibited his license to a Magistrate in such district, and obtained the countersignature of such Magistrate thereupon.

No Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act.

If any Magistrate who has countersigned a license afterwards finds reason to think that the licensee is by character or other cause unfitted to be a recruiter under this Act, he may require the licensee to produce the license and may cancel his signature; or he may, if he thinks fit, impound the license and send it to the Emigration Agent for cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his signature as aforesaid, shall, without delay, report his refusal or cancellation and the grounds of it to the Protector of Emigrants who has authority to cancel the recruiter's license.

VI.—CONTRACTS WITH EMIGRANTS.

Conditions of validity of emigration contracts.

14. No contract made by a recruiter with a Native of India to emigrate shall be enforceable by the recruiter or his principal unless it—

(*a*) is expressed in writing;

(*b*) is executed by the recruiter on behalf of some principal in the Straits Settlements;

(*c*) states the terms, if any, agreed on as to the redemption of the recruit's engagement for employment, or of the unexpired term of such engagement;

(*d*) the term of the recruit's employment, the nature of the services to be performed by him, and the rate of wages to be paid in respect of the same are registered in the manner provided in section eighteen.

But nothing contained in this section shall be deemed to prevent such Native from insisting, if he thinks fit, that such contract shall be performed.

Contents of such contracts.

15. Every such contract shall—

(*a*) contain an engagement for employment to be provided by such principal for a definite term not exceeding three years; and

(*b*) specify the nature of the services to be performed by such recruit and the rates of wages (not less than twelve cents a day for an able-bodied male adult) payable in respect of the same.

Certain agreements declared void.

16. Save as provided by section fourteen, clause (*c*), every agreement entered into by a Native of India in the territories subject to the Governor of Fort Saint George in Council, to pay money to any person in the Straits Settlements, in consideration of pecuniary or other assistance given to such Native to emigrate, shall be illegal and void.

Every contract not containing the particulars required by section fifteen shall be illegal and void.

Medical examination of intending emigrants.

17. Every recruit who has entered into such a contract as aforesaid shall be brought by the recruiter before the Civil Surgeon of the district or such other medical officer as the Local Government appoints in this behalf or, in default of such appointment, before such medical officer as the Magistrate directs.

The medical officer shall thereupon examine the recruit, and shall either reject him or shall certify that he is in a fit state of health and able in point of physical condition to proceed to the Straits Settlements and to work there.

Dependents.

If it is intended that any persons shall accompany the recruit as his dependents, the recruiter shall also bring them before the medical officer for the purpose of obtaining certificates that they are in a fit state of health and able in point of physical condition to perform the journey to the Straits Settlements; and the medical officer shall examine such persons and shall give or refuse certificates according to his opinion as to their fitness and ability.

Form of certificates.

Certificates shall be in the form set forth in the second schedule hereto annexed; and the recruiter shall pay to the medical officer such fee for each person so examined as the Local Government may from time to time prescribe.

Emigrant to appear before Magistrate,

18. Every certified recruit and every accompanying dependent shall appear with the recruiter before a Magistrate in the district within which the contract with the recruit was entered into.

and be examined.

The Magistrate shall thereupon inspect the instrument of contract and the medical certificate of the recruit, and shall, apart from the recruiter, examine the recruit with reference to his contract.

If it appears on such examination that the recruit understands the nature of the contract he has entered into, and that he is willing to fulfil the same, the Magistrate shall register

(*a*) the name, the father's name and the age of such recruit:

(*b*) the name of the village or place in which he resides:

(*c*) the port of embarkation to which it is intended he shall proceed:

(*d*) the name of his employer:

(*e*) the term of his employment, the nature of the services to be performed by him and the rate of wages to be paid in respect of the same.

The recruit shall thereupon be deemed an emigrant under this Act.

Registration when to be refused.

If the Magistrate thinks that the recruit does not understand the nature of the contract into which he has entered, or has been induced to enter into it by fraud or misrepresentation, or finds that the contract is not in accordance with section fifteen, he shall refuse to register the particulars specified as aforesaid, and record his reasons for such refusal.

Examination of dependents.

19. On the appearance of any person claiming to be dependent on an emigrant, the Magistrate, after inspecting the medical certificate, shall, apart from the recruiter, examine such person if able to give intelligent answers to questions as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

If the Magistrate is satisfied that such dependence and willingness exist, he shall register the dependent as a dependent on such emigrant.

But if the Magistrate sees reason to doubt the existence of such dependence or willingness, he may refuse to register the alleged dependent, and, if so, shall record his reasons for such refusal.

Copies of registered matters.

20. The Magistrate shall furnish to every emigrant an authenticated copy on substantial paper of the matters registered under sections 18 and 19.

Copy of entry in register to be sent to Emigration Agent and Protector.

21. A copy of every entry made in the registry book by a Magistrate, shall be forthwith forwarded by such Magistrate to the Emigration Agent and to the Protector of Emigrants.

Registration.

22. The registration required by sections 18 and 19 shall, in the case of emigrants recruited in any local area for which a Protector of Emigrants has been appointed, be effected before him instead of a Magistrate; and such Protector shall furnish to the emigrant one copy of the matters so registered, and another copy of the same matters to the Emigration Agent.

Fee for registration.

23. For the registration of every recruit under section 18, the recruiter shall pay to the Magistrate or to the Protector of Emigrants, as the case may be, such fee not exceeding one rupee, as may be from time to time directed by the Local Government.

VII.—ARRIVAL AT DEPÔT AND PROCEDURE THEREON.

Arrival at depôt to be reported.

24. The arrival of each emigrant at the depôt shall immediately be reported by the person in charge of the depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

The Emigration Agent may institute such examination of the emigrants as he thinks fit in order to satisfy himself of their fitness to emigrate.

Duty of Emigration Agent on arrival of emigrants.

25. The Protector of Emigrants shall, within forty-eight hours after the arrival at the depôt of each emigrant not registered by himself, question such emigrant as to the mode in which he has been treated on his journey to the depôt, and shall at the same time examine the emigrant's contract and the copy of the register furnished to him under section 20.

If, for any reason, further inquiry is necessary, he shall make such enquiry forthwith.

Contersignature of register.

26. If in the opinion of the Protector of Emigrants the examination and enquiry made under section 25 disclose no valid reason against the fulfilment of the contract, and the emigrant has not become physically unfit for emigration, the Protector and the Emigration Agent shall countersign the emigrant's copy of the register and the Emigration Agent shall make out and deliver to the emigrant an embarkation-pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant and the name of his father, certifying that he has been duly registered for emigration to the Straits Settlements and mentioning the port of debarkation.

Grant of embarkation pass.

When the emigrant to be sent back to the place of registration.

27. If the Protector of Emigrants considers that any emigrant is physically unfit to emigrate, and that he has not dishonestly represented himself as physically fit;

or that any such irregularity has occurred in the recruitment of any such emigrant, as makes it just to vacate the contract;

or if the Emigration Agent refuses without the consent of the Protector to countersign the emigrant's copy of the register as required by section 26, or to be bound by the contract;

Payment of expenses of sending him back.

the Protector of Emigrants may order the Emigration Agent, or the recruiter with whom the contract was made, forthwith to pay to him such reasonable sum as is necessary to enable such emigrant to return to the place where his name was registered under section 18; and may take any steps he thinks necessary for the conveyance of such emigrant to such place;

and any emigrant who from his state of health is in the opinion of the Protector of Emigrants physically unfit to undertake such return, shall be entitled to be fed, lodged and attended to at the port of embarkation at the expense of the Emigration Agent until he is reported by the Protector of Emigrants fit to undertake such return to such place.

Payment of expenses of dependent accompanying emigrant.

28. If a dependent has accompanied such emigrant, the Protector of Emigrants may order the Emigration Agent or recruiter to pay such sum as is necessary to enable him to return to the place at which his name was registered under section 19, as well as to feed or lodge him during the detention (if any) of the emigrant at the depôt.

Effect of such dependent's unfitness from ill-health to return to Straits.

29. If the Protector of Emigrants has reason to think that any dependent is in such a state of health that his journey to the Straits Settlements, or his detention in the depôt, would be dangerous to himself or others, he shall so certify to the Emigration Agent, and thereupon the emigrant to whom such dependent is attached shall be entitled, if he so wishes, to return as if he himself had been found under section 27 to be physically unfit to emigrate.

If the emigrant still desires to emigrate, then the dependent shall be kept and returned to the place at which he was registered as if he were an emigrant falling under section 27.

Compensation to emigrant or dependent for ill-treatment on journey to depôt.

30. If upon the arrival of any emigrant or dependent at the depôt, it appear that, during the journey thither, he has suffered any ill-treatment, or the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

Failure of Emigration Agent, &c., to pay such expenses.

31. On failure of the Emigration Agent or of such recruiter for twenty-four hours to comply with an order of the Protector for the payment of any sum, ordered to be paid under any of the four last preceding sections, the Protector may pay the same to, or on behalf of, the emigrant.

Every sum so paid shall be recoverable by the Protector, with six per cent. per annum interest from the date of payment, from the Emigration Agent, or from such recruiter.

No farther proof shall be required by any Court in any such case than that the Protector gave such Emigration Agent or recruiter an order to pay such money, and that the Emigration Agent or recruiter for a space of twenty-four hours made default in complying therewith.

Suits against Emigration Agent for breach of contract.

32. Whenever the Emigration Agent refuses, without the consent of the Protector, to countersign an emigrant's copy of the register as required by section 26, or is chargeable with a breach of any duty which any contract with an emigrant expressly or by implication imposes upon him, the Protector may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of damages for the breach of such contract.

In every such suit the contract entered into by the recruiter shall be deemed to have been entered into by, and to be binding on, the Emigration Agent.

VIII.—EMIGRANT VESSELS.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act.

33. No Master or other person in charge of a vessel shall receive on board any emigrant unless such vessel has been licensed, under the law for the time being in force relating to the carriage by sea of Native passengers, to carry passengers for the intended voyage and unless the Master of such vessel has obtained a certificate

or without certificate from Protector.

from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Emigrant to give his pass to Master.

34. On embarkation, every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section 26, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigration Agent to be present at embarkation.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list of all emigrants on board, signed by himself and mentioning the port of debarkation, and shall retain a counterpart of such list signed by the Emigration Agent.

Master to deliver list of emigrants.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration under this Act to the said Settlements shall cease from a day to be specified in such notification.

Power to prohibit emigration to the Straits Settlements.

When any notification has been published under this section, emigration under this Act and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

38. Such notification may be revoked in like manner by the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

Revocation of prohibition.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

Making unlawful contract of labour.

or whoever engages, or attempts to engage, any Native of India to enter into any such contract as is hereby declared illegal,

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers for the Straits Settlements,

Recruiting without being licensed.

or being a recruiter duly licensed under this Act, removes or attempts to remove any person whom he engages in any district from such district until the particulars required by section 18 have been duly registered,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any police-officer may for such offence arrest him without warrant.

Use of force, fraud, &c., to cause a Native to emigrate.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to imprisonment for a term not exceeding six months, or to fine not exceeding five hundred rupees, or to both.

False representation of Government authority.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

Receiving emigrants on board without license or certificate.

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a term which may extend to three months, or to fine not exceeding two hundred rupees, or to both, and the vessel shall be liable to be forfeited.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections 34 and 36, shall be liable to a fine not exceeding two hundred rupees.

Failure to comply with requirements of sections 34 and 36.

44. Any Master of a vessel landing any emigrant or dependent at any port other than the port of debarkation specified in embarkation-pass and list, unless in case of stress of weather or other unavoidable accident, shall be liable for every emigrant or dependent so landed to a fine not exceeding two hundred rupees, or to imprisonment for a term which may extend to one month, or to both.

Penalty for landing emigrant or dependent at other than specified port.

45. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section 36, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Taking on board, after clearance, emigrants not entered in list.

46. All prosecutions under sections 42, 43, 44 and 45 shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Prosecutions under this Act by whom to be instituted.

47. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Customs officers may search and detain for purposes of this Act.

XI.—MISCELLANEOUS.

48. Nothing in this Act shall apply to any vessels in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

Act not to apply to certain vessels.

49. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

or to contracts with Native seamen and menial servants.

50. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

51. The Indian Emigration Act, 1871, shall not apply to the Straits Settlements, unless and until the Governor General in Council, by notification in the *Gazette of India*, declares it so to apply.

Indian Emigration Act, 1871, not to apply to Straits Settlements.

52. Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) is hereby repealed.

Repeal of Act XIV of 1872.

THE FIRST SCHEDULE.

(*See section* 12.)

Office of the Protector of Emigrants at the Port of

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1877, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force until the day of , unless previously cancelled.

(Sd.) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 17.)

I hereby certify that I have this day examined *A. B.** and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,
(*Here add designation of examining officer*).

* These words to be omitted in case of women and children not engaging for labour.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information :—

ACT NO. VI OF 1877.

An Act for postponing the day on which the Opium Act, 1876, is to come into force.

WHEREAS the Opium Act, No. XXIII of 1876, section one, enacts that the said Act shall come into force on the first day of April 1877 : And whereas it is expedient to postpone the day on which such Act shall come into force ; It is hereby enacted as follows :—

Preamble.

1. The said Act No. XXIII of 1876 shall come into force, not on the first day of April 1877, but on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Opium Act when to take effect.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 31, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information :—

ACT No. V OF 1877.

THE STRAITS SETTLEMENTS EMIGRATION ACT, 1877.

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THE SECOND SCHEDULE.

An Act to regulate the Emigration of Native Labourers from the Presidency of Fort Saint George to the Straits Settlements.

WHEREAS it is expedient to regulate emigration under engagements to labour from the Presidency of Fort Saint George to the Straits Settlements; It is hereby enacted as follows:— Preamble.

I.—PRELIMINARY.

Short title. I. This Act may be called "The Straits Settlements Emigration Act, 1877."

Local extent. It extends only to the territories under the government of the Governor of Fort Saint George in Council;

Commencement. And it shall come into force on such date as the Governor of Fort St. George in Council, with the previous sanction of the Governor General in Council, may, by notification in the *Fort St. George Gazette* direct.

Interpretation-clause. 2. In this Act, unless there be something repugnant in the subject or context—

"Emigrate." "Emigrate" denotes the departure of any Native of India out of the said territories, under an engagement to labour in the said Settlements:

"Emigrant." "Emigrant" means a person who "emigrates" within the meaning of the above definition:

"Magistrate." "Magistrate" means a Magistrate of a District, a Magistrate of a division of a district, or any other person appointed by the Governor of Fort St. George in Council to perform the functions of a Magistrate under this Act:

"Vessel." "Vessel" includes anything made for the conveyance by water of human beings or property.

From what port emigration lawful. 3. It shall not be lawful to emigrate except from such ports as may from time to time be declared by the Governor of Fort St. George in Council, by a notification in the *Fort Saint George Gazette*, to be ports from which emigration under this Act shall be lawful.

The Local Government may, at any time, by a like notification, revoke any such notification.

II.—EMIGRATION AGENTS.

Appointment of Emigration Agents. 4. The Government of the Straits Settlements may, from time to time, appoint such persons as the Governor of Fort St. George in Council approves, to act as Emigration Agents at such ports as aforesaid.

Any Emigration Agent so appointed may be suspended or removed by the Government of the Straits Settlements.

III.—PROTECTORS OF EMIGRANTS.

Appointment of Protector of Emigrants. 5. The Governor of Fort St. George in Council shall direct such persons as he thinks fit to act as Protectors of Emigrants under this Act at such ports and for such local areas as may be assigned to them respectively, and may, with the sanction of the Governor General in Council, assign to such persons such establishment as the Governor of Fort St. George in Council thinks fit.

General duties of Protector. 6. Every Protector of Emigrants, in addition to any special duties assigned to him by this Act, shall, so far as is in his power, protect and aid all emigrants with his advice or otherwise, and cause all the provisions of this Act to be duly complied with.

Inspection of vessels with return emigrants. He may also inspect on arrival all vessels bringing return emigrants to the port at which he is Protector, and inquire into the treatment received by such emigrants both during the period of their service in the Straits Settlements and also during the voyage, and shall make a report thereon to the Governor of Fort St. George in Council.

Such Protector shall also aid and advise such return emigrants, so far as he reasonably can, when called upon by them to do so.

IV.—EMIGRATION DEPÔT.

Establishment and licensing of depôt. 7. Every Emigration Agent shall establish a suitable depôt for emigrants at the port at which he is Agent. Such depôt may be licensed by the local Protector of Emigrants after being inspected and approved of by him.

Fee for license. For every such license the Emigration Agent shall pay to the Protector of Emigrants a fee of fifteen rupees.

Inspection by Protector. 8. The Protector of Emigrants may, at any time, examine into the state of the depôt and the manner in which the emigrants are therein lodged, fed, clothed and otherwise provided for and attended to, and shall do so at least once a year.

And he may at any time cancel the license, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the local Emigration Agent fails to comply with any of the requirements of this Act.

Agent and his subordinates to afford facilities for inspection. The Emigration Agent and all persons in charge of, or employed in, the depôt, shall give the Protector every facility for making such inspections as he may deem necessary or proper, and shall afford him all such information respecting the depôt and the emigrants as he may require.

Supply of medical aid and comforts. 9. The Emigration Agent shall provide at the depôt such medical aid and comforts as the Protector may from time to time direct.

V.—RECRUITERS OF LABOURERS.

Protector to license recruiters. 10. Each Protector of Emigrants shall license so many fit persons as he deems necessary, to be recruiters of labourers for the Straits Settlements; and no person shall engage or attempt to engage any Native of India to emigrate, or shall otherwise act or be employed as a recruiter of labourers, except under a license from a Protector of Emigrants.

Duration and cancelment of license. 11. No such license shall be in force for a longer period than one year; and in case of misconduct on the part of any recruiter, the Protector of Emigrants who granted it may cancel his license before the expiration of the period for which it was granted.

Form of license. 12. Every such license shall specify the local limits within which the person licensed may recruit labourers, and shall be in the form set forth in the first schedule hereto annexed.

Fee for license. For every such license the recruiter shall pay to the Protector a fee of five rupees.

Recruiter to obtain Magistrate's countersignature to license. 13. No recruiter shall engage, or attempt to engage, labourers in any district without having first exhibited his license to a Magistrate in such district, and obtained the countersignature of such Magistrate thereupon.

No Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act.

If any Magistrate who has countersigned a license afterwards finds reason to think that the licensee is by character or other cause unfitted to be a recruiter under this Act, he may require the licensee to produce the license and may cancel his signature; or he may, if he thinks fit, impound the license and send it to the Emigration Agent for cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his signature as aforesaid, shall, without delay, report his refusal or cancellation and the grounds of it to the Protector of Emigrants who has authority to cancel the recruiter's license.

VI.—CONTRACTS WITH EMIGRANTS.

Conditions of validity of emigration contracts. 14. No contract made by a recruiter with a Native of India to emigrate shall be enforceable by the recruiter or his principal unless it—

(*a*) is expressed in writing;

(*b*) is executed by the recruiter on behalf of some principal in the Straits Settlements;

(*c*) states the terms, if any, agreed on as to the redemption of the recruit's engagement for employment, or of the unexpired term of such engagement;

(*d*) the term of the recruit's employment, the nature of the services to be performed by him, and the rate of wages to be paid in respect of the same are registered in the manner provided in section eighteen.

But nothing contained in this section shall be deemed to prevent such Native from insisting, if he thinks fit, that such contract shall be performed.

Contents of such contracts. 15. Every such contract shall—

(*a*) contain an engagement for employment to be provided by such principal for a definite term not exceeding three years; and

(*b*) specify the nature of the services to be performed by such recruit and the rates of wages (not less than twelve cents a day for an able-bodied male adult) payable in respect of the same.

Certain agreements declared void. 16. Save as provided by section fourteen, clause (*c*), every agreement entered into by a Native of India in the territories subject to the Governor of Fort Saint George in Council, to pay money to any person in the Straits Settlements, in consideration of pecuniary or other assistance given to such Native to emigrate, shall be illegal and void.

Every contract not containing the particulars required by section fifteen shall be illegal and void.

Medical examination of intending emigrants. 17. Every recruit who has entered into such a contract as aforesaid shall be brought by the recruiter before the Civil Surgeon of the district or such other medical officer as the Local Government appoints in this behalf or, in default of such appointment, before such medical officer as the Magistrate directs.

The medical officer shall thereupon examine the recruit, and shall either reject him or shall certify that he is in a fit state of health and able in point of physical condition to proceed to the Straits Settlements and to work there.

Dependents.

If it is intended that any persons shall accompany the recruit as his dependents, the recruiter shall also bring them before the medical officer for the purpose of obtaining certificates that they are in a fit state of health and able in point of physical condition to perform the journey to the Straits Settlements; and the medical officer shall examine such persons and shall give or refuse certificates according to his opinion as to their fitness and ability.

Form of certificates.

Certificates shall be in the form set forth in the second schedule hereto annexed; and the recruiter shall pay to the medical officer such fee for each person so examined as the Local Government may from time to time prescribe.

Emigrant to appear before Magistrate,

18. Every certified recruit and every accompanying dependent shall appear with the recruiter before a Magistrate in the district within which the contract with the recruit was entered into.

and be examined.

The Magistrate shall thereupon inspect the instrument of contract and the medical certificate of the recruit, and shall, apart from the recruiter, examine the recruit with reference to his contract.

If it appears on such examination that the recruit understands the nature of the contract he has entered into, and that he is willing to fulfil the same, the Magistrate shall register

(*a*) the name, the father's name and the age of such recruit:

(*b*) the name of the village or place in which he resides:

(*c*) the port of embarkation to which it is intended he shall proceed:

(*d*) the name of his employer:

(*e*) the term of his employment, the nature of the services to be performed by him and the rate of wages to be paid in respect of the same.

The recruit shall thereupon be deemed an emigrant under this Act.

Registration when to be refused.

If the Magistrate thinks that the recruit does not understand the nature of the contract into which he has entered, or has been induced to enter into it by fraud or misrepresentation, or finds that the contract is not in accordance with section fifteen, he shall refuse to register the particulars specified as aforesaid, and record his reasons for such refusal.

Examination of dependents.

19. On the appearance of any person claiming to be dependent on an emigrant, the Magistrate, after inspecting the medical certificate, shall, apart from the recruiter, examine such person if able to give intelligent answers to questions as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

If the Magistrate is satisfied that such dependence and willingness exist, he shall register the dependent as a dependent on such emigrant.

But if the Magistrate sees reason to doubt the existence of such dependence or willingness, he may refuse to register the alleged dependent, and, if so, shall record his reasons for such refusal.

Copies of registered matters.

20. The Magistrate shall furnish to every emigrant an authenticated copy on substantial paper of the matters registered under sections 18 and 19.

Copy of entry in register to be sent to Emigration Agent and Protector.

21. A copy of every entry made in the registry book by a Magistrate, shall be forthwith forwarded by such Magistrate to the Emigration Agent and to the Protector of Emigrants.

Registration.

22. The registration required by sections 18 and 19 shall, in the case of emigrants recruited in any local area for which a Protector of Emigrants has been appointed, be effected before him instead of a Magistrate; and such Protector shall furnish to the emigrant one copy of the matters so registered, and another copy of the same matters to the Emigration Agent.

Fee for registration.

23. For the registration of every recruit under section 18, the recruiter shall pay to the Magistrate or to the Protector of Emigrants, as the case may be, such fee not exceeding one rupee, as may be from time to time directed by the Local Government.

VII.—Arrival at Depôt and Procedure thereon.

Arrival at depôt to be reported.

24. The arrival of each emigrant at the depôt shall immediately be reported by the person in charge of the depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

The Emigration Agent may institute such examination of the emigrants as he thinks fit in order to satisfy himself of their fitness to emigrate.

Duty of Emigration Agent on arrival of emigrants.

25. The Protector of Emigrants shall, within forty-eight hours after the arrival at the depôt of each emigrant not registered by himself, question such emigrant as to the mode in which he has been treated on his journey to the depôt, and shall at the same time examine the emigrant's contract and the copy of the register furnished to him under section 20.

If, for any reason, further enquiry is necessary, he shall make such enquiry forthwith.

Contersignature of register.

26. If in the opinion of the Protector of Emigrants the examination and enquiry made under section 25 disclose no valid reason against the fulfilment of the contract, and the emigrant has not become physically unfit for emigration, the Protector and the Emigration Agent shall countersign the emigrant's copy of the register and the Emigration Agent shall make out and deliver to the emigrant an embarkation-pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant and the name of his father, certifying that he has been duly registered for emigration to the Straits Settlements and mentioning the port of debarkation.

Grant of embarkation pass.

When the emigrant to be sent back to the place of registration.

27. If the Protector of Emigrants considers that any emigrant is physically unfit to emigrate, and that he has not dishonestly represented himself as physically fit;

or that any such irregularity has occurred in the recruitment of any such emigrant, as makes it just to vacate the contract;

or if the Emigration Agent refuses without the consent of the Protector to countersign the emigrant's copy of the register as required by section 26, or to be bound by the contract;

Payment of expenses of sending him back.

the Protector of Emigrants may order the Emigration Agent, or the recruiter with whom the contract was made, forthwith to pay to him such reasonable sum as is necessary to enable such emigrant to return to the place where his name was registered under section 18; and may take any steps he thinks necessary for the conveyance of such emigrant to such place;

and any emigrant who from his state of health is in the opinion of the Protector of Emigrants physically unfit to undertake such return, shall be entitled to be fed, lodged and attended to at the port of embarkation at the expense of the Emigration Agent until he is reported by the Protector of Emigrants fit to undertake such return to such place.

Payment of expenses of dependent accompanying emigrant.

28. If a dependent has accompanied such emigrant, the Protector of Emigrants may order the Emigration Agent or recruiter to pay such sum as is necessary to enable him to return to the place at which his name was registered under section 19, as well as to feed or lodge him during the detention (if any) of the emigrant at the depôt.

Effect of such dependent's unfitness from ill-health to return to Straits.

29. If the Protector of Emigrants has reason to think that any dependent is in such a state of health that his journey to the Straits Settlements, or his detention in the depôt, would be dangerous to himself or others, he shall so certify to the Emigration Agent, and thereupon the emigrant to whom such dependent is attached shall be entitled, if he so wishes, to return as if he himself had been found under section 27 to be physically unfit to emigrate.

If the emigrant still desires to emigrate, then the dependent shall be kept and returned to the place at which he was registered as if he were an emigrant falling under section 27.

Compensation to emigrant or dependent for detention on journey or at depôt.

30. If upon the arrival of any emigrant or dependent at the depôt, it appear that, during the journey thither, he has suffered any ill-treatment, or the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

Failure of Emigration Agent, &c., to pay such expenses.

31. On failure of the Emigration Agent or of such recruiter for twenty-four hours to comply with an order of the Protector for the payment of any sum, ordered to be paid under any of the four last preceding sections, the Protector may pay the same to, or on behalf of, the emigrant.

Every sum so paid shall be recoverable by the Protector, with six per cent. per annum interest from the date of payment, from the Emigration Agent, or from such recruiter.

No further proof shall be required by any Court in any such case than that the Protector gave such Emigration Agent or recruiter an order to pay such money, and that the Emigration Agent or recruiter for a space of twenty-four hours made default in complying therewith.

Suits against Emigration Agent for breach of contract.

32. Whenever the Emigration Agent refuses, without the consent of the Protector, to countersign an emigrant's copy of the register as required by section 26, or is chargeable with a breach of any duty which any contract with an emigrant expressly or by implication imposes upon him, the Protector may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of damages for the breach of such contract.

In every such suit the contract entered into by the recruiter shall be deemed to have been entered into by, and to be binding on, the Emigration Agent.

VIII.—Emigrant Vessels.

Emigrants not to be received on board vessels other than those licensed under Native Passengers Act.

33. No Master or other person in charge of a vessel shall receive on board any emigrant unless such vessel has been licensed, under the law for the time being in force, relating to the carriage by sea of Native passengers, to carry passengers for the intended voyage and unless the Master of such vessel has obtained a certificate

or without certificate from Protector.

from the Protector of Emigrants authorizing him to receive on board the number of emigrants specified therein.

Protector not to grant certificate unless satisfied that vessel has been licensed and has provisions on board.

No such certificate shall be granted by the Protector of Emigrants unless he has satisfied himself that the vessel has been licensed as aforesaid, and that provisions and water for the number of emigrants to be specified in the certificate according to the scale prescribed under such law have been actually put on board such vessel.

Emigrant to give his pass to Master.

34. On embarkation, every emigrant shall deliver to the Master of the vessel the embarkation pass granted to him under section 26, and the Master shall not receive any emigrant on board unless he delivers up such pass.

Emigration Agent to be present at embarkation.

35. The Emigration Agent shall be personally present at the embarkation of all emigrants, and shall see that the Master duly examines the passes of the emigrants, and shall himself also examine such passes.

The Emigration Agent shall not permit any emigrant to remain on board who has not a pass.

36. The Master of every vessel carrying emigrants shall, after the embarkation of the emigrants, and before the departure of the vessel, give to the Emigration Agent a list of all emigrants on board, signed by himself and mentioning the port of debarkation, and shall retain a counterpart of such list signed by the Emigration Agent.

Master to deliver list of emigrants.

A copy of such list signed by the Emigration Agent and Master shall be sent to the Protector of Emigrants before the vessel sails.

IX.—SUPPLEMENTARY POWERS.

37. Whenever the Governor General in Council has reason to believe that proper measures have not been taken for the protection of emigrants and the enforcement of the engagements entered into with them immediately upon their arrival at the Straits Settlements, or during their residence therein, the Governor General in Council may, by a notification published in the *Gazette of India*, declare that emigration under this Act to the said Settlements shall cease from a day to be specified in such notification.

Power to prohibit emigration to the Straits Settlements.

When any notification has been published under this section, emigration under this Act and the making of contracts to emigrate to the Straits Settlements shall be unlawful from the day specified in such notification.

38. Such notification may be revoked in like manner by the Governor General in Council, and thereupon emigration to the said Settlements shall again be allowed from a day to be specified in the revocation.

Revocation of prohibition.

From the day so specified all the provisions of this Act authorizing emigration to the said Settlements shall be revived and have the same effect as if such emigration had not been suspended, except as to acts done, offences committed, and proceedings commenced, during the time of such suspension.

X.—OFFENCES.

39. Whoever, except under and in conformity with the provisions of this Act, engages or attempts to engage any Native of India to emigrate,

Making unlawful contract of labour.

or whoever engages, or attempts to engage, any Native of India to enter into any such contract as is hereby declared illegal,

or, not being a recruiter duly licensed under this Act, acts or is employed as a recruiter of labourers for the Straits Settlements,

Recruiting without being licensed.

or being a recruiter duly licensed under this Act, removes or attempts to remove any person whom he engages in any district from such district until the particulars required by section 18 have been duly registered,

Recruiter omitting to take engaged labourers before Magistrate or Protector.

shall be punished with imprisonment, which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

40. Whoever, by means of intoxication, violence, fraud, or false pretences, causes or induces or attempts to cause or induce any Native of India to emigrate or to enter into any contract to emigrate, or into any such contract as is hereby declared illegal, or to proceed to the said Settlements without having entered into any contract, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any police-officer may for such offence arrest him without warrant.

Use of force, fraud, &c., to cause a Native to emigrate.

41. Whoever, without lawful authority, issues any written order to the police to assist himself or any other person to procure labourers to proceed to the said Settlements, or falsely represents that such labourers are required by the Government, or are to be engaged on behalf of the Government, shall be liable to imprisonment for a term not exceeding six months, or to fine not exceeding five hundred rupees, or to both.

False representation of Government authority.

42. Any Master of a vessel not licensed as provided in section thirty-three who knowingly receives on board, for conveyance to the said Settlements, any emigrant or person who has entered into a contract hereby declared illegal,

Receiving emigrants on board without license or certificate.

and any Master of a vessel licensed as aforesaid, who knowingly receives any emigrant as aforesaid without having previously obtained a certificate under the said section, or in excess of the number specified in such certificate,

shall be liable for each emigrant or person so received to imprisonment for a term which may extend to three months, or to fine not exceeding two hundred rupees, or to both, and the vessel shall be liable to be forfeited.

43. Any Master of a vessel who receives on board such vessel any emigrant for the said Settlements and fails to comply with the requirements of sections 34 and 36, shall be liable to a fine not exceeding two hundred rupees.

Failure to comply with requirements of sections 34 and 36.

44. Any Master of a vessel landing any emigrant or dependent at any port other than the port of debarkation specified in embarkation-pass and list, unless in case of stress of weather or other unavoidable accident, shall be liable for every emigrant or dependent so landed to a fine not exceeding two hundred rupees, or to imprisonment for a term which may extend to one month, or to both.

Penalty for landing emigrant or dependent at other than specified port.

45. Any Master of a vessel who having cleared such vessel for the said Settlements, takes on board any emigrant not entered in the list mentioned in section 36, shall be liable to a fine not exceeding two hundred rupees for every emigrant so taken on board.

Taking on board, after clearance, emigrants not entered in list.

46. All prosecutions under sections 42, 43, 44 and 45 shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Prosecutions under this Act by whom to be instituted.

47. All the powers vested by law in the officers of Customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention and detection of the illegal embarkation of emigrants on board vessels bound for the said Settlements and of other offences against this Act.

Customs officers may search and detain for purposes of this Act.

XI.—MISCELLANEOUS.

48. Nothing in this Act shall apply to any vessels in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's vessels.

Act not to apply to certain vessels,

49. Nothing in this Act shall apply to any contract with, or the emigration of, any Native seaman, or other person who of his own free will contracts to navigate or serve on board of any vessel, or who embarks on board such vessel in pursuance of such contract, or any person who contracts to serve as a menial servant only and who embarks as such menial servant.

or to contracts with Native seamen and menial servants.

50. The Emigration Agent and all persons employed by him and the Protector of Emigrants shall be deemed to be public servants within the meaning of the Indian Penal Code.

Emigration Agent and his subordinates and Protector of Emigrants to be deemed public servants.

51. The Indian Emigration Act, 1871, shall not apply to the Straits Settlements, unless and until the Governor General in Council, by notification in the *Gazette of India*, declares it so to apply.

Indian Emigration Act, 1871, not to apply to Straits Settlements.

52. Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) is hereby repealed.

Repeal of Act XIV of 1872.

THE FIRST SCHEDULE.

(*See section* 12.)

Office of the Protector of Emigrants at the Port of

A. B. described in the Roll annexed is hereby licensed under the Straits Settlements Emigration Act, 1877, to be a recruiter of labourers.

[*Here set out the local limits within which the recruiter is licensed to act.*]

This license will be in force until the day of , unless previously cancelled.

(Sd.) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Co	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village and district to which he belongs.

THE SECOND SCHEDULE.

(*See section* 17.)

I hereby certify that I have this day examined *A. B.*, and that he is, to the best of my belief and judgment, in a fit state of health, and able, in point of physical condition, to proceed to the Straits Settlements [and to work there*].

(Sd.) *C. D.*,

(*Here add designation of examining officer*).

* These words to be omitted in case of women and children not engaging for labour.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 14th March 1877, and is hereby promulgated for general information :—

ACT NO. VI OF 1877.

An Act for postponing the day on which the Opium Act, 1876, is to come into force.

WHEREAS the Opium Act, No. XXIII of 1876, section one, enacts that the said Act shall come into force on the first day of April 1877 : And whereas it is expedient to postpone the day on which such Act shall come into force; It is hereby enacted as follows :—

Preamble.

1. The said Act No. XXIII of 1876 shall come into force, not on the first day of April 1877, but on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Opium Act when to take effect.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information :—

ACT No. VII OF 1877.

An Act to amend the law relating to assignments from the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871.

WHEREAS it is expedient to authorise the Local Government of the North-Western Provinces to provide out of the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871, for payment of certain charges incurred or to be incurred on account of canals and railways in the North-Western Provinces; It is hereby enacted as follows :— Preamble.

1. Section 10 of the said Act shall be repealed, and in lieu thereof the following shall be substituted :— Substitution of new section for section 10 of Act XVIII, 1871.

"**10.** The Lieutenant-Governor may from time to time assign from such Fund such amount as he thinks fit, to be applied in payment of charges incurred or to be incurred on account of such canals and railways as he, with the previous sanction of the Governor General in Council, may declare to be works of general provincial utility, and he shall from time to time allot from such Fund an amount to be applied in each district for expenditure on all or any of the following purposes :— Assignments from general fund.

(*a*) the construction, repair and maintenance of roads and communications;

(*b*) the maintenance of the rural police and district post;

(*c*) the construction and repair of schoolhouses, the maintenance and inspection of schools, the training of teachers, and the establishment of scholarships;

(*d*) the construction and repair of hospitals, dispensaries, lunatic asylums, markets, wells and tanks; the payment of all charges connected with the purposes for which such buildings or works have been constructed, and any other local works likely to promote the public health, comfort or convenience :

Provided that the amount assigned in respect of such canals and railways shall not exceed ten per cent. of the total sum levied under this Act in the year in which the assignment was made, and that the amount allotted to be applied in each district for expenditure on all or any of the purposes mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of this section shall be at least ninety per cent. of the total sum levied under this Act in such district in the year in which the allotment was made." Proviso.

2. In Section 12 of the said Act, for the word "assignment" in each of the places where it occurs, the word "allotment" shall be substituted, and for the word "re-allotted" the word "re-assigned" shall be substituted. Amendment of Act of 1871, ss. 12, 13 and 14.

And in section 13 of the said Act, for the word "assignment" the word "allotment" shall be substituted,

And in Section 14 of the same Act, for the word "amount," in each of the places where it occurs, the word "allotment" shall be substituted.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information :—

ACT No. VIII OF 1877.

An Act for the licensing of certain trades and dealings in the North-Western Provinces.

WHEREAS it is expedient that persons carrying on certain trades and dealings in the North-Western Provinces should take out licenses and pay for the same; It is hereby enacted as follows :— Preamble.

1. This Act shall be called "The North-Western Provinces License Act, 1877:" Short title.

It extends to the provinces under the government of the Lieutenant-Governor of the North-Western Provinces; but nothing herein contained applies to persons earning their livelihood solely by agriculture. Local extent.

And it shall come into force at once. Commencement.

2. In this Act "Collector" means the Chief Officer in charge of the revenue-administration of a District. "Collector" defined.

3. Every person who, on and after the first day of April 1877, falls under any of the heads specified in the schedule hereto annexed, and carries on (whether on behalf of himself or any other person) his trade or dealing, shall take out a license under this Act, and shall pay for the same the annual fee mentioned in the same schedule as payable by persons of the class to which he belongs. Annual licenses to be taken out.

4. Every license under this Act shall be granted by the Collector of the district in which the person requiring such license carries on his trade or dealing: provided that, if such person carries on his trade or dealing in more than one district in the North-Western Provinces, the license shall be granted by the Collector of the district in which his principal place of business is situate. Officer to grant license.

Every such license shall be signed by the Collector granting it, or by such officer as he may appoint in this behalf.

5. Every such license shall specify— Particulars to be specified in the license.

(*a*) the date of the grant thereof:

(*b*) the name, father's name, caste, and trade or dealing of the licensee :

(*c*) the fee paid for the license :

(*d*) the place or places where the licensee intends to carry on his trade or dealing for the ensuing year; and

(*e*) the term for which the license shall remain in force,

and shall be received in evidence as *primâ facie* proof of all matters contained therein.

6. Every such license shall have effect and continue in force from the day of the date thereof till the first day of January next after the day of the granting thereof. Commencement and expiration of license.

7. Every person to whom any such license has been granted and who desires to continue to carry on his trade or dealing after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding section, and shall renew the same so long as he desires to continue to carry on such trade or dealing. Renewal of license.

List of Licensees.

8. As soon as may be after the first day of April 1877 and the first day of January in every subsequent year, the Collector shall prepare a list of the persons to be licensed under this Act in the district or place aforesaid. Such list shall state— Collector to prepare annual list of licensees.

(*a*) the trade or calling of each of the persons therein named;

(*b*) the class under which he is charged; and

(*c*) the fee to be paid for his license.

Such list shall be in the language of the district, shall be filed in the office of the Collector, and shall be open to public inspection at all reasonable times, without any payment.

9. The Collector shall from time to time determine under which of the classes mentioned in the said schedule every person to whom a license may be granted by him as aforesaid shall be charged, and shall amend the said list accordingly. Collector to determine class under which licenses is to be charged.

The list or such part or parts thereof as the Collector thinks fit shall be published in the principal muhallas or ganjes of all towns, and in the chaupál, or other public place, in all villages concerned, together with a notification that if any person mentioned in such list continues his trade or dealing, payment of the amount specified in the list as payable by him must be made in the year 1877 within thirty days of such publication in that year and within thirty days next after the first day of January in each succeeding year. Publication of list and notification.

10. Any person mentioned in such list and objecting to the class under which he is charged may, within thirty days after such publication or within such further time as the Collector may in each case think fit, apply by petition to the Collector in order to establish his right to have his name transferred to another class or altogether removed from the list. Petition of objector.

11. The Collector shall fix a day for the hearing of the petition, and on the day so fixed, or on such subsequent day as he may from time to time direct, shall hear the same and pass such order thereon as he thinks fit: Hearing of petition. Appeal from order on petition.

Provided that if in the judgment of the Collector the nett annual earnings of the petitioner are less than two hundred rupees, the petitioner's name shall be removed from the list, and the fee, if any, paid by him shall be returned.

There shall be no appeal from an order under this section.

12. The Collector may in his discretion remit the whole or any part of the fee payable under this Act by any person who has carried on his trade or dealing for a portion of the year only. Power to remit fee.

13. A person or firm carrying on several trades or businesses and coming under more than one of the designations in the said schedule shall be chargeable only under one of the said designations at the discretion of the Collector; and in the case of a firm, payment by any one of the partners shall for the purposes of this Act be considered payment by the firm. Persons carrying on several trades.

14. If after expiry of the period mentioned in the notification published under section ten, for payment of the amount specified therein, any person (whether he is or is not mentioned in the said list) carries on his trade or calling without having taken out a license as required by this Act, he shall be liable, by order of the Collector, to pay twice the fee with which he would otherwise have been chargeable under this Act, and on receipt of such payment, the Collector shall grant him a license. Penalty for carrying on business without a license.

All sums due under this section and all fees payable under this Act shall be recoverable as if they were arrears of land-revenue.

15. Every person required by this Act to take out a license, who without reasonable excuse neglects or refuses to produce and show his license when required so to do by an officer generally or specially empowered in writing by the Collector to make such requisition, shall, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees. License to be produced on demand.

No person shall be proceeded against for any such offence except at the instance of the Collector, and there shall be no appeal from any sentence under this section. Prosecution to be at instance of Collector.

16. Courts of Wards and receivers and managers appointed by any Court in British India, shall be chargeable under this Act in respect of any trade or dealing of which the income is officially in their possession or under their control. Receivers and managers chargeable.

17. When any trustee, guardian, curator, committee or agent is charged under this Act in such capacity, or when any Court of Wards or receiver or manager appointed by any Court is charged under this Act, every Court and person so charged may, from time to time, out of the money coming to its or his possession as such trustee, guardian, curator, committee or agent, or as such Court of Wards, receiver or manager retain so much as is sufficient to pay the fee charged. Power to retain assessment paid by trustee, &c.

Every such person or Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Municipalities.

18. The Collector may require any Municipal Committee constituted under Act No. XV of 1873 to furnish, within a period to be specified under the orders of the Local Government, returns showing the names and numbers of persons chargeable under this Act resident within the limits of such Municipality, together with the class under which they respectively fall and the fees payable by them respectively.

Power to require returns from Municipalities.

If the Municipal Committee fails within the period prescribed to make such returns, or if it make such returns, and the Collector has reason to doubt their accuracy, he may at any time cause a return showing the names, numbers, and classes aforesaid to be prepared in such manner as may be prescribed by the Local Government.

19. When the return mentioned in section 18 has been furnished or prepared, notice shall be served on the Municipality, calling on it to pay to the Collector within a period to be specified in the notice, a sum calculated on such return in accordance with the provisions of this Act.

Notice to Municipalities.

Any Municipality may appropriate any part of its revenues to the payment of the sum leviable from it under this section, or raise such further sums in addition to its existing revenue as may be needful for such payment: provided that such further sums be raised in accordance with the said Act No. XV of 1873.

Miscellaneous.

20. All taxes raised and penalties recovered under this Act shall be paid to the credit of the Local Government, or as such Government from time to time directs.

Payment of taxes raised and penalties recovered under Act.

21. All or any of the powers and duties conferred and imposed by this Act on a Collector may, subject to the orders of the Collector of the District, be exercised and performed by an Assistant Collector or such other officer as the Local Government from time to time appoints in this behalf.

Powers of Collector under Act may be exercised by other officers.

22. Every person shall be legally bound to furnish information to any officer or person exercising any of the powers of a Collector under this Act when required by him to do so.

Obligation to furnish information to Collector.

23. The Local Government may, from time to time, with the previous sanction of the Governor General in Council,

Power to exempt and make rules.

(*a*) exempt from the operation of this Act any portion of the territories subject to such Government, or any class of trade or dealings falling under the said schedule;

(*b*) make rules consistent with this Act, (1) for regulating the time and manner of collecting the fees charged under this Act, (2) for providing in any case or class of cases for serving notices on persons charged under this Act, and (3) generally for the guidance of officers in matters connected with the enforcement of this Act.

THE SCHEDULE ABOVE REFERRED TO.

CLASS I.

	Fee payable by licensee.
Bankers	Rs. 16.
Professional money-lenders ...	
Companies registered under the Indian Companies Act, 1866 ...	
Owners of cotton-screws ...	
Persons keeping shops for the sale of European goods	
Hotel-keepers	
Wholesale-dealers	
Dealers in precious stones ...	

CLASS II.

Cloth-sellers	Rs. 8.
Metal-vessel-sellers	
Fuel-sellers (talwálas) ...	
Chaudhrís	
Letters-out of conveyances and cattle	
Contractors (thíkadárs)	
Printers and publishers... ...	
Manufacturers of lac	
Commission Agents	
Brokers	
Bill-brokers	
Pawn-brokers	
Money-changers	
Dealers in gold and silver lace ...	
Druggists	
Harness-makers	
Dealers in metals, not being merely artisans	

CLASS III.

Persons carrying on any trades or dealings not above specified ...	Rs. 2.

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

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information:—

ACT No. IX OF 1877.

An Act to revive and amend Act No. XXIII of 1867.

WHEREAS Act No. XXIII of 1867 (*for the suppression of murderous outrages in certain districts of the Panjáb*) received the assent of the Governor General on the 18th day of March 1867, and by section 17 of the said Act was limited to expire in ten years from the date of passing it; And whereas it is expedient to revive the same Act and to amend it in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

1. The said Act shall be revived and shall remain in force until the Governor General in Council otherwise directs.

Act XXIII of 1867 to be revived.

2. For the word "Commissioner" wherever it occurs in the said Act, the words "Sessions Judge or Commissioner" shall be substituted.

Amendment of Act XXIII of 1867.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 7, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information:—

ACT No. VII OF 1877.

An Act to amend the law relating to assignments from the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871.

WHEREAS it is expedient to authorise the Local Government of the North-Western Provinces to provide out of the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871, for payment of certain charges incurred or to be incurred on account of canals and railways in the North-Western Provinces; It is hereby enacted as follows:—

Preamble.

1. Section 10 of the said Act shall be repealed, and in lieu thereof the following shall be substituted:—

Substitution of new section for section 10 of Act XVIII, 1871.

"**10.** The Lieutenant-Governor may from time to time assign from such Fund such amount as he thinks fit, to be applied in payment of charges incurred or to be incurred on account of such canals and railways as he, with the previous sanction of the Governor General in Council, may declare to be works of general provincial utility, and he shall from time to time allot from such Fund an amount to be applied in each district for expenditure on all or any of the following purposes:—

Assignments from general fund.

(*a*) the construction, repair and maintenance of roads and communications;

(*b*) the maintenance of the rural police and district post;

(*c*) the construction and repair of schoolhouses, the maintenance and inspection of schools, the training of teachers, and the establishment of scholarships;

(*d*) the construction and repair of hospitals, dispensaries, lunatic asylums, markets, wells and tanks; the payment of all charges connected with the purposes for which such buildings or works have been constructed, and any other local works likely to promote the public health, comfort or convenience:

Provided that the amount assigned in respect of such canals and railways shall not exceed ten per cent. of the total sum levied under this Act in the year in which the assignment was made, and that the amount allotted to be applied in each district for expenditure on all or any of the purposes mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of this section shall be at least ninety per cent. of the total sum levied under this Act in such district in the year in which the allotment was made."

Proviso.

2. In Section 12 of the said Act, for the word "assignment" in each of the places where it occurs, the word "allotment" shall be substituted, and for the word "re-allotted" the word "re-assigned" shall be substituted.

Amendment of Act of 1871, ss. 12, 13 and 14.

And in section 13 of the said Act, for the word "assignment" the word "allotment" shall be substituted,

And in Section 14 of the same Act, for the word "amount," in each of the places where it occurs, the word "allotment" shall be substituted.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information :—

ACT No. VIII OF 1877.

An Act for the licensing of certain trades and dealings in the North-Western Provinces.

Preamble.

WHEREAS it is expedient that persons carrying on certain trades and dealings in the North-Western Provinces should take out licenses and pay for the same; It is hereby enacted as follows :—

Short title.

1. This Act shall be called "The North-Western Provinces License Act, 1877:"

Local extent.

It extends to the provinces under the government of the Lieutenant-Governor of the North-Western Provinces; but nothing herein contained applies to persons earning their livelihood solely by agriculture.

Commencement.

And it shall come into force at once.

"Collector" defined.

2. In this Act "Collector" means the Chief Officer in charge of the revenue-administration of a District.

Annual licenses to be taken out.

3. Every person who, on and after the first day of April 1877, falls under any of the heads specified in the schedule hereto annexed, and carries on (whether on behalf of himself or any other person) his trade or dealing, shall take out a license under this Act, and shall pay for the same the annual fee mentioned in the same schedule as payable by persons of the class to which he belongs.

Officer to grant license.

4. Every license under this Act shall be granted by the Collector of the district in which the person requiring such license carries on his trade or dealing: provided that, if such person carries on his trade or dealing in more than one district in the North-Western Provinces, the license shall be granted by the Collector of the district in which his principal place of business is situate.

Every such license shall be signed by the Collector granting it, or by such officer as he may appoint in this behalf.

Particulars to be specified in the license.

5. Every such license shall specify—

(*a*) the date of the grant thereof:

(*b*) the name, father's name, caste, and trade or dealing of the licensee:

(*c*) the fee paid for the license:

(*d*) the place or places where the licensee intends to carry on his trade or dealing for the ensuing year; and

(*e*) the term for which the license shall remain in force,

and shall be received in evidence as *primâ facie* proof of all matters contained therein.

Commencement and expiration of license.

6. Every such license shall have effect and continue in force from the day of the date thereof till the first day of January next after the day of the granting thereof.

Renewal of license.

7. Every person to whom any such license has been granted and who desires to continue to carry on his trade or dealing after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding section, and shall renew the same so long as he desires to continue to carry on such trade or dealing.

List of Licensees.

Collector to prepare annual list of licensees.

8. As soon as may be after the first day of April 1877 and the first day of January in every subsequent year, the Collector shall prepare a list of the persons to be licensed under this Act in the district or place aforesaid. Such list shall state—

(*a*) the trade or calling of each of the persons therein named;

(*b*) the class under which he is charged; and

(*c*) the fee to be paid for his license.

Such list shall be in the language of the district, shall be filed in the office of the Collector, and shall be open to public inspection at all reasonable times, without any payment.

Collector to determine class under which licensee is to be charged.

9. The Collector shall from time to time determine under which of the classes mentioned in the said schedule every person to whom a license may be granted by him as aforesaid shall be charged, and shall amend the said list accordingly.

Publication of list and notification.

The list or such part or parts thereof as the Collector thinks fit shall be published in the principal muhallas or ganjes of all towns, and in the chaupál, or other public place, in all villages concerned, together with a notification that if any person mentioned in such list continues his trade or dealing, payment of the amount specified in the list as payable by him must be made in the year 1877 within thirty days of such publication in that year and within thirty days next after the first day of January in each succeeding year.

Petition of objector.

10. Any person mentioned in such list and objecting to the class under which he is charged may, within thirty days after such publication or within such further time as the Collector may in each case think fit, apply by petition to the Collector in order to establish his right to have his name transferred to another class or altogether removed from the list.

Hearing of petition. Appeal from order on petition.

11. The Collector shall fix a day for the hearing of the petition, and on the day so fixed, or on such subsequent day as he may from time to time direct, shall hear the same and pass such order thereon as he thinks fit:

Provided that if in the judgment of the Collector the nett annual earnings of the petitioner are less than two hundred rupees, the petitioner's name shall be removed from the list, and the fee, if any, paid by him shall be returned.

There shall be no appeal from an order under this section.

Power to remit fee.

12. The Collector may in his discretion remit the whole or any part of the fee payable under this Act by any person who has carried on his trade or dealing for a portion of the year only.

Persons carrying on several trades.

13. A person or firm carrying on several trades or businesses and coming under more than one of the designations in the said schedule shall be chargeable only under one of the said designations at the discretion of the Collector; and in the case of a firm, payment by any one of the partners shall for the purposes of this Act be considered payment by the firm.

Penalty for carrying on business without a license.

14. If after expiry of the period mentioned in the notification published under section ten, for payment of the amount specified therein, any person (whether he is or is not mentioned in the said list) carries on his trade or calling without having taken out a license as required by this Act, he shall be liable, by order of the Collector, to pay twice the fee with which he would otherwise have been chargeable under this Act, and on receipt of such payment, the Collector shall grant him a license.

All sums due under this section and all fees payable under this Act shall be recoverable as if they were arrears of land-revenue.

License to be produced on demand.

15. Every person required by this Act to take out a license, who without reasonable excuse neglects or refuses to produce and show his license when required so to do by an officer generally or specially empowered in writing by the Collector to make such requisition, shall, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees.

Prosecution to be at instance of Collector.

No person shall be proceeded against for any such offence except at the instance of the Collector, and there shall be no appeal from any sentence under this section.

Receivers and managers chargeable.

16. Courts of Wards and receivers and managers appointed by any Court in British India, shall be chargeable under this Act in respect of any trade or dealing of which the income is officially in their possession or under their control.

Power to retain assessment paid by trustee, &c.

17. When any trustee, guardian, curator, committee or agent is charged under this Act in such capacity, or when any Court of Wards or receiver or manager appointed by any Court is charged under this Act, every Court and person so charged may, from time to time, out of the money coming to its or his possession as such trustee, guardian, curator, committee or agent, or as such Court of Wards, receiver or manager retain so much as is sufficient to pay the fee charged.

Every such person or Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Municipalities.

Power to require returns from Municipalities.

18. The Collector may require any Municipal Committee constituted under Act No. XV of 1873 to furnish, within a period to be specified under the orders of the Local Government, returns showing the names and numbers of persons chargeable under this Act resident within the limits of such Municipality, together with the class under which they respectively fall and the fees payable by them respectively.

If the Municipal Committee fails within the period prescribed to make such returns, or if it make such returns, and the Collector has reason to doubt their accuracy, he may at any time cause a return showing the names, numbers, and classes aforesaid to be prepared in such manner as may be prescribed by the Local Government.

Notice to Municipalities.

19. When the return mentioned in section 18 has been furnished or prepared, notice shall be served on the Municipality, calling on it to pay to the Collector within a period to be specified in the notice, a sum calculated on such return in accordance with the provisions of this Act.

Any Municipality may appropriate any part of its revenues to the payment of the sum leviable from it under this section, or raise such further sums in addition to its existing revenue as may be needful for such payment: provided that such further sums be raised in accordance with the said Act No. XV of 1873.

Miscellaneous.

Payment of taxes raised and penalties recovered under Act.

20. All taxes raised and penalties recovered under this Act shall be paid to the credit of the Local Government, or as such Government from time to time directs.

Powers of Collector under Act may be exercised by other officers.

21. All or any of the powers and duties conferred and imposed by this Act on a Collector may, subject to the orders of the Collector of the District, be exercised and performed by an Assistant Collector or such other officer as the Local Government from time to time appoints in this behalf.

22. Every person shall be legally bound to furnish information to any officer or person exercising any of the powers of a Collector under this Act when required by him to do so.

Obligation to furnish information to Collector.

23. The Local Government may, from time to time, with the previous sanction of the Governor General in Council,

Power to exempt and make rules.

(*a*) exempt from the operation of this Act any portion of the territories subject to such Government, or any class of trade or dealings falling under the said schedule;

(*b*) make rules consistent with this Act, (1) for regulating the time and manner of collecting the fees charged under this Act, (2) for providing in any case or class of cases for serving notices on persons charged under this Act, and (3) generally for the guidance of officers in matters connected with the enforcement of this Act.

THE SCHEDULE ABOVE REFERRED TO.

CLASS I.

	Fee payable by licensee.
Bankers	Rs. 16.
Professional money-lenders ...	
Companies registered under the Indian Companies Act, 1866 ...	
Owners of cotton-screws ...	
Persons keeping shops for the sale of European goods	
Hotel-keepers	
Wholesale-dealers	
Dealers in precious stones ...	

CLASS II.

Cloth-sellers	Rs. 8.
Metal-vessel-sellers	
Fuel-sellers (talwálas)	
Chaudhrís	
Letters-out of conveyances and cattle	
Contractors (thíkadárs)	
Printers and publishers... ...	
Manufacturers of lac	
Commission Agents	
Brokers	
Bill-brokers	
Pawn-brokers	
Money-changers	
Dealers in gold and silver lace ...	
Druggists	
Harness-makers	
Dealers in metals, not being merely artisans	

CLASS III.

Persons carrying on any trades or dealings not above specified ...	Rs. 2.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information:—

ACT NO. IX OF 1877.

An Act to revive and amend Act No. XXIII of 1867.

WHEREAS Act No. XXIII of 1867 (*for the suppression of murderous outrages in certain districts of the Panjáb*) received the assent of the Governor General on the 18th day of March 1867, and by section 17 of the said Act was limited to expire in ten years from the date of passing it; And whereas it is expedient to revive the same Act and to amend it in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

1. The said Act shall be revived and shall remain in force until the Governor General in Council otherwise directs.

Act XXIII of 1867 to be revived.

2. For the word "Commissioner" wherever it occurs in the said Act, the words "Sessions Judge or Commissioner" shall be substituted.

Amendment of Act XXIII of 1867.

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

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th March 1877, and is hereby promulgated for General information:—

ACT NO. X OF 1877.

THE CODE OF CIVIL PROCEDURE.

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   (*b*) of officers appointed to try small suits in Bombay;
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THE FIRST SCHEDULE.—*A.*—Statute repealed.
B.—Acts repealed.
C.—Regulation repealed.
THE SECOND SCHEDULE.—Chapters and sections extending to Mufassal Courts of Small Causes.
THE THIRD SCHEDULE.—Bombay enactments.
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An Act to Consolidate and amend the Laws relating to the Procedure of the Courts of Civil Judicature.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature; It is hereby enacted as follows:—

PRELIMINARY.

Short title. Commencement.

1. This Act may be cited as "The Code of Civil Procedure:" and it shall come into force on the first day of October 1877.

Local extent.

This section and section 3 extend to the whole of British India. The other sections extend to the whole of British India except the Scheduled Districts as defined in Act No. XIV of 1874.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"chapter." "chapter" means a chapter of this Code:

"district." "District Court." "district" means the local limits of the jurisdiction of a principal civil Court of original jurisdiction (hereinafter called a 'District Court'), and includes the local limits of the ordinary original civil jurisdiction of a High Court: every Court of a grade inferior to that of a District Court and every Court of Small Causes shall, for the purposes of this Code, be deemed to be subordinate to the High Court and the District Court:

"pleader." "pleader" means every person entitled to appear and plead for another in Court, and includes an advocate, a vakíl and an attorney of a High Court:

"Government Pleader." "Government Pleader" includes also any officer appointed by the Local Government to perform all or any of the functions expressly imposed by this Code on the Government Pleader.

"Collector." "Collector" means every officer performing the duties of a Collector of land-revenue:

"judgment." "judgment" means the statement given by the Judge as the grounds of the order or decree by which a suit or other judicial proceeding is determined:

"decree." "decree" means the formal order of the Court in which the result of the decision of the suit or other judicial proceeding is embodied. An order on appeal, remanding a suit for re-trial, is not within this definition:

"Judge." "Judge" means the presiding officer of a Court:

"judgment-debtor." "judgment-debtor" means any person against whom a decree or order has been made:

"decree-holder." "decree-holder" means any person in whose favour a decree or any order capable of execution has been made, and includes any person to whom such decree or order is transferred:

"written." "written" includes printed and lithographed, and "writing" includes print and lithography:

"signed." "signed" includes "marked" when the person making the mark is unable to write his name:

"foreign Court." "foreign Court" means a court situate beyond the limits of British India and not having authority in British India nor established by the Governor General in Council:

"foreign judgment." "foreign judgment" means the judgment of a foreign Court:

"public officer." "public officer" means a person falling under any of the following descriptions (namely):—

Every Judge;

Every covenanted servant of Her Majesty;

Every commissioned officer in the military or naval forces of Her Majesty while serving under Government;

Every officer of a Court of Justice whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorized by a Court of Justice to perform any of such duties;

Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;

Every officer of Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;

Every officer whose duty it is, as such officer, to take, receive, keep or expend any property on behalf of Government, or to make any survey, assessment or contract on behalf of Government, or to execute any revenue process, or to investigate, or to report on any matter affecting the pecuniary interests of Government, or to make, authenticate or keep any document relating to the pecuniary interests of Government, or to prevent the infraction of any law for the protection of the pecuniary interests of Government, and every officer in the service or pay of Government, or remunerated by fees or commission for the performance of any public duty.

"Government." And in any part of British India in which this Code operates, "Government" includes the Government of India as well as the Local Government.

Enactments repealed.

3. The enactments specified in the first schedule hereto annexed are hereby repealed to the extent mentioned in the third column of the same schedule.

References in previous Acts.

But when in any Act, Regulation or Notification passed or issued prior to the day on which this Code comes into force, reference is made to Act VIII of 1859, Act XXIII of 1861, or the 'Code of Civil Procedure,' or to any other Act hereby repealed, such reference shall, so far as may be practicable, be read as applying to this Code or the corresponding part thereof;

Saving of procedure in suits instituted before 1st October 1877.

Nothing herein contained shall affect the procedure prior to decree in any suit instituted or appeal presented before this Code comes into force.

Saving of certain Acts affecting Oudh, Panjáb, Central Provinces and Burma.

4. Save as provided in the second paragraph of section 3, nothing herein contained shall be deemed to affect the following enactments (namely):—

The Central Provinces Courts Act, 1865:
The Panjáb Courts Act, 1865:
Act No. XXVII of 1867:
The Oudh Civil Courts Act, 1871:
The Panjáb Appeals Act, 1873:
The Burma Courts Act, 1875:
or any local law prescribing a special procedure for suits between landlord and tenant,
or any local law providing for the partition of immoveable property.

And where under any of the said Acts concurrent civil jurisdiction is given to the Commissioner and the Deputy Commissioner, the Local Government may declare which of such officers shall for the purposes of this Code be deemed to be the District Court.

Sections extending to Mufassal Small Cause Courts.

5. The chapters and sections of this Code specified in the second schedule hereto annexed extend (so far as they are applicable) to Courts of Small Causes constituted under Act No. XI of 1865. The other chapters and sections of this Code do not extend to such Courts. And nothing herein contained shall be deemed to enlarge the powers which such Courts now possess for the purposes of effecting attachments or executing decrees.

Saving of jurisdiction and procedure—

6. Nothing in this Code affects the jurisdiction or procedure—

(*a*) of Military Courts of Request;

(*a*) of Military courts of Request;

(*b*) of officers appointed to try small suits in Bombay;

(*b*) of a single officer duly appointed in the Presidency of Bombay to try small suits in military bázárs at cantonments and stations occupied by the troops of that Presidency; or

(*c*) of Village Munsifs and Village Panchávats in Madras

(*c*) of Village Munsifs or Village Panchávats under the provisions of the Madras Code;

(*d*) of Recorder of Rangoon sitting as an Insolvent Court.

(*d*) of the Recorder of Rangoon sitting as an Insolvent Court, Court of Requests, Maulmain, Akyab or Bassein,

or shall operate to give any Court jurisdiction over suits of which the amount or value of the subject-matter exceeds the pecuniary limits (if any) of its ordinary jurisdiction.

7. With respect to—

Saving of certain Bombay laws.

(*a*) the jurisdiction exercised by certain jágírdárs and other authorities invested with powers under the provisions of Bombay Regulation XIII of 1830 and Act XV of 1840 in the cases therein mentioned; and

(*b*) cases of the nature defined in the enactments specified in the third schedule hereto annexed,

the procedure in such cases and in the appeals to the Civil Courts allowed therein, shall be according to the rules laid down in this Code, except where those rules are inconsistent with any specific provisions contained in the enactments mentioned or referred to in this section.

8. Save as provided in sections 3, 25, 86, 223, 225, 386 and chapter XXXIX, this Code shall not extend to any suit or proceeding in any Court of Small Causes established in the towns of Calcutta, Madras and Bombay.

Presidency Small Cause Courts.

But the Local Government may, by notification published in the official Gazette, extend to any such Court this Code or any part thereof, except so far as relates to appeals and reviews of judgment.

Division of Code.

9. This Code is divided into ten Parts as follows:—

The first Part: Suits in General.
The second Part: Incidental Proceedings.
The third Part: Suits in particular Cases.
The fourth Part: Provisional Remedies.
The fifth Part: Special Proceedings.
The sixth Part: Appeals.
The seventh Part: Reference to and Revision by the High Court.
The eighth Part: Review of Judgment.
The ninth Part: Special Rules relating to the Chartered High Courts.
The tenth Part: Certain Miscellaneous Matters.

PART I.

OF SUITS IN GENERAL.

CHAPTER I.

OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

No person exempt from jurisdiction by reason of descent or place of birth.

10. No person shall, by reason of his descent or place of birth, be in any civil proceeding exempted from the jurisdiction of any of the Courts.

Courts to try all civil suits unless specially barred.

11. The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is barred by any enactment for the time being in force.

Explanation.—A suit in which the right to property or to an office is contested is a suit of a civil nature, notwithstanding that such right may depend entirely on the decision of questions as to religious rites or ceremonies.

Pending suits.

12. Except where a suit has been stayed under section 20, the Court shall not try any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit for the same relief between the same parties, or between parties under whom they or any of them claim, pending in the same or any other Court, whether superior or inferior, in British India having jurisdiction to grant such relief, or in any Court beyond the limits of British India established by the Governor General in Council and having like jurisdiction, or before Her Majesty in Council.

Explanation.—The pendency of a suit in a foreign Court does not preclude the Courts in British India from trying a suit founded on the same cause of action.

Res judicata.

13. No Court shall try any suit or issue, in which the matter directly and substantially in issue has been heard and finally decided by a Court of competent jurisdiction, in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title.

Explanation I.—The matter above referred to must in the former suit have been alleged by one party and either denied or confessed, expressly or impliedly, by the other.

Explanation II.—Any matter which might and ought to have been made ground of defence or attack in such former suit shall be deemed to have been a matter directly and substantially in issue in such suit.

Explanation III.—Any relief claimed in the plaint, which is not expressly granted by the decree, shall, for the purpose of this section, be deemed to have been refused.

Explanation IV.—A decision is final within the meaning of this section when it is such as the Court making it could not alter (except on review) on the application of either party or reconsider of its own motion. A decision liable to appeal may be final within the meaning of this section until the appeal is made.

Explanation V.—Where persons litigate *bonâ fide* in respect of a private right claimed in common for themselves and others, all persons interested in such right shall, for the purpose of this section, be deemed to claim under the persons so litigating.

Explanation VI.—Where a foreign judgment is relied on, the production of the judgment duly authenticated is presumptive evidence that the Court which made it had competent jurisdiction, unless the contrary appear on the record; but such presumption may be removed by proving the want of jurisdiction.

When foreign judgment no bar to suit in British India.

14. No foreign judgment shall operate as a bar to a suit in British India—

(*a*) if it has not been given on the merits of the case:

(*b*) if it appears on the face of the proceedings to be founded on an incorrect view of international law or of any law in force in British India:

(*c*) if it is in the opinion of the Court before which it is produced contrary to natural justice:

(*d*) if it has been obtained by fraud:

(*e*) if it sustains a claim founded on a breach of any law in force in British India.

CHAPTER II.

OF THE PLACE OF SUING.

Court in which suit to be instituted.

15. Every suit shall be instituted in the Court of the lowest grade competent to try it.

Suits to be instituted where subject-matter situate.

16. Subject to the pecuniary or other limitations prescribed by any law, suits

(*a*) for the recovery of immoveable property,

(*b*) for the partition of immoveable property,

(*c*) for the foreclosure or redemption of a mortgage of immoveable property,

(*d*) for the determination of any other right to or interest to or in immoveable property,

(*e*) for compensation for wrong to immoveable property,

(*f*) for the recovery of moveable property actually under distraint or attachment,

shall be instituted in the Court within the local limits of whose jurisdiction the property is situate:

Provided that suits to obtain relief respecting, or compensation for wrong to, immoveable property held by or on behalf of the defendant may, when the relief sought can be entirely obtained through his personal obedience, be instituted either in the Court within the local limits of whose jurisdiction the property is situate, or in the Court within the local limits of whose jurisdiction he actually and voluntarily resides, or carries on business, or personally works for gain.

Explanation.—In this section 'property' means property situate in British India.

Suits to be instituted where defendants reside or cause of action arose.

17. Subject to the limitations aforesaid, all other suits shall be instituted in a Court within the local limits of whose jurisdiction—

(*a*) the cause of action arises, or

(*b*) all the defendants, at the time of the commencement of the suit, actually and voluntarily reside, or carry on business, or personally work for gain; or

(*c*) any of the defendants, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain: provided that either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally work for gain as aforesaid acquiesce in such institution.

Explanation I.—Where a person has a permanent dwelling at one place and also a lodging at another place for a temporary purpose only, he shall be deemed to reside at both places in respect of any cause of action arising at the place where he has such temporary lodging.

Explanation II.—A Corporation or Company shall be deemed to carry on business at its sole or principal office in British India or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

Illustrations.

(*a*.) A is a tradesman in Calcutta. B carries on business in Dehli. B, by his agent in Calcutta, buys goods of A, and requests A to deliver them to the East Indian Railway Company. A delivers the goods accordingly in Calcutta. A may sue B for the price of the goods either in Calcutta, where the cause of action has arisen, or in Dehli, where B carries on business.

(*b*.) A resides at Simla, B at Calcutta, and Cat Dehli. A, B and C being together at Benares, B and C make a joint promissory note payable on demand, and deliver it to A. A may sue B and C at Benares, where the cause of action arose. He may also sue them at Calcutta, where B resides, or at Dehli, where C resides; but in each of these cases, if the non-resident defendant objects, the suit cannot be maintained without the leave of the Court.

Suits for compensation for wrongs to person or moveables.

18. In suits for compensation for wrong done to person or moveable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain within the local limits of the jurisdiction of another Court, the plaintiff may at his option sue in either of the said Courts.

Illustrations.

(*a*) A, residing in Dehli, beats B in Calcutta. B may sue A either in Calcutta or in Dehli.

(*b*.) A, residing in Dehli, publishes in Calcutta statements defamatory of B. B may sue A either in Calcutta or in Dehli.

(*c*.) A, travelling on the line of a Railway Company whose principal office is at Howrah, is upset and injured at Allahabad by negligence imputable to the Company. He may sue the Company either at Howrah or at Allahabad.

Suits for immoveable property situate in single districts, but within jurisdictions of different Courts.

19. If the suit be to obtain relief respecting, or compensation for wrong to, immoveable property situate within the limits of a single district, but within the jurisdiction of different Courts, the suit may be instituted in the Court within whose jurisdiction any portion of the property is situate; provided that, in respect of the value of the subject-matter of the suit, the entire claim be cognizable by such Court.

Suits for immoveable property situate in different districts.

If the immoveable property be situate within the limits of different districts, the suit may be instituted in any Court, otherwise competent to try it, within whose jurisdiction any portion of the property is situate.

Power to stay proceedings where all defendants do not reside within jurisdiction.

20. If a suit which may be instituted in more than one Court is instituted in a Court within the local limits of whose jurisdiction the defendant or all the defendants does not or do not actually and voluntarily reside, or carry on business, or personally work for gain, the defendant or any defendant may, after giving notice in writing to the other parties of his intention to apply to the Court to stay proceedings, apply to the Court accordingly;

and if the Court, after hearing such of the parties as desire to be heard, is satisfied that justice is more likely to be done by the suit being instituted in some other Court, it may stay proceedings either finally or till further order, and make such order as it thinks fit as to the costs already incurred by the parties or any of them.

In such case, if the plaintiff so requires, the Court shall return the plaint with an endorsement thereon of the order staying proceedings.

Application when to be made.

Every such application shall be made at the earliest possible opportunity, and in all cases before the issues are settled; and any defendant not so applying shall be deemed to have acquiesced in the institution of the suit.

21. Where the Court, under section 20, stays proceedings, and the plaintiff re-institutes his suit in another Court, the plaint shall not be chargeable with any court-fee; provided that the proper fee has been levied on the institution of the suit in the former Court, and that the plaint has been returned by such Court.

Remission of court-fee where suit instituted in another Court.

22. Where a suit may be instituted in more Courts than one, and such Courts are subordinate to the same appellate Court, any defendant, after giving notice in writing to the other parties of his intention to apply to such Court to transfer the suit to another Court, may apply accordingly; and the appellate Court, after hearing the other parties, if they desire to be heard, shall determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where Courts in which suit may be instituted are subordinate to the same appellate Court.

23. Where such Courts are subordinate to different appellate Courts, but are subordinate to the same High Court, any defendant, after giving notice in writing to the other parties of his intention to apply to the High Court to transfer the suit to another Court having jurisdiction, may apply accordingly. If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate. The High Court may, after considering the objections, if any, of the other parties, determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where they are not so subordinate.

24. Where such Courts are subordinate to different High Courts, any defendant may, after giving notice in writing to the other parties of his intention to apply to the High Court within whose jurisdiction the Court in which the suit is brought is situate, apply accordingly.

Procedure where they are subordinate to different High Courts.

If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate,

and such High Court, shall, after considering the objections, if any, of the other parties, determine in which of the several Courts having jurisdiction the suit shall proceed.

25. The High Court or District Court may, on the application of any of the parties, after giving notice to the parties and hearing such of them as desire to be heard, or of its own motion, without giving such notice, withdraw any suit whether pending in a Court of first instance or in a Court of appeal subordinate to such High Court or District Court, as the case may be, and try the suit itself, or transfer it for trial to any other such subordinate Court competent to try the same in respect of its nature and the amount or value of its subject-matter.

Transfer of suits.

For the purposes of this section, the Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court.

The Court trying any suit withdrawn under this section from a Court of Small Causes shall, for the purposes of such suit, be deemed to be a Court of Small Causes.

CHAPTER III.

OF PARTIES AND THEIR APPEARANCES, APPLICATIONS AND ACTS.

26. All persons may be joined as plaintiffs in whom the right to any relief claimed is alleged to exist, whether jointly, severally, or in the alternative, in respect of the same cause of action. And judgment may be given for such one or more of the plaintiffs as may be found to be entitled to relief, for such relief as he or they may be entitled to, without any amendment. But the defendant, though unsuccessful, shall be entitled to his costs occasioned by so joining any person who is not found entitled to relief, unless the Court in disposing of the costs of the suit otherwise directs.

Persons who may be joined as plaintiffs.

27. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether it has been instituted in the name of the right plaintiff, the Court may, if satisfied that the suit has been so commenced through a *bonâ fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person or persons to be substituted or added as plaintiff or plaintiffs upon such terms as the Court thinks just.

Court may substitute or add plaintiff for or to plaintiff suing.

28. All persons may be joined as defendants against whom the right to any relief is alleged to exist, whether jointly, severally or in the alternative, in respect of the same matter. And judgment may be given against such one or more of the defendants as may be found to be liable, according to their respective liabilities, without any amendment.

Persons who may be joined as defendants.

29. The plaintiff may, at his option, join as parties to the same suit all or any of the persons severally, or jointly and severally, liable on any one contract, including parties to bills of exchange, hundís and promissory notes.

Joinder of parties liable on same contract.

30. Where there are numerous parties having the same interest in one suit, one or more of such parties may, with the permission of the Court, sue or be sued, or may defend in such suit, on behalf of all parties so interested. But the Court shall in such case give, at the plaintiff's expense, notice of the institution of the suit to all such parties either by personal service or (if from the number of parties or any other cause such service is not reasonably practicable), then by public advertisement, as the Court in each case may direct.

One party may sue or defend on behalf of all in same interest.

31. No suit shall be defeated by reason of the misjoinder of parties, and the Court may in every suit deal with the matter in controversy so far as regards the rights and interests of the parties actually before it.

Suit not to fail by reason of misjoinder.

Nothing in this section shall be deemed to enable plaintiffs to join in respect of distinct causes of action.

32. The Court may, on or before the first hearing, upon the application of either party, and on such terms as the Court thinks just, order that the name of any party, whether as plaintiff or as defendant, improperly joined, be struck out; and the Court may at any time, either upon or without such application, and on such terms as the Court thinks just, order that any plaintiff be made a defendant or that any defendant be made a plaintiff, and that the name of any person who ought to have been joined whether as plaintiff or defendant or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Court may dismiss or add parties.

No person shall be added as a plaintiff, or as the next friend of a plaintiff, without his own consent thereto.

No one to be added as plaintiff or as next friend without his consent.

Any person on whose behalf a suit is instituted or defended under section 30 may apply to the Court to be made a party to such suit.

Parties to suits instituted or defended under section 30.

All parties whose names are so added as defendants shall be served with a summons in manner hereinafter mentioned, and (subject to the provisions of the Indian Limitation Act, section 22) the proceedings as against them shall be deemed to have begun only on the service of such summons.

Defendants added to be served.

The Court may give the conduct of the suit to such plaintiff as it deems proper.

Conduct of suit.

33. Where a defendant is added, the plaint, if previously filed, shall, unless the Court direct otherwise, be amended in such manner as may be necessary, and an amended copy of the summons shall be served on the new defendant and the original defendants.

Where defendant added, plaintiff to amend.

34. All objections for want of parties, or for joinder of parties who have no interest in the suit, or for misjoinder as co-plaintiffs or co-defendants, shall be taken at the earliest possible opportunity, and in all cases before the first hearing; and any such objection not so taken shall be deemed to have been waived by the defendant.

Time for taking objections as to non-joinder or misjoinder of parties.

35. When there are more plaintiffs than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any proceeding under this Code: and in like manner when there are more defendants than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any such proceeding.

Each of several plaintiffs or defendants may authorize any other to appear, &c., for him.

The authority shall be in writing, signed by the party giving it, and shall be filed in Court.

Authority to be in writing signed and filed.

Recognized Agents and Pleaders.

36. Any appearance, application or act in or to any Court, required or authorized by law to be made or done by a party to a suit or appeal in such Court, may, except when otherwise expressly provided by any law for the time being in force, be made or done by the party in person, or by his recognized agent, or by a pleader duly appointed to act on his behalf:

Appearances, &c., may be in person, by recognized agent or by pleader.

Provided that any such appearance shall be made by the party in person if the Court so direct.

37. The recognized agents of parties by whom such appearances, applications and acts may be made or done are—

Recognized agents.

(*a*) persons holding general powers-of-attorney from parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, authorizing them to make and do such appearances, applications and acts on behalf of such parties;

Persons holding powers-of-attorney from parties out of jurisdiction.

(*b*) mukhtárs duly certificated under any law for the time being in force and holding special powers-of-attorney authorizing them to do, on behalf of their principals, such acts as may legally be done by mukhtárs;

Certificated mukhtárs.

(*c*) persons carrying on trade or business for and in the names of parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, in matters connected with such trade or business only, where no other agent is expressly authorized to make and do such appearances, applications and acts.

Persons carrying on trade or business for parties out of jurisdiction.

Nothing in the former part of this section applies to the territories now administered respectively by the Lieutenant Governor of the Panjáb, and the Chief Commissioners of Oudh and the Central Provinces; but in those territories the recognized agents of parties by whom such appearances, applications and acts may be made and done shall be such persons as the Local Government may from time to time, by notification in the official Gazette, declare in this behalf.

Recognized agents in Panjáb, Oudh and Central Provinces.

38. Processes served on the recognized agent of a party to a suit or appeal shall be as effectual as if the same had been served on the party in person, unless the Court otherwise directs.

Service of process on recognized agent.

The provisions of this Code for the service of process on a party to a suit shall apply to the service of process on his recognized agent.

39. The appointment of a pleader to make or do any appearance, application or act as aforesaid shall be in writing, and such appointment shall be filed in court.

Appointment of pleader.

When so filed, it shall be considered to be in force until revoked with the leave of the Court by a writing signed by the client and filed in Court, or until the client or the pleader dies or all proceedings in the suit are ended as regards the client.

No advocate of any High Court established by Royal Charter shall be required to furnish any document empowering him to act.

40. Processes served on the pleader of any party or left at the office or ordinary residence of such pleader, relative to a suit or appeal, and whether the same be for the personal appearance of the party or not, shall be presumed to be duly communicated and made known to the party whom the pleader represents; and, unless the Court otherwise directs, shall be as effectual for all purposes in relation to the suit or appeal as if the same had been given to or served on the party in person.

Service of process on pleader.

41. Besides the recognized agents described in section 37, any person residing within the jurisdiction of the Court may be appointed an agent to accept service of process.

Agent to receive process.

Such appointment may be special or general and shall be made by an instrument in writing signed by the principal, and such instrument, or, if the appointment be general, a duly attested copy thereof, shall be filed in Court.

His appointment to be in writing and to be filed in Court.

CHAPTER IV.

OF THE FRAME OF THE SUIT.

42. Every suit shall, as far as practicable, be so framed as to afford ground for a final decision upon the subjects in dispute, and so to prevent further litigation concerning them.

Suit how to be framed.

43. Every suit shall include the whole of the claim arising out of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court.

Suit to include the whole claim.

If a plaintiff omit to sue for, or intentionally relinquish, any portion of his claim, he shall not afterwards sue for the portion so omitted or relinquished.

Relinquishment of part of claim.

A person entitled to more than one remedy in respect of the same claim may sue for all or any of his remedies; but if he omits except with the leave of the Court obtained before the first hearing) to sue for any of such remedies, he shall not afterwards sue for the remedy so omitted.

Omission to sue for one of several remedies.

Illustration.

A lets a house to B at a yearly rent of Rs. 1,200. The rent for the whole of the years 1874 and 1875 is due and unpaid. A sues B only for the rent due for 1875. A shall not afterwards sue B for the rent due for 1876.

44. *Rule a.*—No cause of action shall, unless with the leave of the Court, be joined with a suit for the recovery of immoveable property, or to obtain a declaration of title to immoveable property, except—

Only certain claims to be joined with suit for recovery of land.

(*a*) claims in respect of mesne profits or arrears of rent in respect of the property claimed,

(*b*) damages for breach of any contract under which the property or any part thereof was or is held, and

(*c*) claims by a mortgagee to enforce any of his remedies under the mortgage.

Rule b.—No claim by or against an executor, administrator or heir as such, shall be joined with claims by or against him personally, unless the last mentioned claims are alleged to arise with reference to the estate in respect of which the plaintiff or defendant sues or is sued as executor, administrator or heir.

Claims by or against executor, administrator, or heir.

45. Subject to the rules contained in section 44, the plaintiff may unite in the same suit several causes of action, and any plaintiffs having causes of action against the same defendant or defendants, may unite such causes of action in the same suit.

Plaintiff may join several causes of action.

But if it appear to the Court that any such causes of action cannot be conveniently tried or disposed of together, the Court may, at any time before the first hearing, of its own motion or on the application of the defendant, order separate trials of any such causes of action to be had, or make such other order as may be necessary or expedient for the separate disposal thereof.

Court may order separation.

When causes of action are united, the jurisdiction of the Court as regards the suit shall depend on the amount or value of the aggregate subject-matters at the date of instituting the suit, whether or not an order has been made under the second paragraph of this section.

46. Any defendant alleging that the plaintiff has united in the same suit several causes of action which cannot be conveniently disposed of in one suit may at any time before the first hearing, or, where issues are settled, before any evidence is recorded, apply to the Court for an order confining the suit to such of the causes of action as may be conveniently disposed of in one suit.

Defendant may apply to confine suit.

47. If, on the hearing of such application, it appears to the Court that the causes of action are such as cannot all be conveniently disposed of in one suit, the Court may order any of such causes of action to be excluded, and may direct the plaint to be amended accordingly, and may make such order as to costs as may be just.

Court on hearing application may exclude some causes and order amendment.

Every amendment made under this section shall be attested by the signature of the Judge.

CHAPTER V.

OF THE INSTITUTION OF SUITS.

48. Every suit shall be instituted by presenting a plaint to the Court or such officer as it appoints in this behalf.

Suits to be commenced by plaint.

49. The plaint must be distinctly written in the language of the Court; provided that if such language is not English, the plaint may (with the permission of the Court) be written in English; but in such case, if the defendant so require, a translation of the plaint into the language of the Court shall be filed in court.

Language of plaint.

50. The plaint must contain the following particulars:—

Particulars to be contained in plaint.

(*a*) the name of the Court in which the suit is brought;

(*b*) the name, description and place of abode of the plaintiff;

(*c*) the name, description and place of abode of the defendant, so far as they can be ascertained:

(*d*) a plain and concise statement of the circumstances constituting the cause of action, and where and when it arose;

(*e*) a demand of the relief which the plaintiff claims; and

(*f*) if the plaintiff has allowed a set-off or relinquished a portion of his claim, the amount so allowed or relinquished.

If the plaintiff seek the recovery of money, the plaint must state the precise amount, so far as the case admits.

In money-suits.

In a suit for mesne profits: and in a suit for the amount which will be found due to the plaintiff on taking unsettled accounts between him and the defendant the plaint need only state approximately the amount sued for.

When the plaintiff sues in a representative character, the plaint should shew, not only that he has an actual existing interest in the subject-matter, but that he has taken the steps necessary to enable him to institute a suit concerning it.

Where plaintiff sues as a representative.

Illustrations.

(*a*) A sues as B's executor. The plaint must state that A has proved B's will.

(*b*) A sues as C's administrator. The plaint must state that A has taken out administration to C's estate.

(*c*) A sues as guardian of D, a Muhammadan minor. A is not D's guardian according to Muhammadan law and usage. The plaint must state that A has been specially appointed D's guardian.

The plaint must shew that the defendant is or claims to be interested in the subject-matter, and that he is liable to be called upon to answer the plaintiff's demand.

Defendant's interest and liability to be shewn.

Illustration.

A dies leaving B his executor, C his legatee, and D a debtor to A's estate. C sues D to compel him to pay his debt in satisfaction of C's legacy. The plaint must shew that B has causelessly refused to sue D, or that B and D have colluded for the purpose of defrauding C, or other such circumstances rendering D liable to C.

If the cause of action arose beyond the period ordinarily allowed by any law for instituting the suit, the plaint must shew the ground upon which exemption from such law is claimed.

Grounds of exemption from limitation law.

51. The plaint shall be subscribed by the plaintiff and his pleader (if any), and shall be verified at the foot by the plaintiff or, with the permission of the Court, by some other person proved to the satisfaction of the Court to be acquainted with the facts of the case.

Plaint to be subscribed and verified.

52. The verification must be to the effect that the same is true to the knowledge of the person making it, except as to matters stated on information and belief, and that as to those matters he believes it to be true.

Contents of verification.

The verification shall be signed by the person making it, and when he makes it out of court he shall sign it in the presence of a witness, who shall also sign it.

Verification to be signed and attested.

The Court shall examine such witness as to the fact of the signature, unless the person making the verification is present.

53. The plaint may, at the discretion of the Court, and at or before the first hearing, be rejected, returned for amendment within a time to be fixed by the Court, or amended then and there, upon such terms as to the payment of costs occasioned by the amendment as the Court thinks fit,

When the plaint may be rejected, returned for amendment, or amended.

(*a*) if it do not state correctly and without prolixity the several particulars hereinbefore required to be specified therein; or

(*b*) if it contain any particulars other than those so required; or

(*c*) if it be not subscribed and verified as hereinbefore required; or

(*d*) if it do not disclose a cause of action; or

(*e*) if it is not framed in accordance with section 42; or

(*f*) if it is wrongly framed by reason of non-joinder or misjoinder of parties, or because the plaintiff has joined causes of action which ought not to be joined in the same suit.

Provided that a plaint cannot be altered so as to convert a suit of one character into a suit of another and inconsistent character.

Proviso.

When a plaint is amended, the amendment shall be attested by the signature of the Judge.

Attestation of amendment.

54. The plaint shall be rejected in the following cases:—

When the plaint shall be rejected.

(*a*) if the relief sought is undervalued, and the plaintiff, on being required by the Court to correct the valuation within a time to be fixed by the Court, fails to do so:

(*b*) if the relief sought is properly valued, but the plaint is written upon paper insufficiently stamped, and the plaintiff, on being required by the Court to supply the requisite stamp-paper within a time to be fixed by the Court, fails to do so:

(*c*) if the suit appear from the statement in the plaint to be barred by any positive rule of law:

(*d*) if the plaint having been returned for amendment within a time fixed by the Court is not amended within such time.

55. When a plaint is rejected, the Judge shall record with his own hand an order to that effect with the reason for such order.

Procedure on rejecting a plaint.

56. The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

When rejection of plaint does not preclude presentation of fresh plaint.

57. The plaint shall be returned to be presented to the proper Court in the following cases:

When the plaint shall be returned to be presented to the proper Court.

(*a*) If a suit has been instituted in a Court whose grade is lower or higher than that of the Court competent to try it, where such Court exists, or where no option as to the selection of the Court is allowed by law:

(*b*) If, in a suit relating to immoveable property, but not coming under the proviso to section 16, it appear that no part of such property is situate within the local limits of the jurisdiction of the Court to which the plaint is presented:

(*c*) If, in any other case, it appear that the cause of action did not arise, and that none of the defendants are dwelling or carrying on business, or personally working for gain, within such local limits.

On returning a plaint, the Judge shall, with his own hand, endorse thereon the date of its presentation and return, the name of the party presenting it, and a brief statement of the reason for returning it.

Procedure on returning plaint.

58. The plaintiff shall endorse on the plaint, or annex thereto, a memorandum of the documents (if any) which he has filed along with it; and if the plaint be admitted, shall present as many copies on plain paper of the plaint as there are defendants, unless the Court by reason of the length of the plaint or the number of the defendants, or for any other sufficient reason, permit him to present a like number of concise statements of the nature of the claim made, or of the relief or remedy required in the suit, in which case he shall present such statements.

Procedure on admitting plaint.

Concise statements.

If the plaintiff sues, or the defendant or any of the defendants is sued, in a representative capacity, such statements shall show in what capacity the plaintiff or defendant sues or is sued.

The plaintiff may, by leave of the Court, amend such statements so as to make them correspond with the plaint.

The chief ministerial officer of the Court shall sign such memorandum and copies or statements if, on examination, he finds them to be correct.

The Court shall also cause the particulars mentioned in section 50 to be entered in a book to be kept for the purpose and called the Register of civil suits. Such entries shall be numbered in every year according to the order in which the plaint is admitted.

Register of suits.

59. If a plaintiff sue upon a document in his possession or power, he shall produce it in Court when the plaint is presented, and shall at the same time deliver the document, or a copy thereof to be filed with the plaint.

Production of document on which plaintiff sues.

Delivery of document or copy.

If he rely on any other documents (whether in his possession or power or not) as evidence in support of his claim, he shall enter such documents in a list to be added or annexed to the plaint.

List of other documents.

60. In the case of any such document not in his possession or power, he shall, if possible, state in whose possession or power it is.

Statement in case of documents not in his possession or power.

61. In case of any suit founded upon a bill of exchange or other negotiable instrument, if it be proved that the instrument is lost, and if an indemnity be given by the plaintiff, to the satisfaction of the Court, against the claims of any other person upon such instrument, the Court may make such decree as it would have made if the plaintiff had produced the instrument in Court when the plaint was presented, and had at the same time delivered a copy of the instrument to be filed with the plaint.

Suits on lost negotiable instruments.

62. If the document on which the plaintiff sues be an entry in a shop-book or other book in his possession or power, the plaintiff shall produce the book at the time of filing the plaint, together with a copy of the entry on which he relies.

Production of shop-book.

The Court, or such officer as it appoints in this behalf, shall forthwith mark the document for the purpose of identification; and after examining and comparing the copy with the original and attesting the copy if found correct, shall return the book to the plaintiff and cause the copy to be filed.

Original entry to be marked and returned.

63. A document which ought to be produced in Court by the plaintiff when the plaint is presented, or to be entered in the list to be added or annexed to the plaint, and which is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit.

Inadmissibility of document not produced when plaint filed.

Nothing in this section applies to documents produced for cross-examination of the defendant's witnesses, or in answer to any case set up by the defendant, or handed to a witness merely to refresh his memory.

CHAPTER VI.

OF THE ISSUE AND SERVICE OF SUMMONS.

Issue of Summons.

64. When the plaint has been registered, and the copies or concise statements required by section 58 have been filed, a summons may be issued to each defendant to appear and answer the claim on a day to be therein specified, or as soon thereafter as may be practicable,

Summons.

(*a*) in person, or

(*b*) by a pleader duly instructed and able to answer all material questions relating to the suit, or

(*c*) by a pleader accompanied by some other person able to answer all such questions.

Every such summons shall be signed by the Judge or such officer as he appoints, and shall be sealed with the seal of the Court:

Provided that no such summons shall be issued when the defendant has appeared at the presentation of the plaint and admitted the plaintiff's claim.

65. Every such summons shall be accompanied with one of the copies or concise statements mentioned in section 58.

Copy or statement annexed to summons.

66. If the Court see reason to require the personal appearance of the defendant, the summons shall order him to appear in person in Court on the day therein specified.

Court may order defendant or plaintiff to appear in person.

If the Court see reason to require the personal appearance of the plaintiff on the same day, it may make an order for such appearance.

67. No party shall be ordered to appear in person unless he resides

(*a*) within the local limit of the Court's ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty, or, where there is railway-communication for five-sixths of the distance between the place where he resides and the place where the Court is situate, two hundred miles from the Court-house.

No party to be ordered to appear in person unless resident within 50 or, where there is a railway, 200 miles.

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

Summons to be either to settle issues or for final disposal.

Provided that, in every suit cognizable by Courts of Small Causes, the summons shall be for the final disposal of the suit.

69. The day for the appearance of the defendant shall be fixed by the Court with reference to its current business, the place of residence of the defendant and the time necessary for the service of the summons; and the day shall be so fixed as to allow the defendant sufficient time to enable him to appear and answer on such day.

Fixing day for appearance of defendant.

What shall be deemed 'sufficient time' must be determined with reference to the circumstances of the case.

70. The summons to appear and answer shall order the defendant to produce any document in his possession or power, containing evidence relating to the merits of the plaintiff's case, or upon which the defendant intends to rely in support of his case.

Summons to order defendant to produce documents required by plaintiff or relied on by defendant.

71. When the summons is for the final disposal of the suit, it shall direct the defendant to produce, on the day fixed for his appearance, the witnesses upon whose evidence he intends to rely in support of his case.

On issue of summons or final disposal, parties to be directed to produce their witnesses.

Service of Summons.

72. The summons shall be delivered to the proper officer of the Court, to be served by him or one of his subordinates.

Delivery of summons for service.

73. Service of the summons shall be made by delivering or tendering a copy thereof signed by the Judge or such officer as he appoints in this behalf, and sealed with the seal of the Court.

Mode of service.

74. When there are more defendants than one, service of the summons shall be made on each defendant:

Service on several defendants.

Provided that, if the defendants are partners, and the suit relates to a partnership-transaction or to an actionable wrong in respect of which relief is claimable from the firm, the service may be made, unless the Court directs otherwise, either (*a*) on one defendant for himself and for the other defendants, or (*b*) on any person having the management of the business of the partnership at the principal place, within the local limits of the Court's ordinary original civil jurisdiction, of such business.

75. Whenever it may be practicable, the service shall be made on the defendant in person, unless he have an agent empowered to accept the service, in which case service on such agent shall be sufficient.

Service to be on defendant in person, when practicable, or on his agent.

76. In a suit relating to any business or work against a person who does not reside within the local limits of the jurisdiction of the Court from which the summons issues, service on any manager or agent, who, at the time of service, personally carries on such business or work for such person within such limits, shall be deemed good service.

Service on agent by whom defendant carries on business.

For the purpose of this section, the master of a ship is the agent of his owner or charterer.

77. In a suit to obtain relief respecting, or compensation for wrong to, immoveable property, if the service cannot be made on the defendant in person, and the defendant have no agent empowered to accept the service, it may be made on any agent of the defendant in charge of the property.

Service on agent in charge, in suits for immoveable property.

78. If in any suit the defendant cannot be found and if he have no agent empowered to accept the service of the summons on his behalf, the service may be made on any adult male member of the family of the defendant who is residing with him.

When service may be on male member of defendant's family.

Explanation.—A servant is not a member of the family within the meaning of this section.

79. When the serving-officer delivers or tenders a copy of the summons to the defendant personally, or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgment of service endorsed on the original summons.

Person served to sign acknowledgment.

80. If the defendant or other person refuse to sign the acknowledgment or to receive the copy of the summons,

Procedure when defendant refuses to accept service,

or if the serving-officer cannot find the defendant, and there is no agent empowered to accept the service of the summons on his behalf, nor any other person on whom the service can be made,

or cannot be found.

the serving-officer shall affix a copy of the summons on the outer door of the house in which the defendant ordinarily resides and then return the original to the Court from which it issued, with an endorsement thereon stating that he has so affixed the copy and the circumstances under which he did so.

81. The serving-officer shall, in all cases in which the summons has been served under section 79, endorse or cause to be endorsed on the original summons, the time when and the manner in which the summons was served.

Endorsement of time and manner of service.

82. When a summons is returned under section 80, the Court shall examine the serving-officer on oath touching his proceedings and may make such further enquiry in the matter as it thinks fit; and shall either declare that the summons has been duly served or order such service as it thinks fit.

Examination of serving officer.

Substituted service.

Where the Court is satisfied that there is reason to believe that the defendant is keeping out of the way for the purpose of avoiding the service, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in the Court-house, and also upon some conspicuous part of the house, if any, in which the defendant is known to have last resided, or in such other manner as the Court thinks fit.

83. The service substituted by order of the Court, shall be as effectual as if it had been made on the defendant personally.

Effect of substituted service.

84. Whenever service is substituted by order of the Court, the Court shall fix such time for the appearance of the defendant as the case may require.

When service is substituted, time for appearance to be fixed.

85. If the defendant resides within the jurisdiction of any Court other than the Court in which the suit is instituted, and has no agent resident within the local limits of the jurisdiction of the latter Court empowered to accept the service of the summons, such Court shall send the summons, either by one of its officers or by post, to any Court, not being a High Court, having jurisdiction at the place where the defendant resides, by which it can be conveniently served, and shall fix such time for the appearance of the defendant as the case may require.

Service of summons when defendant resides within jurisdiction of another Court and has no agent to accept service.

The Court to which the summons is sent shall, upon receipt thereof, proceed as if it had been issued by such Court and shall then return the summons to the Court from which it originally issued, together with the record (if any) made under this paragraph.

86. Whenever any process issued by any Court established beyond the limits of the towns of Calcutta, Madras, Bombay and Rangoon is to be served within any such town, it shall be sent to the Court of Small Causes within whose jurisdiction the process is to be served,

Service within Presidency towns and Rangoon of process issued by Mufassal Courts.

and such Court of Small Causes shall deal with such process in the same manner as if the process had been issued by itself,

and shall then return the process to the Court from which it issued.

87. If the defendant be in jail, the summons shall be delivered to the officer in charge of the jail in which the defendant is confined, and such officer shall cause the summons to be served upon the defendant.

Service on defendant in jail.

The summons shall be returned to the Court from which it issued, with a statement of the service endorsed thereon and signed by the officer in charge of the jail and by the defendant.

88. If the jail in which the defendant is confined is not in the district in which the suit is instituted, the summons may be sent by post or otherwise to the officer in charge of such jail, and such officer shall cause the summons to be served upon the defendant, and shall return the summons to the Court from which it issued, with a statement of the service endorsed thereon, and signed as provided in section 87.

Procedure if jail be in a different district.

89. If the defendant resides out of British India, and has no agent in British India empowered to accept the service, the summons shall be addressed to the defendant at the place where he is residing, and forwarded to him by post if there be postal communication between such place and the place where the Court is situate.

Service when defendant resides out of British India and has no agent to accept service.

90. If there be a British Resident or Agent of Government in or for the territory in which the defendant resides, the summons may be sent to such Resident or Agent, by post or otherwise, for the purpose of being served upon the defendant; and if the Resident or Agent return the summons with an endorsement under his hand that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be conclusive evidence of the service.

Service through British Resident or Agent of Government.

91. The Court may, notwithstanding anything hereinbefore contained, substitute for the summons a letter signed by the Judge or such officer as he appoints in this behalf, when the defendant is, in the opinion of the Court, of a rank which entitles him to such mark of consideration.

Substitution of letter for summons.

The letter shall contain all the particulars required to be stated in the summons, and, subject to the provisions contained in section 92, shall be treated in all respects as a summons.

92. When a letter is so substituted for a summons, it may be sent to the defendant by post or by a special messenger selected by the Court, or in any other manner which the Court thinks fit; unless the defendant has an agent empowered to accept service of summons, in which case the letter may be delivered or sent to such agent.

Mode of sending such letter.

Service of Process.

93. Every process issued under this Code shall be served at the expense of the party on whose behalf it is issued, unless the Court otherwise directs.

Process to be served at expense of party issuing it.

The court-fee leviable for such service shall be levied before the process is issued.

Costs of service.

94. All notices and orders required by this Code to be given to or served on any person shall be in writing, and shall be served in the manner hereinbefore provided for the service of summons.

Notices and orders in writing how served.

Postage.

95. Postage, where chargeable on any notice, summons or letter issued under this Code and forwarded by post, and the fee for registering the same, shall be paid before the communication is forwarded.

Postage.

CHAPTER VII.

OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

96. On the day fixed in the summons for the defendant to appear and answer, the parties shall be in attendance at the Court-house in person or by their respective pleaders, and the suit shall then be heard, unless the hearing be adjourned to a future day fixed by the Court.

Parties to appear on day fixed in summons for defendant to appear and answer.

97. If on the day so fixed for the defendant to appear and answer, it be found that the summons has not been served upon him in consequence of the failure of the plaintiff to pay the court-fee leviable for such service, the Court may order that the suit be dismissed:

Dismissal of suit where summons not served in consequence of plaintiff's failure to pay fee for issuing it.

Provided that no such order shall be passed, although the summons has not been served upon the defendant, if, on the day fixed for him to appear and answer, he attends in person or by a duly authorized agent, when he is allowed to appear by agent.

Proviso.

98. If on the day fixed for the defendant to appear and answer, or on any other subsequent day to which the hearing of the suit is adjourned, neither party appears, the suit shall be dismissed, unless the Judge, for reasons to be recorded under his hand, otherwise directs.

If neither party appear, suit to be dismissed.

99. Whenever a suit is dismissed under section 97 or section 98, the plaintiff may (subject to the law of limitation) bring a fresh suit; or if, within the period of thirty days from the date of the order dismissing the suit, he satisfies the Court that there was a sufficient excuse for his not paying the court-fee required within the time allowed for the service of the summons or for his non-appearance, as the case may be, the Court shall pass an order to set aside the dismissal and appoint a day for proceeding with the suit.

In such case plaintiff may bring fresh suit;

or Court may restore the suit to its file.

100. If the plaintiff appears and the defendant does not appear, the procedure shall be as follows:

Procedure if only plaintiff appear.

when summons was duly served.

(*a*) if it is proved that the summons was duly served, the Court may proceed *ex parte*:

when summons not duly served.

(*b*). If it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served on the defendant:

when summons served, but not in due time.

(*c*) If it is proved that the summons was served on the defendant, but not in sufficient time to enable him to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to be given to the defendant.

If it is owing to the plaintiff's default that the summons was not served in sufficient time, the Court shall order him to pay the costs occasioned by such postponement.

101. If the Court has adjourned the hearing of the suit *ex parte*, and the defendant, at or before such hearing, appears and assigns good cause for his previous non-appearance, he may, upon such terms as the Court directs as to costs or otherwise, be heard in answer to the suit, as if he had appeared on the day fixed for his appearance.

Procedure where defendant appears on day of adjourned hearing, and assigns good cause for previous non-appearance.

102. If the defendant appears and the plaintiff does not appear, the Court shall dismiss the suit, unless the defendant admits the claim, or part thereof, in which case the Court shall pass a decree against the defendant upon such admission, and where part only of the claim has been admitted, shall dismiss the suit so far as it relates to the remainder.

Procedure where defendant only appears.

103. When a suit is wholly or partially dismissed under this section, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action. But he may apply for an order to set the dismissal aside; and if it be proved that he was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall set aside the dismissal upon such terms as

Decree against plaintiff by default bars fresh suit.

to costs or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit.

No order shall be made under the second paragraph of this section unless the plaintiff has served the defendant with notice in writing of his application.

104. If, on the day fixed for the hearing of a suit against a defendant residing out of British India, who has no agent empowered to accept service of summons, or on any day to which the hearing has been adjourned, the defendant does not appear, the plaintiff may apply to the Court for permission to proceed with his suit, and the Court may direct that the plaintiff be at liberty to proceed with his suit in such manner and subject to such conditions as the Court thinks fit.

Procedure where defendant residing out of British India does not appear.

105. If there be more plaintiffs than one, and one or more of them appear, and the others do not appear, the Court may, at the instance of the plaintiff or plaintiffs appearing, permit the suit to proceed in the same way as if all the plaintiffs had appeared, and pass such order as it thinks fit.

Procedure in case of non-attendance of one or more of several plaintiffs.

106. If there be more defendants than one, and one or more of them appear, and the others do not appear, the suit shall proceed, and the Court shall, at the time of passing judgment, make such order as it thinks fit with respect to the defendants who do not appear.

Procedure in case of non-attendance of one or more of several defendants.

107. If a plaintiff or defendant, who has been ordered to appear in person under the provisions of section 66 or section 436, does not appear in person, or shew sufficient cause to the satisfaction of the Court for failing so to appear, he shall be subject to all the provisions of the foregoing sections applicable to plaintiffs and defendants, respectively, who do not appear.

Consequence of non-attendance, without sufficient cause shewn, of party ordered to appear in person.

Of setting aside Decrees ex parte.

108. In any case in which a decree is passed *ex parte* against a defendant under section 100, he may apply to the Court by which the decree was made for an order to set it aside;

Setting aside decree *ex parte* against defendant.

and if it be proved to the satisfaction of the Court that the defendant was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order to set aside the decree upon such terms as to costs, payment into Court, or otherwise, as it thinks fit, and shall appoint a day for proceeding with the suit.

109. No decree shall be set aside on any such application as aforesaid, unless notice thereof in writing has been served on the opposite party.

No decree to be set aside, without notice to opposite party.

CHAPTER VIII.

OF WRITTEN STATEMENTS AND SET-OFF.

110. The parties may, at any time before or at the first hearing of the suit, tender written statements of their respective cases, and the Court shall receive such statements and place them on the record.

Written statements.

111. If in a suit for the recovery of money the defendant claims to set-off against the plaintiff's demand any ascertained sum of money legally recoverable by him from the plaintiff, and if in such claim of the defendant against the plaintiff both parties fill the same character as they fill in the plaintiff's suit, the defendant may, at the first hearing of the suit, but not afterwards, unless permitted by the Court, tender a written statement containing the particulars of the debt sought to be set-off.

Particulars of set-off to be given in written statement.

The Court shall thereupon inquire into the same, and if it find that the case fulfils the requirements of the former part of this section, and that the amount claimed to be set-off does not exceed the pecuniary limits of its jurisdiction, the Court shall set-off the one debt against the other.

Inquiry.

Such set-off shall have the same effect as a plaint in a cross-suit, so as to enable the Court to pronounce a final judgment in the same suit, both on the original and on the cross-claim; but it shall not affect the lien upon the amount decreed of any pleader in respect of the costs payable to him under the decree.

Effect of set-off.

Illustrations.

(*a*) A bequeaths Rs. 2,000 to B, and appoints C his executor and residuary legatee. B dies and D takes out administration to B's effects. C pays Rs. 1,000 as surety for D. Then D sues C for the legacy. C cannot set-off the debt of Rs. 1,000 against the legacy, for neither C nor D fills the same character with respect to the legacy as they fill with respect to the payment of the Rs. 1,000.

(*b*) A dies intestate and in debt to B. C takes out administration to A's effects, and B buys part of the effects from C. In a suit for the purchase-money by C against B, the latter cannot set-off the debt against the price, for C fills two different characters, one as the vendor to B, in which he sues B, and the other as representative to A.

(*c*) A sues B on a bill of exchange. B alleges that A has wrongfully neglected to insure B's goods and is liable to him in compensation which he claims to set-off. The amount not being ascertained cannot be set-off.

(*d*) A sues B on a bill of exchange for Rs. 500. B holds a judgment against A for Rs. 1,000. The two claims being both definite pecuniary demands may be set-off.

(*e*) A sues B for compensation on account of a trespass. B holds a promissory note for Rs. 1,000 from A and claims to set-off that amount against any sum that A may recover in the suit. B may do so, for as soon as A recovers, both sums are definite pecuniary demands.

(*f*) A and B sue C for Rs. 1,000. C cannot set-off a debt due to him by A alone.

(*g*) A sues B and C for Rs. 1,000. B cannot set-off a debt due to him alone by A.

(*h*) A owes the partnership firm of B and C Rs. 1,000. B dies leaving C surviving. A sues C for a debt of Rs. 1,500 due in his separate character. C may set-off the debt of Rs. 1,000.

112. Except as provided in the last preceding section, no written statement shall be received after the first hearing of the suit:

No written statement to be received after first hearing unless called for by Court.

Provided that the Court may at any time require a written statement, or additional written statement, from any of the parties, and fix a time for presenting the same:

Court may at any time call for written statement.

Provided also that a written statement, or an additional written statement, may, with the permission of the Court, be received at any time for the purpose of answering written statements so required and presented.

113. If any party from whom a written statement is so required fails to present the same within the time fixed by the Court, the Court may pass a decree against him, or make such other order in relation to the suit as it thinks fit.

Procedure when party fails to present written statement called for by Court.

114. Written statements shall be as brief as the nature of the case admits, and shall not be argumentative, but shall be confined as much as possible to a simple narrative of the facts which the party by whom or on whose behalf the written statement is made believes to be material to the case, and which he either admits or believes he will be able to prove.

Frame of written statements.

Every such statement shall be divided into paragraphs, numbered consecutively, and each paragraph containing as nearly as may be a separate allegation.

115. Written statements shall be subscribed and verified in the manner hereinbefore provided for subscribing and verifying plaints, and no written statement shall be received unless it be so subscribed and verified.

Written statements to be subscribed and verified.

The provisions of section 52 as to examining witnesses as to the fact of signature shall apply in the case of written statements.

116. If it appear to the Court that any written statement, whether called for by the Court or spontaneously tendered, is argumentative or prolix, or contains matter irrelevant to the suit, the Court may amend it then and there, or may, by an order to be endorsed thereon, reject the same, or return it to the party by whom it was made for amendment within a time to be fixed by the Court, imposing such terms as to costs or otherwise as the Court thinks fit.

Rejection of argumentative, prolix or irrelevant written statements.

When any amendment is made under this section, the Judge shall attest it by his signature.

Attestation of amendments.

When a statement has been rejected under this section, the party making it shall not present another written statement, unless it be expressly called for or allowed by the Court.

Effect of rejection.

CHAPTER IX.

OF THE EXAMINATION OF THE PARTIES BY THE COURT.

117. At the first hearing of the suit, the Court shall ascertain from the defendant or his pleader whether he admits or denies the allegations of fact made in the plaint and shall ascertain from each party or his pleader whether he admits or denies such allegations of fact as are made in the written statement (if any) of the opposite party, and as are not expressly or by necessary implication admitted or denied by the party against whom they are made. The Court shall record such admissions and denials.

Ascertainment from each party whether allegations in written statements are admitted or denied.

118. At the first hearing of the suit, or at any subsequent hearing, any party appearing in person or present in Court, or any person able to answer any material questions relating to the suit by whom such party or his pleader is accompanied, may be examined orally by the Court; and the Court may, if it thinks fit, put in the course of such examination questions suggested by either party.

Oral examination of party, or companion of himself or his pleader.

119. The substance of the examination shall be reduced to writing by the Judge, and shall form part of the record.

Substance of examination to be written.

120. If the pleader of any party who appears by a pleader refuses or is unable to answer any material question relating to the suit which the Court is of opinion that the party whom he represents ought to answer, and is likely to be able to answer if interrogated in person, the Court may postpone the hearing of the suit to a future day, and direct that such party shall appear in person on such day.

Consequence of refusal or inability of pleader to answer.

If such party fails without lawful excuse to appear in person on the day so appointed, the Court may pass a decree against him, or make such order in relation to the suit as it thinks fit.

CHAPTER X.

OF DISCOVERY AND OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

121. Any party may at any time by leave of the Court, deliver through the Court interrogatories in writing for the examination of the opposite party, or where there are more opposite parties than one, any one or more of such parties, with a note at the foot thereof stating which of such interrogatories each of such persons is required to answer:

Power to deliver interrogatories.

Provided that no party shall deliver more than one set of interrogatories to the same person without the permission of the Court, and that no defendant shall deliver interrogatories for the examination of the plaintiff unless such defendant has previously tendered a written statement and such statement has been received and placed on the record.

122. Interrogatories delivered under section 121 shall be served on the pleader (if any) of the party interrogated or in the manner hereinbefore provided for the service of summons, and the provisions of sections 79, 80, 81 and 82 shall, in the latter case, apply so far as may be practicable.

Service of interrogatories.

123. The Court, in adjusting the costs of the suit, shall, at the instance of any party, inquire or cause inquiry to be made into the propriety of delivering such interrogatories; and if it thinks that such interrogatories have been delivered unreasonably, vexatiously or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be borne by the party in fault.

Inquiry into propriety of exhibiting interrogatories.

124. If any party to a suit be a body corporate or a joint stock company, whether incorporated or not, or any other body of persons empowered by law to sue or be sued, whether in his own name or in the name of any officer or other person, any opposite party may apply to the Court for an order allowing him to deliver interrogatories to any member or officer of such corporation, company or body, and an order may be made accordingly.

Service of interrogatories on officer of corporation or company.

125. Any party called upon to answer interrogatories, whether by himself or by any such member or officer, may refuse to answer any interrogatory on the ground that it is irrelevant, or is not put *bonâ fide* for the purposes of the suit, or that the matter inquired after is not sufficiently material at that stage of the suit, or on any other like ground.

Power to strike out interrogatories as irrelevant, &c.

126. Interrogatories shall be answered by affidavit to be filed in Court within ten days from the service thereof or within such further time as the Judge may allow.

Time for filing affidavit in answer.

127. If any person interrogated omits or refuses to answer, or answers insufficiently, any interrogatory, the party interrogating may apply to the Court for an order requiring him to answer or to answer further, as the case may be. And an order may be made requiring him to answer or to answer further either by affidavit or by *viva voce* examination as the Judge may direct: Provided that the Judge shall not require an answer to any interrogatory which in his opinion need not have been answered under section 125.

Procedure where a party omits to answer sufficiently.

128. Either party may, by a notice through the Court, within a reasonable time not less than ten days before the hearing, require the other party to admit (saving all just exceptions to the admissibility of such document in evidence) the genuineness of any document material to the suit.

Power to demand admission of genuineness of documents.

The admission shall also be made in writing, signed by the other party or his pleader and filed in Court.

If such notice be not given, no costs of proving such document shall be allowed, unless the Judge otherwise orders.

If such notice is not complied with within four days after its being served, and the Judge thinks it reasonable that the admission should have been made, the party refusing shall bear the expense of proving such document, whatever may be the result of the suit.

129. The Court may, at any time during the pendency therein of any suit, order any party to the suit to declare by affidavit all the documents which are or have been in his possession or power relating to any matter in question in the suit, and any party to the suit may, at any time before the first hearing, apply to the Court for a like order.

Application for order for discovery of document.

Every affidavit made under this section shall specify which, if any, of the documents therein mentioned the declarant objects to produce, together with the grounds of such objection.

Affidavit in answer to such order.

130. The Court may, at any time during the pendency therein of any suit, order the production by any party thereto of such of the documents in his possession or power relating to any matter in question in such suit or proceeding as the Court thinks right; and the Court may deal with such documents when produced in such manner as appears just.

Power to order production of documents during suit.

131. Every party to a suit may at any time before or at the hearing thereof give notice through the Court to any other party in whose plaint, written statement or affidavits reference is made to any document, to produce such document in the presence of such officer as the Court appoints in this behalf, for the inspection of the party giving such notice or of his pleader, and to permit such party or pleader to take copies thereof.

Notice to produce for inspection documents referred to in plaint, &c.

No party failing to comply with such notice shall afterwards be at liberty to put any such document in evidence on his behalf in such suit, unless he satisfies the Court that such document relates only to his own title, or that he had some other and sufficient cause for not complying with such notice.

Consequence of non-compliance with such notice.

132. The party to whom such notice is given shall, within ten days from the receipt thereof, deliver through the Court to the party giving the same a notice stating a time within three days from such delivery at which the documents or such of them as he does not object to produce, may be inspected at his pleader's office or some other convenient place, and stating which, if any, of the documents he objects to produce, and on what grounds.

Party receiving such notice to deliver notice when and where inspection may be had.

133. If any party served with notice under section 131 omits to give notice under section 132 of the time for inspection, or objects to give inspection, or names an inconvenient place for inspection, the party desiring it may apply to the Court for an order of inspection.

Application for order of inspection.

134. Except in the case of documents referred to in the plaint, written statement, or affidavit of the party against whom the application is made, or disclosed in his affidavit of documents, such application shall be founded upon an affidavit shewing (*a*) of what documents inspection is sought, (*b*) that the party applying is entitled to inspect them, and (*c*) that they are in the possession or power of the party against whom the application is made.

Application to be founded on affidavit.

135. If the party from whom discovery of any kind or inspection is sought, objects to the same or any part thereof, and if the Court is satisfied that the right to such discovery or inspection depends on the determination of any issue or question in dispute in the suit, or that for any other reason it is desirable that any such issue or question should be determined before deciding upon the right to the discovery or inspection, the Court may order that the issue or question be determined first and reserve the question as to the discovery or inspection.

Power to order issue or question on which right to discovery depends to be first determined.

136. If any party fail to comply with any order under this chapter to answer interrogatories or for discovery or inspection, which has been duly served, he shall, if a plaintiff, be liable to have his suit dismissed for want of prosecution, and if a defendant, to have his defence, if any, struck out, and to be placed in the same position as if he had not appeared and answered;

Consequences of failure to answer or give inspection.

and the party interrogating or seeking discovery or inspection may apply to the Court for an order to that effect, and the Court may make such order accordingly.

Any party failing to comply with any order under this chapter to answer interrogatories or for discovery or inspection which has been served personally upon him, shall also be deemed guilty of an offence under section 188 of the Indian Penal Code.

137. The Court may, of its own accord, and may, in its discretion, upon the application of any of the parties to a suit, send for, either from its own records or from any other Court, the record of any other suit or proceeding, and inspect the same.

Court may send for papers from its own records or from other Courts.

Every application made under this section shall (unless the Court otherwise directs) be supported by an affidavit of the applicant or his pleader, shewing how the record is material to the suit in which the application is made, and that the applicant cannot without unreasonable delay or expense obtain a duly authenticated copy of the record or of such portion thereof as the applicant requires, or that the production of the original is necessary for the purposes of justice.

Nothing contained in this section shall be deemed to enable the Court to use in evidence any document which under the Indian Evidence Act would be inadmissible in the suit.

138. The parties or their pleaders shall bring with them and have in readiness at the first hearing of the suit, to be produced when called for by the Court, all the documentary evidence of every description in their possession or power, on which they intend to rely, and which has not already been filed in Court, and all documents which the Court at any time before such hearing has ordered to be produced.

Documentary evidence to be in readiness at first hearing.

139. No documentary evidence in the possession or power of any party the production of which has been called for under section 138, and which has not been produced, shall be received at any subsequent stage of the proceedings unless good cause be shewn to the satisfaction of the Court for the non-production thereof. And the Judge receiving any such evidence shall record his reasons for so doing.

Effect of non-production of documents.

140. The Court shall receive the documents respectively produced by the parties at the first hearing, provided that the documents produced by each party be accompanied by an accurate list thereof prepared in such form as the High Court may from time to time direct.

Documents to be received by Court.

The Court may at any stage of the suit reject any document which it considers irrelevant or otherwise inadmissible, recording the grounds of such rejection.

Rejection of irrelevant or inadmissible documents.

141. No document shall be placed on the record unless it has been proved or admitted in accordance with the law of evidence for the time being in force. Every document so proved or admitted shall be endorsed with the number and title of the suit, the name of the person producing it, and the date on which it was produced. The Judge shall then endorse with his own hand a statement that it was proved against or admitted by (as the case may be) the person against whom it is used. The document shall then be filed as part of the record:

No documents to be placed on record unless proved.

Proved documents to be marked and filed.

Provided that, if the document be an entry in a shop-book or other book, the party on whose behalf such book is produced may furnish a copy of the entry, which may be endorsed as aforesaid, and shall be filed as part of the record, and the Court shall mark the entry and shall then return the book to the person producing it.

Entries in shop-books.

All documents produced at the first hearing and not so proved or admitted shall be returned to the parties respectively producing them.

142. When a document so proved or admitted is relied on as evidence by either party, but the Court considers it inadmissible, it shall be further endorsed with the addition of the word "rejected," and the endorsement shall be signed by the Judge.

Rejected documents to be marked,

The document shall then be returned to the party who produced it.

and returned, unless detained by Court.

Court may order any document to be impounded.

143. Notwithstanding anything contained in sections 62, 141 and 142, the Court may, if it see sufficient cause, direct any document or book produced before it in any suit to be impounded and kept in the custody of an officer of the Court, for such period and subject to such conditions as the Court thinks fit.

After lapse of time for appeal, document admitted in evidence may be returned.

144. In suits in which an appeal is not allowed, when the suit has been disposed of, and in suits in which an appeal is allowed, when the time for preferring an appeal from the decree has elapsed, or, if an appeal has been preferred, then after the appeal has been disposed of, any person, whether a party to the suit or not, desirous of receiving back any document produced by him in the suit, and placed on the record, shall, unless the document is impounded under section 143, be entitled to receive back the same:

When document may be returned before time limited.

Provided that a document may be returned at any time before either of such events, if the person applying for such return delivers to the proper officer a certified copy of such document to be substituted for the original:

Document not to be returned in certain cases.

Provided also that no document shall be returned which, by force of the decree, has become void or useless.

Receipt to be given for returned document.

On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving it, in a receipt-book to be kept for the purpose.

Provisions as to documents applied to material objects.

145. The provisions herein contained as to documents shall, so far as may be, apply to all other material objects producible as evidence.

CHAPTER XI.

OF THE SETTLEMENT OF ISSUES.

Framing of issues.

146. Issues arise when a material proposition of fact or law is affirmed by the one party and denied by the other.

Material propositions are those propositions of law or fact which a plaintiff must allege in order to shew a right to sue.

Each material proposition affirmed by one party and denied by the other must form the subject of a distinct issue.

Issues are of two kinds: (*a*) issues of fact, (*b*) issues of law.

At the first hearing of the suit, the Court shall, after reading the plaint and the written statements, if any, and after such examination of the parties as may appear necessary, ascertain upon what material propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to the Court to depend.

When issues both of law and of fact arise in the same suit, and the Court is of opinion that the case may be disposed of on the issues of law only, it shall try those issues first, and for that purpose may, if it thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

Nothing in this section requires the Court to frame and record issues when the defendant at the first hearing of the suit makes no defence.

Allegations from which issues may be framed.

147. The Court may frame the issues from all or any of the following materials:—

(*a*) allegations made on oath by the parties, or by any persons present on their behalf, or made by the pleaders of such parties or persons;

(*b*) allegations made in the plaint or in the written statements (if any) tendered in the suit, or in answer to interrogatories delivered in the suit;

(*c*) the contents of documents produced by either party.

Court may examine witnesses or documents before framing issues.

148. If the Court be of opinion that the issues cannot be correctly framed without the examination of some person not before the Court, or without the inspection of some document not produced in the suit, it may adjourn the framing of the issues to a future day, to be fixed by the Court, and may (subject to the rules contained in the Indian Evidence Act) compel the attendance of any person or the production of any document by the person in whose hands it may be, by summons or other process.

Power to amend, add and strike out issues.

149. The Court may at any time before passing a decree amend the issues or frame additional issues on such terms as it thinks fit, and all such amendments or additional issues as may be necessary for determining the controversy between the parties shall be so made or framed.

The Court may also, at any time before passing a decree, strike out any issues that appear to it to be wrongly framed or introduced.

Questions of fact or law may by agreement be stated in the form of an issue.

150. When the parties to a suit are agreed as to the question of fact or of law to be decided between them, they may state the same in the form of an issue, and enter into an agreement in writing

(*a*) that upon the finding of the Court in the affirmative or the negative of such issue, a sum of money specified in the agreement, or to be ascertained by the Court, or in such manner as the Court may direct, shall be paid by one of the parties to the other of them, or that one of them be declared entitled to some right or subject to some liability specified in the agreement,

(*b*) that upon such finding some property specified in the agreement and in dispute in the suit shall be delivered by one of the parties to the other of them, or as that other may direct, or

(*c*) that upon such finding one or more of the parties shall do or abstain from doing some particular act, specified in the agreement, and relating to the matter in dispute.

Court if satisfied that the agreement was executed in good faith may pronounce judgment.

151. If the Court be satisfied, after making such inquiry as it deems proper,

(*a*) that the agreement was duly executed by the parties,

(*b*) that they have a substantial interest in the decision of such question as aforesaid, and

(*c*) that the same is fit to be tried and decided,

it may proceed to record and try the issue, and state its finding or opinion thereon in the same manner as if the issue had been framed by the Court;

and may, upon the finding or decision on such issue, pronounce judgment according to the terms of the agreement;

and upon the judgment so given, decree shall follow and may be executed in the same way as if the judgment had been pronounced in a contested suit.

CHAPTER XII.

DISPOSAL OF THE SUIT AT THE FIRST HEARING.

If parties are not at issue on any question of law or fact.

152. If at the first hearing of a suit it appears that the parties are not at issue on any question of law or of fact, the Court may at once pronounce judgment.

If one of several defendants be not at issue with the plaintiff.

153. Where there are more defendants than one, and any one of the defendants is not at issue with the plaintiff on any question of law or fact, the Court may at once pronounce judgment for or against such defendant, and the suit shall proceed only against the other defendants.

If parties are at issue on questions of law or fact.

154. When the parties are at issue on some question of law or of fact, and issues have been framed by the Court as hereinbefore provided, if the Court be satisfied that no further argument or evidence than the parties can at once supply is required upon such of the issues as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forthwith, the Court may proceed to determine such issues,

Court may determine issue and pronounce judgment.

and if the finding thereon is sufficient for the decision, may pronounce judgment accordingly, whether the summons has been issued for the settlement of issues only or for the final disposal of the suit:

Provided that, where the summons has been issued for the settlement of issues only, the parties or their pleaders are present and none of them object.

If the finding is not sufficient for the decision, the Court shall postpone the further hearing of the suit, and shall fix a day for the production of such further evidence, or for such further argument as the case requires.

If either party fails to produce his evidence, Court may pronounce judgment.

155. If the summons has been issued for the final disposal of the suit, and either party fails without sufficient cause to produce the evidence on which he relies, the Court may at once pronounce judgment,

Procedure where Court cannot pronounce judgment at first hearing.

or may if it thinks fit, after framing and recording issues under section 146, adjourn the suit for the production of such evidence as may be necessary to its decision upon such issues.

CHAPTER XIII.

OF ADJOURNMENTS.

Court may grant time, or adjourn hearing.

156. The Court may, if sufficient cause be shewn, at any stage of the suit, grant time to the parties, or to any of them, and may from time to time adjourn the hearing of the suit.

Costs of adjournment.

In all such cases the Court shall fix a day for the further hearing of the suit, and may make such order as it thinks fit with respect to the costs occasioned by the adjournment:

Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be necessary for reasons to be recorded by the Judge with his own hand.

Procedure if parties fail to appear on day fixed.

157. If, on any day to which the hearing of the suit is adjourned, the parties or any of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by chapter VII, or make such other order as it thinks fit.

Court may proceed notwithstanding either party fails to produce his evidence.

158. If any party to a suit to whom time has been granted fails to produce his evidence, or to cause the attendance of his witnesses, or to perform any other act necessary to the further progress of the suit, for which time has been allowed, the Court may, notwithstanding such default, proceed to decide the suit forthwith.

CHAPTER XIV.

OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

Summons to attend to give evidence or produce documents.

159. The parties may, after the summons has been delivered for service on the defendant, whether it be for the settlement of issues only, or for the final disposal of the suit, obtain, on application to the Court or to such officer as it appoints in this behalf, before the day fixed for such settlement or disposal, as the case may be, summonses to persons whose attendance is required either to give evidence or to produce documents.

160. The party applying for a summons shall before the summons is granted and within a period to be fixed by the Court, pay into court such a sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned, in passing to and from the Court in which he is required to attend, and for one day's attendance.

Expenses of witnesses to be paid into court on applying for summons.

If the Court be subordinate to a High Court, regard shall be had, in fixing the scale of such expenses, to the rules (if any) laid down by competent authority.

Scale of expenses.

161. The sum so paid into court shall be tendered to the person summoned, at the time of serving the summons if it can be served personally.

Tender of expenses to witness.

162. If it appear to the Court or to such officer as it appoints in this behalf that the sum paid into court is not sufficient to cover such expenses, the Court may direct such further sum to be paid to the person summoned as appears to be necessary on that account; and, in case of default in payment, may order such sum to be levied by attachment and sale of the moveable property of the party obtaining the summons; or the Court may discharge the person summoned without requiring him to give evidence; or may both order such levy and discharge such person as aforesaid.

Procedure where insufficient sum paid in.

If it be necessary to detain the person summoned for a longer period than one day, the Court may from time to time order the party at whose instance he was summoned, to pay into Court such sum as is sufficient to defray the expenses of his detention for such further period, and in default of such deposit being made, may order such sum to be levied by attachment and sale of the moveable property of the party at whose instance he was summoned; or the Court may discharge the person summoned without requiring him to give evidence; or may both order such levy and discharge such person as aforesaid.

Expenses if witness detained more than one day.

163. Every summons for the attendance of a person to give evidence or produce a document shall specify the time and place at which he is required to attend, and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document which the person summoned is called on to produce, shall be described in the summons with reasonable accuracy.

Time, place, and purpose of attendance to be specified in summons.

164. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons, if he cause such document to be produced instead of attending personally to produce the same.

Summons to produce document.

165. Any person present in court may be required by the Court to give evidence or to produce any document then and there in his actual possession or power.

Power to require persons present in Court to give evidence.

166. Every summons to a person to give evidence or produce a document shall be served as nearly as may be in manner hereinbefore prescribed for the service of summons on the defendant; and the rules contained in chapter VI as to proof of service shall apply in the case of all summonses served under this section.

Summons how served.

167. The service shall in all cases be made a sufficient time before the time specified in the summons for the attendance of the person summoned, to allow him a reasonable time for preparation and for travelling to the place at which his attendance is required.

Time for serving summons.

168. If the serving-officer certify to the Court that the summons for the attendance of a person, either to give evidence or to produce a document, cannot be served, the Court shall examine the serving-officer on oath touching the non-service:

Attachment of property of absconding witness.

and upon being satisfied that such evidence or production is material, and that the person for whose attendance the summons has been issued is absconding or keeping out of the way for the purpose of avoiding the service of the summons, may issue a proclamation requiring him to attend to give evidence, or produce the document, at a time and place to be named therein; and a copy of such proclamation shall be affixed on the outer door of the house in which he ordinarily resides.

If he does not attend at the time and place named in such proclamation, the Court may in its discretion, at the instance of the party on whose application the summons was issued, make an order for the attachment of the property of the person whose attendance is required, to such amount as the Court thinks fit, not exceeding the amount of the costs of attachment and of the fine which may be imposed under section 170:

Provided that no Court of Small Causes shall make an order for the attachment of immoveable property.

169. If, on the attachment of his property, such person appears and satisfies the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property be released from attachment, and shall make such order as to the costs of the attachment as it thinks fit.

If witness appears, attachment may be withdrawn.

170. If such person does not appear, or appearing, fails to satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court may impose upon him such fine not exceeding five hundred rupees as the Court thinks fit, having regard to his condition in life and all the circumstances of the case, and may order the property attached, or any part thereof, to be sold for the

Procedure if witness fails to appear.

purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of the said fine, if any:

Provided that if the person whose attendance is required pays into court the costs and fine as aforesaid, the Court shall order the property to be released from attachment.

171. Subject to the rules of this Code as to attendance and appearance and to the provisions of the Indian Evidence Act, if the Court at any time thinks it necessary to examine any person other than a party to the suit, and not named as a witness by a party to the suit, the Court may, of its own motion, cause such person to be summoned as a witness to give evidence, or to produce any document in his possession, on a day to be appointed, and may examine him as a witness or require him to produce such document.

Court may of its own accord summon as witnesses strangers to suit.

172. Subject as last aforesaid, whoever is summoned to appear and give evidence in a suit must attend at the time and place named in the summons for that purpose, and whoever is summoned to produce a document must either attend to produce it, or cause it to be produced, at such time and place.

Persons summoned to give evidence must attend.

173. No person so summoned and attending shall depart unless and until (*a*) he has been examined or has produced the document and the Court has risen, or (*b*) he has obtained the Court's leave to depart.

When they may depart.

174. If any person on whom a summons to give evidence or produce a document has been served fails to comply with the summons, or if any person so summoned and attending departs in contravention of section 173, the Court may order him to be arrested and brought before the Court:

Consequences of non-attendance.

Provided that no such order shall be made when the Court has reason to believe that the person so failing had a lawful excuse for such failure.

When any person so brought before the Court fails to satisfy it that he had a lawful excuse for not complying with the summons, the Court may sentence him to fine not exceeding five hundred rupees.

Explanation.—Non-payment or non-tender of a sum sufficient to defray the expenses mentioned in section 160 shall be deemed a lawful excuse within the meaning of this section.

If any person so apprehended and brought before the Court cannot, owing to the absence of the parties or any of them, give the evidence or produce the document which he has been summoned to give or produce, the Court may require him to give reasonable bail or other security for his appearance at such time and place as it thinks fit, and on such bail or security being given, may release him.

Consequences of refusal to give evidence or produce documents.

175. If any person so failing to comply with a summons absconds or keeps out of the way, so that he cannot be apprehended and brought before the Court, the provisions of sections 168, 169 and 170 shall, *mutatis mutandis*, apply.

Procedure when witness absconds.

176. No one shall be bound to attend in person to give evidence or to be examined in Court unless he resides—

Person summoned to attend in person if so required.

(*a*) within the local limits of its ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty or (where there is railway communication for five-sixths of the distance between the place where he resides and the place where the Court is situate) two hundred miles distant from the Court-house.

177. If any party to a suit present in Court refuses, without lawful excuse, when required by the Court, to give evidence, or to produce any document then and there in his actual possession or power, the Court may in its discretion either pass a decree against him, or make such other order in relation to the suit as the Court thinks fit.

Consequence of refusal of party to give evidence when called on by the Court.

178. Whenever any party to a suit is required to give evidence or to produce a document, the rules as to witnesses contained in this Code shall apply to him so far as they are applicable.

Rules as to witnesses to apply to parties summoned.

CHAPTER XV.

OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

179. On the day fixed for the hearing of the suit, or on any other day to which the hearing is adjourned, the party having the right to begin shall state his case and produce his evidence in support of the issues which he is bound to prove.

Statement and production of evidence by party having right to begin.

Explanation.—The plaintiff has the right to begin unless where the defendant admits the facts alleged by the plaintiff and contends that either in point of law or on some additional facts alleged by the defendant the plaintiff is not entitled to any part of the relief which he seeks, in which case the defendant has the right to begin.

Rules as to right to begin.

180. The other party shall then state his case and produce his evidence (if any). The party beginning is then entitled to reply.

Statement and production of evidence by other party.

Reply by party beginning.

Where there are several issues, the burden of proving some of which lies on the other party, the party beginning may, at his option, either produce his evidence on those issues or reserve it by way of answer to the evidence produced by the other

party. In the latter case the party beginning may produce evidence on those issues after the other party has produced all his evidence, and the other party may then reply specially on the evidence so produced by the party beginning; but the party beginning will then be entitled to reply generally on the whole case.

Witnesses to be examined in open Court.

181. The evidence of the witnesses in attendance shall be taken orally in open Court in the presence and under the personal direction and superintendence, of the Judge.

How evidence shall be taken in appealable cases.

182. In cases in which an appeal is allowed, the evidence of each witness shall be taken down in writing, in the language of the Court, by or in the presence and under the personal direction and superintendence of the Judge, not ordinarily in the form of question and answer, but in that of a narrative, and, when completed, shall be read over in the presence of the Judge and of the witness, and also in the presence of the parties or their pleaders, and the Judge shall, if necessary, correct the same and shall sign it.

When witness may require his deposition be interpreted.

183. If the evidence is taken down under section 182 in a language different from that in which it was given, and the witness does not understand the language in which it is taken down, the evidence as taken down in writing shall be interpreted to him in the language in which it was given.

Memorandum when evidence is not taken down by Judge.

184. In cases in which the evidence is not taken down in writing by the Judge, he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

When evidence may be taken in English.

185. Where English is not the language of the Court, but all the parties to the suit who appear in person, and the pleaders of such as appear by pleaders, do not object to have such evidence as is given in English taken down in English, the Judge may so take it down with his own hand.

Any particular question and answer may be taken down.

186. The Court may of its own motion or on the application of any party or his pleader take down, or cause to be taken down, any particular question and answer, or any objection to any question, if there appear any special reason for so doing.

Questions objected to.

187. If any question put to a witness be objected to by a party or his pleader, and the Court allows the same to be put, the Judge shall take down the question, the answer, the objection and the name of the person making it, together with the decision of the Court thereon.

Remarks on demeanour of witnesses.

188. The Court may record such remarks as it thinks material respecting the demeanour of any witness while under examination.

Memorandum of evidence in unappealable cases.

189. In cases in which an appeal is not allowed, it shall not be necessary to take down the evidence of the witnesses in writing at length; but the Judge, as the examination of each witness proceeds, shall make a memorandum of the substance of what he deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Judge unable to make such memorandum to record reason of his inability.

190. If the Judge be rendered unable to make a memorandum as above required by this chapter, he shall cause the reason of such inability to be recorded, and shall cause the memorandum to be made in writing from his dictation in open Court.

Every memorandum so made shall form part of the record.

Power to deal with evidence taken down by Judge removed before conclusion of suit.

191. Where the Judge taking down any evidence, or causing any memorandum to be made under this chapter, dies or is removed from the Court before the conclusion of the suit, his successor may, if he thinks fit, deal with such evidence or memorandum as if he himself had taken it down or caused it to be made.

Power to examine witness immediately.

192. If a witness be about to leave the jurisdiction of the Court, or if other sufficient cause be shewn to the satisfaction of the Court why his evidence should be taken immediately, the Court may, upon the application of either party or of the witness, at any time after the institution of the suit, take the evidence of such witness in manner hereinbefore provided.

Where such evidence is not taken forthwith and in the presence of the parties, such notice as the Court thinks sufficient of the day fixed for the examination shall be given to the parties.

The evidence so taken shall be read over to the witness, and, if he admits it to be correct, shall be signed by him, and may then be read at any hearing of the suit.

Court may recall and examine witness.

193. The Court may at any stage of the suit recall any witness who has been examined and who has not departed in accordance with section 173, and may (subject to the provisions of the Indian Evidence Act) put such questions to him as the Court thinks fit.

CHAPTER XVI.

OF AFFIDAVITS.

Power to order any point to be proved by affidavit.

194. Any Court of first instance and any Appellate Court may at any time for sufficient reason order that any particular fact or facts may be proved by affidavit, or that the affidavit of any witness may be read at the hearing, on such conditions as the Court thinks reasonable:

Provided that where it appears to the Court that either party *bonâ fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not

be made authorizing the evidence of such witness to be given by affidavit.

When evidence may be given by affidavit.

195. Upon any application evidence may be given by affidavit, but the Court may at the instance of either party order the attendance for cross-examination of the declarant.

Such attendance shall be in Court unless the declarant is exempted under this Code from personal appearance in Court, or the Court otherwise directs.

Matters to which affidavits shall be confined.

196. Affidavits shall be confined to such facts as the declarant is able of his own knowledge to prove, except on interlocutory applications, on which statements of his belief may be admitted, provided that reasonable grounds thereof be set forth.

The costs of every affidavit which shall unnecessarily set forth matters of hearsay or argumentative matter, or copies of or extracts from documents, shall (unless the Court otherwise directs) be paid by the party producing the same.

Oath of declarant by whom to be administered.

197. In the case of any affidavit under this Code—

(*a*) any Court or Magistrate, or

(*b*) any officer whom a High Court may appoint in this behalf, or

(*c*) any officer appointed by any other Court which the Local Government has generally or specially empowered in this behalf,

may administer the oath of the declarant.

CHAPTER XVII.

OF JUDGMENT AND DECREE.

Judgment when pronounced.

198. The Court, after the evidence has been duly taken and the parties have been heard either in person or by their respective pleaders or recognized agents, shall pronounce judgment in open Court, either at once or on some future day, of which due notice shall be given to the parties or their pleaders.

Power to pronounce judgment written by Judge's predecessor.

199. A Judge may pronounce a judgment written by his predecessor, but not pronounced, and in such case he shall not be bound by section 198, except as to giving notice.

Language of judgment.

200. The judgment shall be written in the language of the Court, or in English, or in the Judge's mother-tongue.

Translation of judgment.

201. Whenever the judgment is written in any language other than that of the Court, the judgment shall, if any of the parties so require, be translated into the language of the Court, and the translation shall also be signed by the Judge or such officer as he appoints in this behalf.

Judgment to be dated and signed.

202. The judgment shall be dated and signed by the Judge in open Court at the time of pronouncing it, and shall not be altered or added to, save to correct verbal errors or to supply some accidental defect not affecting a material part of the case, or on review.

Judgments of Small Cause Courts.

203. The judgments of the Courts of Small Causes need not contain more than the points for determination and the decision thereupon.

Judgments of other Courts.

The judgments of all other Courts shall contain a concise statement of the case, the points for determination, the decision thereon, and the reasons for such decision.

Court to state its decision on each issue.

204. In suits in which issues have been framed, the Court shall state its finding or decision, with the reasons thereof, upon each separate issue, unless the finding upon any one or more of the issues be sufficient for the decision of the suit.

Exception

Date of decree.

205. The decree shall bear date the day on which the judgment was pronounced; and when the Judge has satisfied himself that the decree has been drawn up in accordance with the judgment, he shall sign the decree.

Contents of decree.

206. The decree must agree with the judgment: it shall contain the number of the suit, the names and descriptions of the parties, and particulars of the claim, as stated in the register, and shall specify clearly the relief granted or other determination of the suit.

The decree shall also state the amount of costs incurred in the suit, and by what parties and in what proportions such costs are to be paid.

Power to amend decree.

If the decree is found to be at variance with the judgment, or if any clerical or arithmetical error be found in the decree, the Court shall, of its own motion or on that of any of the parties, amend the decree so as to bring it into conformity with the judgment or to correct such error: provided that reasonable notice have been given to the parties or their pleaders of the proposed amendment.

Decree for recovery of portion of immoveable property.

207. When the subject-matter of the suit is immoveable property, and such property is identified by boundaries or numbers in a record of settlement or survey, if the decree be for the recovery of a portion only of such property, it shall specify the boundaries or number of such portion.

Decree for delivery of moveable property.

208. When the suit is for moveable property, if the decree be for the delivery of such property, it shall also state the amount of money to be paid as an alternative if delivery cannot be had.

In suits for money, decree may order certain interest to be paid on principal sum adjudged.

209. When the suit is for a sum of money due to the plaintiff, the Court may, in the decree, order interest at such rate as the Court deems reasonable to be paid on the principal sum adjudged, from the date of the suit to the date

of the decree, in addition to any interest adjudged on such principal sum for any period prior to the institution of the suit, with further interest at such rate as the Court deems reasonable on the aggregate sum so adjudged, from the date of the decree to the date of payment, or to such earlier date as the Court thinks fit.

Payment by instalments.

210. In all decrees for the payment of money, the Court may for any sufficient reason order that the amount shall be paid by instalments, with or without interest.

When Court may order payment by instalments.

And after the passing of any such decree the Court may, on the application of the judgment-debtor, and with the consent of the decree-holder, order that the amount decreed be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him, or otherwise, as it thinks fit:

Save as provided in this section and section 206, no decree shall be altered at the request of parties.

In suits for land, Court may decree payment of mesne profits with interest.

211. When the suit is for land or other property yielding rent or other profit, the Court may provide in the decree for the payment of rent or mesne profits in respect of such property from the institution of the suit until the delivery of possession to the party in whose favour the decree is made, or until the expiration of three years from the date of the decree (whichever event first occurs), with interest thereupon at such rate as the Court thinks fit.

Explanation.—'Mesne profits' of property mean those profits which the person in wrongful possession of such property actually received, or might with ordinary diligence have received, therefrom.

Court may determine amount of mesne profits prior to passing decree, or may reserve inquiry.

212. When the suit is for immoveable property and for mesne profits which have accrued on the property during a period prior to the institution of the suit, and the amount of such profits is disputed, the Court may either determine the amount by the decree itself, or may pass a decree for the property and direct an inquiry into the amount of mesne profits, and dispose of the same on further orders.

Administration-suit.

213. When the suit is for an account of any property and for its due administration under the decree of the Court, the Court, before making the decree, shall order such accounts and inquiries to be taken and made, and give such other directions as it thinks fit.

In the administration by the Court of the property of any person who dies after this Code comes into force, if such property proves to be insufficient for the payment in full of his debts and liabilities, the same rules shall be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities proveable, and as to the valuation of annuities and future and contingent liabilities respectively, as may be in force for the time being with respect to the estates of persons adjudged insolvent;

And all persons who in any such case would be entitled to be paid out of such property may come in under the decree for its administration, and make such claims against the same as they may respectively be entitled to by virtue of this Code.

Applications under section 265 of the Indian Contract Act, 1872, shall be deemed to be suits within the meaning of this section.

Suit to enforce right of pre-emption.

214. When the suit is to enforce a right of pre-emption in respect of a particular sale of property, and the Court finds for the plaintiff, if the amount of purchase-money has not been paid into Court, the decree shall specify a day on or before which it shall be so paid, and shall declare that on payment of such purchase-money, together with the costs (if any) decreed against him, the plaintiff shall obtain possession of the property, but that if such money and costs are not so paid, the suit shall stand dismissed with costs.

Suit for dissolution of partnership.

215. When the suit is for the dissolution of a partnership, the Court, before making its decree, may pass an order fixing the day on which the partnership shall stand dissolved, and directing such accounts to be taken and other acts to be done as it thinks fit.

If set-off be allowed.

216. If the defendant has set-off the amount of a debt against the claim of the plaintiff, and such set-off has been allowed, the decree shall state what amount is due to the plaintiff and what amount (if any) is due to the defendant, and shall be for the recovery of any sum which appears to be due to either party.

Effect of decree.

The decree of the Court with respect to any sum awarded to the defendant shall have the same effect, and be subject to the same rules in respect of appeal or otherwise, as if such sum had been claimed by the defendant in a separate suit against the plaintiff.

Certified copies of decree and judgment to be furnished.

217. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense.

CHAPTER XVIII.

OF COSTS.

Costs of applications.

218. When disposing of any application under this Code, the Court may give to either party the costs of such application, or may reserve the consideration of such costs for any future stage of the proceedings.

Judgment to direct by whom costs are to be paid.

219. The judgment shall direct by whom the costs of each party are to be paid, whether by himself or by any other party to the suit, and whether in whole or in what part or proportion.

Power of Court as to costs.

220. The Court shall have full power to give and apportion costs of every application and suit in any manner it thinks fit, and the fact that the Court

has no jurisdiction to try the case is no bar to the exercise of such power:

Provided if the Court directs that the costs of any application or suit shall not follow the event, the Court shall state its reasons in writing.

Costs may be set-off against sum admitted or found to be due.

221. The Court may direct that the costs payable to one party by another shall be set-off against a sum which is admitted or is found in the suit to be due from the former to the latter,

Saving of pleader's lien.

but such direction shall not affect the lien upon the amount decreed of any pleader in respect of the costs payable to him under the decree.

Interest on costs. Payment of costs out of subject-matter.

222. The Court may give interest on costs at any rate not exceeding six per cent. per annum and may direct that costs, with or without interest, be paid out of or charged upon the subject-matter of the suit.

CHAPTER XIX.

OF THE EXECUTION OF DECREES.

A.—Of the Court by which Decrees may be executed.

Court by which decree may be executed.

223. A decree may be executed either by the Court which passed it or by the Court to which it is sent for execution under the provisions hereinafter contained.

The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court,

(*a*) if the person against whom the decree is passed actually and voluntarily resides or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court, or

(*b*) if such person has not property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree and has property within the local limits of the jurisdiction of such other Court, or

(*c*) if the decree direct the sale of immoveable property situate outside the district within which the Court which passed it is situate, or

(*d*) if the Court which passed the decree considers for any other reason, which it shall record in writing, that the decree should be executed by such other Court.

The Court which passed a decree may of its own motion send it for execution to any Court subordinate thereto.

The Court to which a decree is sent under this section for execution shall certify to the Court which passed it, the fact of such execution, or where the former Court fails to execute the same, the circumstances attending such failure.

If the decree has been passed in a case cognizable by a Court of Small Causes and the Court which passed it wishes it to be executed in Calcutta, Madras, Bombay or Rangoon, such Court may send to the local Court of Small Causes the copies and certificate respectively mentioned in clauses (*a*), (*b*) and (*c*) of section 224; and such Court of Small Causes shall thereupon execute the decree as if it had been passed by itself.

If the Court to which a decree is to be sent for execution is situate within the same district as the Court which passed such decree, such Court shall send the same directly to the former Court. But if the Court to which the decree is to be sent for execution is situate in a different district, the Court which passed it shall send it to the District Court of the district in which the decree is to be executed.

Procedure when Court desires that its own decree shall be executed by another Court.

224. The Court sending a decree for execution under section 223 shall send therewith

(*a*) a copy of the decree;

(*b*) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted; and

(*c*) a copy of any order for the execution of the decree, and if no such order has been made, a certificate to that effect.

Court receiving copies of decree, &c., to file same without proof.

225. The Court to which a decree is so sent shall cause such copies and certificate to be filed, without any further proof of the decree or order for execution, or of the copies thereof, or of the jurisdiction of the Court which passed it, unless the former Court, for any special reasons to be recorded under the hand of the Judge, requires such proof.

Execution of decree or order by Court to which it is sent.

226. When such copies are so filed, the decree or order may, if the Court to which it is sent be the District Court, be executed by such Court or by any subordinate Court which it directs to execute the same.

Execution by High Court, of decree transmitted by other Court.

227. If the Court to which the decree is sent for execution be a High Court, the decree shall be executed by such Court in the same manner as if it had been made by such Court in the exercise of its ordinary original civil jurisdiction.

Appeal from orders for execution of decrees of other Courts.

228. The Court executing a decree sent to it under this chapter shall have the same powers in executing such decree as if it had been passed by itself. All persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if it had passed the decree. And its orders in executing such decree shall be subject to the same rules in respect of appeal, as if the decree had been passed by itself.

Decrees of Courts established by Government of India in Native States.

229. A decree of any Court established by the authority of the Governor General in Council in the territories of any Native Prince or State in India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in manner herein provided within the jurisdiction of any Court in British India.

B.—Of Application for Execution.

230. When the holder of a decree desires to enforce it, he shall apply to the Court which passed the decree or to the officer, if any, appointed in this behalf, or if the decree has been sent under the provisions hereinbefore contained to another Court, then to such Court or to the proper officer thereof.

Application for execution.

The Court may in its discretion refuse execution at the same time against the person and property of the judgment-debtor.

Where an application to execute a decree for the payment of money or delivery of other property has been made under this section and granted, no subsequent application to execute the same decree shall be granted unless the Court is satisfied that on the last preceding application due diligence was used to procure complete satisfaction of the decree; and the order of the Court granting any such subsequent application shall be conclusive evidence that due diligence was used to procure such satisfaction.

And no such subsequent application shall be granted after the expiration of twelve years from any of the following dates (namely)—

(*a*) the date of the decree sought to be enforced, or of the decree (if any) on appeal affirming the same, or

(*b*) where the decree or any subsequent order directs the payment of money or the delivery of property by instalments,—the date of the default in paying or delivering the instalment in respect of which the applicant seeks to enforce the decree.

Nothing in this section shall prevent the Court from granting an application for execution of a decree after the expiration of the said term of twelve years, where the judgment-debtor has by fraud or force prevented the execution of the decree at some time within twelve years immediately before the date of the application.

Notwithstanding anything herein contained, proceedings may be taken to enforce any decree within three years after the passing of this Code, unless when the period prescribed for taking such proceedings by the law in force immediately before the passing of this Code shall have expired before the completion of the said three years.

231. If a decree has been passed jointly in favour of more persons than one, any one or more of such persons, or his or their representatives, may apply for the execution of the whole decree for the benefit of them all, or, where any of them has died, for the benefit of the survivors and the representative in interest of the deceased.

Application by joint decree-holder.

If the Court sees sufficient cause for allowing the decree to be executed on an application so made, it shall pass such order as it deems necessary for protecting the interests of the persons who have not joined in the application.

232. If a decree be transferred by assignment in writing or by operation of law from the decree-holder to any other person, the transferee may apply for its execution to the Court which passed it; and if that Court thinks fit, the decree may be executed in the same manner and subject to the same conditions as if the application were made by such decree-holder:

Application by transferee of decree.

Provided that where the decree has been transferred by assignment, notice in writing of such application shall be given to the transferor and the judgment-debtor, and the decree shall not be executed until the Court has heard their objections (if any) to such execution:

Provided also that where a decree against several persons has been transferred to one of them, it shall not be executed against the others.

233. Every transferee of a decree shall hold the same subject to the equities (if any) which the judgment-debtor might have enforced against the original decree-holder.

Transferee to hold subject to equities enforceable against original holder.

234. If a judgment-debtor dies before the decree has been fully executed, the holder of the decree may apply to the Court which passed it to execute the same against the legal representative of the deceased.

If judgment-debtor die before execution, application may be made against his representative.

Such representative shall be liable only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of; and for the purpose of ascertaining such liability, the Court executing the decree may of its own motion, or on the application of the decree-holder, compel the said representative to produce such accounts as it thinks fit.

235. The application for the execution of a decree shall be in writing, verified in manner hereinbefore provided for the verification of plaints, and shall contain in a tabular form the following particulars (namely)—

Contents of application for execution of decree.

(*a*) the number of the suit;

(*b*) the names of the parties;

(*c*) the date of the decree;

(*d*) whether any appeal has been preferred from the decree;

(*e*) whether any and what adjustment of the matter in dispute has been made between the parties subsequently to the decree;

(*f*) whether any and what previous applications have been made for execution of the decree and with what result;

(*g*) the amount of the debt or compensation, with the interest, if any, due upon the decree, or other relief granted thereby;

(*h*) the amount of costs, if any, awarded;

(*i*) the name of the person against whom the enforcement of the decree is sought; and

(*j*) the mode in which the assistance of the Court is required, whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application, or by the attachment of his property, or otherwise as the nature of the relief sought may require.

236. If the application be for the attachment of any moveable property belonging to the judgment-debtor but not in his possession, the decree-holder shall annex to the application an inventory of the property to be attached, containing a reasonably accurate description of the same.

Application for attachment of moveable property to be accompanied with inventory.

237. If the application be for the attachment of any immoveable property belonging to the judgment-debtor, it shall contain at the foot a description of the property sufficient to identify it, and also a specification of the judgment-debtor's share or interest therein to the best of the belief of the applicant and so far as he has been able to ascertain the same.

Further particulars when application is for attachment of immoveable property.

Every such description and specification shall be verified in manner hereinbefore provided for the verification of plaints.

238. If the property be land registered in the Collector's office, the application for attachment shall be accompanied by an authenticated extract from the register of such office, specifying the persons registered as proprietors of, or as possessing any transferable interest in, the land or its revenue, or as liable to pay revenue for such land, and the shares of the registered proprietors.

When application must be accompanied by extract from Collector's register.

C.—Of staying Execution.

239. The Court to which a decree has been sent for execution under this chapter, shall upon sufficient cause being shewn, stay the execution of such decree for a reasonable time, to enable the judgment-debtor to apply to the Court by which the decree was made, or to any Court having appellate jurisdiction in respect of the decree or the execution thereof, for an order to stay the execution, or for any other order relating to the decree or execution which might have been made by such Court of first instance or appellate Court if execution had been issued thereby, or if application for execution had been made thereto;

When Court may stay execution.

and in case the property or person of the judgment-debtor has been seized under an execution, the Court which issued the execution may order the restitution or discharge of such property or person pending the result of the application for such order.

240. Before passing an order under section 239, to stay execution, or for the restitution of property or the discharge of the judgment-debtor, the Court may require such security from, or impose such conditions upon, the judgment-debtor as it thinks fit.

Power to require security from, or impose conditions upon, judgment-debtor.

241. No discharge under section 239 of the property or person of a judgment-debtor, shall prevent it or him from being retaken in execution of the decree sent for execution.

Liability of judgment-debtor discharged to be retaken.

242. Any order of the Court by which the decree was passed or of such Court of appeal as aforesaid, in relation to the execution of such decree shall be binding upon the Court to which the decree was sent for execution.

Order of Court passing decree or of Appellate Court to be binding upon Court applied to.

243. If a suit be pending in any Court against the holder of a decree of such Court, on the part of the person against whom the decree was passed, the Court may (if it think fit) stay execution on the decree, either absolutely or on such terms as it thinks fit, until the pending suit has been decided.

Stay of execution pending suit between decree-holder and judgment-debtor.

D.—Questions for Court executing decree.

244. The following questions shall be determined by order of the Court executing a decree and not by separate suit (namely)—

Question to be decided by Court executing decree.

(*a*) questions regarding the amount of any mesne profits as to which the decree has directed inquiry;

(*b*) questions regarding the amount of any mesne profits or interest which the decree has made payable in respect of the subject-matter of a suit between the date of its institution and the execution of the decree, or the expiration of three years from the date of the decree;

(*c*) any other questions arising between the parties to the suit in which the decree was passed, or their representatives, and relating to the execution of the decree.

Nothing in this section shall be deemed to bar a separate suit for mesne profits accruing between the institution of the first suit and the execution of the decree therein, where such profits are not dealt with by such decree.

E.—Of the mode of executing Decrees.

245. The Court, on receiving an application for the execution of a decree, shall ascertain whether it contains the particulars mentioned in section 235, or such of them as may be applicable to the case, and whether it is accompanied by the inventory mentioned in section 236; and if such particulars or inventory are or is wanting, it shall reject the application or return it for amendment or for the addition of the inventory, as the case may be, or amend it then and there. Every amendment made under this section shall be attested by the signature of the Judge.

Procedure on receiving application for execution of decree.

When the application is admitted, the Court shall enter in the register of the suit a note of the application and the date on which it was made, and shall order execution of the decree according to the nature of the application:

Procedure on admitting application.

Provided that, in the case of a decree for money, the value of the property attached shall as nearly as may be correspond with the amount for which the decree has been made.

246. If cross-decrees between the same parties for the payment of money be produced to the Court, execution shall be taken out only by the party who holds a decree for the larger sum, and for so much only as remains after deducting the smaller sum, and satisfaction for the smaller sum shall be entered on the decree for the larger sum as well as satisfaction on the decree for the smaller sum.

Cross-decrees.

If the two sums be equal, satisfaction shall be entered upon both decrees.

Explanation I.—The decrees contemplated by this section are (*a*) decrees made by the same Court, (*b*) decrees sent to the same Court for execution, and (*c*) decrees of which one is made by the Court and the other is sent to the same Court for execution; but not (*d*) decrees of which one is made by one Court and the other is made by another Court and not sent for execution to the former Court.

Explanation II.—This section applies where either party is an assignee of one of the decrees and as well in respect of judgment-debts due by the original assignor as by the assignee himself.

Explanation III.—This section does not apply unless

(*e*) both decrees are capable of execution at the same time;

(*f*) the decree-holder in one of the suits in which the decrees have been made is the judgment-debtor in the other and each party fills the same character in both suits; and

(*g*) the sums due under the decrees are definite.

Illustrations.

(*a*) A holds a decree against B for Rs. 1,000. B holds a decree against A for the payment of Rs. 1,000 in case A fails to deliver certain goods at a future day. B cannot treat his decree as a cross-decree under this section.

(*b*) A and B, co-plaintiffs, obtain a decree for Rs. 1,000 against C, and C obtains a decree for Rs. 1,000 against B. C cannot treat his decree as a cross-decree under this section.

(*c*) A obtains a decree against B for Rs. 1,000. C, who is a trustee for B, obtains a decree on behalf of B against A for Rs. 1,000. B cannot treat C's decree as a cross-decree under this section.

247. When two parties are entitled under the same decree to recover from each other sums of different amounts, the party entitled to the smaller sum shall not take out execution against the other party; but satisfaction for the smaller sum shall be entered on the decree.

Cross-claims under same decree.

When the amounts are equal, neither party shall take out execution, but satisfaction for each sum shall be entered on the decree.

248. The Court shall issue a notice to the party against whom execution is applied for, requiring him to shew cause, within a period to be fixed by the Court, why the decree should not be executed against him,

Notice to show cause why decree should not be executed.

(*a*) if more than one year has elapsed between the date of the decree and the application for its execution, or

(*b*) if the enforcement of the decree be applied for against the legal representative of a party to the suit in which the decree was made:

Proviso. Provided that no such notice shall be necessary

in consequence of more than one year having elapsed between the date of the decree and the application for execution, if the application be made within one year from the date of any decree passed on appeal from the decree sought to be executed or of the last order against the party against whom execution is applied for passed on any previous application for execution, or

in consequence of the application being against the legal representative of the judgment-debtor, if upon a previous application for execution against the same person, the Court has ordered execution to issue against him.

Explanation.—In this section the phrase "the Court" means the Court by which the decree was passed, unless the decree has been sent to another Court for execution, in which case it means such other Court.

249. If the person to whom notice is issued under the last preceding section does not appear, or does not shew cause to the satisfaction of the Court why the decree should not be executed, the Court shall order the decree to be executed.

Procedure after issue of notice.

If he offers any objection to the enforcement of the decree, the Court shall consider such objection and pass such order as it thinks fit.

250. When the preliminary measures (if any) required by the foregoing provisions have been taken, the Court, unless it sees cause to the contrary, shall issue its warrant for the execution of the decree.

Warrant when to issue.

251. Such warrant shall be dated the day on which it is issued, signed by the Judge or such officer as the Court appoints in this behalf, sealed with the seal of the Court, and delivered to the proper officer to be executed.

Date, signature, seal and delivery.

And a day shall be specified in such warrant on or before which it must be executed, and the proper officer shall endorse thereon the day and manner in which it was executed, or if it was not executed, the reason why it was not executed, and shall return it with such endorsement to the Court from which it issued.

252. If the decree be against a party as the legal representative of a deceased person, and the decree be for money to be paid out of the property of the deceased, it may be executed by the attachment and sale of any such property.

Decree against representative of deceased for money to be paid out of deceased's property.

If no such property can be found, and the judgment-debtor fails to satisfy the Court that he has duly applied such property of the deceased as is proved to have come into his possession, the decree may be executed against the judgment-debtor to the extent of the property not duly applied by

him, in the same manner as if the decree had been against him personally.

253. Whenever a person has, before the passing of a decree in an original suit, become liable as surety for the performance of the same or of any part thereof, the decree may be executed against him to the extent to which he has rendered himself liable, in the same manner as a decree may be executed against a defendant:

Decree against surety.

Provided that such notice in writing as the Court in each case thinks sufficient has been given to the surety.

254. Every decree or order directing a party to pay money, as compensation, or costs, or as the alternative to some other relief granted by the decree or order, or otherwise, may be enforced by the imprisonment of the judgment-debtor, or by the attachment and sale of his property in manner hereinafter provided, or by both.

Decree for money.

255. If the decree be for mesne profits or any other matter the amount of which in money is to be subsequently determined, the property of the judgment-debtor may, before the amount due from him under the decree has been ascertained, be attached as in the case of an ordinary decree for money.

Decree for mesne profits or other matter, amount of which to be subsequently ascertained.

256. When a decree is passed for a sum of money only, and the amount decreed does not exceed the sum of one thousand rupees, the Court may, when passing the decree, on the oral application of the decree-holder, order immediate execution thereof by the issue of a warrant directed either against the person of the judgment-debtor if he is within the local limits of the jurisdiction of the Court, or against his moveable property within the same limits.

Power to direct immediate execution of decree for money not exceeding Rs. 1,000.

257. All money payable under a decree shall be paid as follows (namely)—

Modes of paying money under decree.

(*a*) into the Court whose duty it is to execute the decree; or

(*b*) out of Court to the decree-holder; or

(*c*) otherwise as the Court which made the decree directs.

258. If the money is paid out of Court or the decree is otherwise adjusted to the satisfaction of the decree-holder, he shall certify the payment or adjustment to the Court whose duty it is to execute the decree; and no satisfaction of a decree in part or in whole by such payment or adjustment shall be recognized by such Court unless the payment or adjustment be certified as aforesaid. Where the decree-holder fails to certify as aforesaid, the judgment-debtor may apply to such Court for an order directing the decree-holder to certify as aforesaid, and the Court, after hearing the decree-holder, may make such order, and if the decree-holder disobeys the same, may refuse further to execute the decree.

Payment of money out of Court to decree-holder.

259. If the decree be for any specific moveable, or for any share in a specific moveable, or for the recovery of a wife, it may be enforced by the seizure, if practicable, of the moveable or share, and by the delivery thereof to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, or by the imprisonment of the judgment-debtor, or by attaching his property and keeping the same under attachment until the further order of the Court, or by both imprisonment and attachment, if necessary.

Decrees for specific moveables, or recovery of wives.

No attachment under this section shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

260. When the party against whom a decree for the specific performance of a contract, or for restitution of conjugal rights, or for the performance of any other particular act, has been made, has had an opportunity of obeying the decree or injunction and has wilfully failed to obey it, the decree may be enforced by his imprisonment, or by the attachment of his property, or by both.

Decree for specific performance or restitution of conjugal rights.

No attachment under this section shall remain in force for more than one year, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit and may pay the balance, if any, to the judgment-debtor on his application.

261. If the decree be for the execution of a conveyance, or for the endorsement of a negotiable instrument, and the judgment-debtor neglects or refuses to comply with the decree, the decree-holder may prepare the draft of a conveyance or endorsement in accordance with the terms of the decree, and deliver the same to the Court.

Decree for execution of conveyances, or endorsement of negotiable instruments.

The Court shall thereupon cause the draft to be served on the judgment-debtor in manner hereinbefore provided for serving a summons, together with a notice in writing stating that his objections, if any, thereto shall be made within such time (mentioning it) as the Court fixes in this behalf.

The decree-holder may also tender a duplicate of the draft to the Court for execution upon the proper stamp-paper, if a stamp is required by law.

On proof of such service, the Court, or such officer as it appoints in this behalf, shall execute the duplicate so tendered, or may, if necessary, alter the same, so as to bring it into accordance with the terms of the decree, and execute the duplicate so altered:

Provided that if any party object to the draft so served as aforesaid, his objections shall, within

the time so fixed, be stated in writing and argued before the Court, and the Court shall thereupon pass such order as it thinks fit, and execute, or alter and execute, the duplicate in accordance therewith.

Form and effect of execution of conveyance by Court.

262. The execution of a conveyance or the endorsement of a negotiable instrument by the Court under the last preceding section may be in the following form: "*C. D.*, Judge of the Court of (*or as the case may be*), for *A. B.*, in a suit by *E. F.*, against *A. B.*," or in such other form as the High Court may from time to time prescribe, and shall have the same effect as the execution of the conveyance or endorsement of the instrument by the party ordered to execute or endorse the same.

Decree for immoveable property.

263. If the decree be for the delivery of any immoveable property, possession thereof shall be delivered over to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, and, if need be, by removing any person bound by the decree who refuses to vacate the property.

Delivery of immoveable property when in occupancy of tenant.

264. If the decree be for the delivery of any immoveable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery to be made by affixing a copy of the warrant in some conspicuous place on the property, and proclaiming to the occupant by beat of drum, or in such other mode as is customary, at some convenient place, the substance of the decree in regard to the property:

Provided that if the occupant can be found, a notice in writing containing such substance shall be served upon him, and in such case no proclamation need be made.

Partition of estate or separation of share.

265. If the decree be for the partition or for the separate possession of a share of an undivided estate paying revenue to Government, the partition of the estate or the separation of the share shall be made by the Collector.

F.—Of Attachment of Property.

Property liable to attachment and sale in execution of decree.

266. The following property is liable to attachment and sale in execution of a decree, (namely) lands, houses or other buildings, goods, money, bank-notes, cheques, bills of exchange, hundís, promissory notes, Government securities, bonds or other securities for money, debts, shares in the capital or joint-stock of any railway, banking or other public Company or Corporation, and, except as hereinafter mentioned, all other saleable property, moveable or immoveable, belonging to the judgment-debtor or over which, or the profits of which, he has a disposing power which he may exercise for his own benefit, and whether the same be held in the name of the judgment-debtor or by another person in trust for him or on his behalf:

Provided that the following particulars shall not be liable to such attachment or sale (namely)—

(*a*) the necessary wearing apparel of the judgment-debtor, his wife and children:

(*b*) tools of artizans, implements of husbandry and such cattle as may in the opinion of the Court be necessary to enable the judgment-debtor to earn his livelihood as an agriculturist:

(*c*) the materials of houses and other buildings belonging to and occupied by agriculturists:

(*d*) books of account:

(*e*) mere rights to sue for damages:

(*f*) any right of personal service:

(*g*) stipends allowed to military and civil pensioners of Government, and political pensions:

(*h*) one moiety of the salary of a public officer or of the servant of a Railway Company:

(*i*) the pay and allowances of persons to whom the Native Articles of War apply:

(*j*) the wages of labourers and domestic servants:

(*k*) an expectancy of succession by survivorship or other merely contingent or possible right or interest:

(*l*) a right to future maintenance.

Explanation.—The particulars mentioned in clauses (*g*), (*h*), (*i*) and (*j*) are exempt from attachment or sale whether before or after they are actually payable:

Provided also that nothing in this section shall be deemed:

(*a*) to exempt the materials of houses and other buildings from attachment or sale in execution of decrees for rent, or

(*b*) to affect the statute for the time being in force for punishing mutiny and desertion and for the better payment of the Army and their quarters.

Power to summon and examine persons as to property liable to be seized.

267. The Court may of its own motion or on the application of the decree-holder, summon any person whom it thinks necessary, and examine him in respect to any property liable to be seized in satisfaction of the decree, and may require the person summoned to produce any document in his possession or power relating to such property, and before issuing the summons of its own motion, shall declare the person on whose behalf the summons is so issued.

Attachment of debt, share and other property not in possession of judgment-debtor.

268. In the case of (*a*) a debt not secured by a negotiable instrument, (*b*) a share in the capital of any public company or corporation, (*c*) other moveable property not in the possession of the judgment-debtor, except property deposited in, or in the custody of, any Court, the attachment shall be made by a written order prohibiting,

(*a*) in the case of the debt, the creditor from recovering the debt and the debtor from making payment thereof until the further order of the Court:

(*b*) in the case of the share, the person in whose name the share may be standing, from transferring the same or receiving any dividend thereon:

(*c*) in the case of the other moveable property except as aforesaid, the person in possession of the same from giving it over to the judgment-debtor.

A copy of such order shall be fixed up in some conspicuous part of the Court-house, and another copy of the same shall be sent in the case of the debt to the debtor, in the case of the share to the proper officer of the company or corporation, and in the case of the other moveable property (except as aforesaid) to the person in possession of the same.

A debtor prohibited under clause (*a*) of this section may pay the amount of his debt into court, and such payment shall discharge him as effectually as payment to the party entitled to receive the same.

No attachment under this section shall remain in force for more than six months; at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

Attachment of moveable property in possession of defendant.

269. If the property be moveable property in the possession of the judgment-debtor, other than the property mentioned in the first proviso to section 266, the attachment shall be made by actual seizure, and the attaching officer shall keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof:

Provided that when the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody will exceed its value, the proper officer may sell it at once.

Power to make rules for maintenance of attached live-stock.

The Local Government may from time to time make rules for the maintenance and custody, while under attachment, of live-stock and other moveable property, and the officer attaching property under this section shall, notwithstanding the provisions of the former part of this section act in accordance with such rules.

Attachment of negotiable instruments.

270. If the property be a negotiable instrument not in deposit in a Court, the attachment shall be made by actual seizure, and the instrument shall be brought into court and held subject to the further orders of the Court.

Seizure of property in house.

271. If the person executing any process under this Code directing or authorizing seizure of moveable property, has gained access to a house or other building, he may unfasten and open the door of any room in which he has reason to believe any such property to be:

Provided that if the room be in the actual occupancy of a woman, who according to the customs of the country does not appear in public, the person executing the process shall give notice to her that she is at liberty to withdraw; and after allowing a reasonable time for such woman to withdraw, and giving her every reasonable facility for withdrawing, he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Attachment of property deposited in Court or with Government officer.

272. If the property be deposited in, or be in the custody of, any Court or public officer, the attachment shall be made by a notice to such Court or officer, requesting that such property, and any interest or dividend becoming payable thereon may be held subject to the further orders of the Court from which the notice issues:

Proviso.

Provided that, if such property is deposited in, or is in the custody of, a Court, any question of title or priority arising between the decree-holder and any other person, not being the judgment-debtor, claiming to be interested in such property by virtue of any assignment, attachment or otherwise, shall be determined by such Court.

Attachment of decree for money.

273. If the property be a decree for money passed by the Court which passed the decree sought to be executed, the attachment shall be made by an order of the Court directing the proceeds of the former decree to be applied in satisfaction of the latter decree.

If the property be a decree for money passed by any other Court, the attachment shall be made by a notice in writing to such Court under the hand of the Judge of the Court which passed the decree sought to be executed, requesting the former Court to stay the execution of its decree until such notice is cancelled by the Court from which it was sent. The Court receiving such notice shall stay execution accordingly, unless and until

(*a*) the Court which passed the decree sought to be executed cancels the notice, or

(*b*) the holder of the decree sought to be executed applies to the Court receiving such notice to execute its own decree.

On receiving such application, the Court shall proceed to execute the decree and apply the proceeds in satisfaction of the decree sought to be executed.

Attachment of other decrees.

In the case of all other decrees the attachment shall be made by a notice in writing, under the hand of the Judge of the Court which passed the decree sought to be executed to the holder of the decree sought to be attached, prohibiting him from transferring or charging the same in any way; and, when such decree has been passed by any other Court, also by sending to such Court a like notice in writing to abstain from executing the decree sought to be attached until such notice is cancelled by the Court from which it was sent. Every Court receiving such notice shall give effect to the same until it is so cancelled.

Decree-holders to give information.

The holder of any decree attached under this section shall be bound to give the Court executing the same such information and aid as may reasonably be required.

Attachment of immoveable property.

274. If the property be immoveable, the attachment shall be made by an order prohibiting the judgment-debtor from transferring or charging the property in any way, and all persons from receiving the same from him by purchase, gift or otherwise.

The order shall be proclaimed at some place on adjacent to such property by beat of drum or

other customary mode, and a copy of the order shall be fixed up in a conspicuous part of the property and of the Court-house.

When the property is land paying revenue to Government, a copy of the order shall also be fixed up in the office of the Collector of the District in which the land is situate.

Order for withdrawal of attachment after satisfaction of decree.

275. If the amount decreed with costs and all charges and expenses resulting from the attachment of any property be paid into Court, or if satisfaction of the decree be otherwise made through the Court, or if the decree is set aside or reversed, an order shall be issued, on the application of any person interested in the property, for the withdrawal of the attachment.

Private alienation of property after attachment to be void.

276. When an attachment has been made by actual seizure or by written order duly intimated and made known in manner aforesaid, any private alienation of the property attached, whether by sale, gift, mortgage or otherwise, and any payment of the debt or dividend or a delivery of the share to the judgment-debtor during the continuance of the attachment, shall be void as against all claims enforceable under the attachment.

Court may direct coin or currency-notes attached to be paid to party entitled.

277. If the property attached is coin or currency-notes, the Court may, at any time during the continuance of the attachment, direct that such coin or notes, or a part thereof sufficient to satisfy the decree, be paid over to the party entitled under the decree to receive the same.

Investigation of claims to and objections to attachment of attached property.

278. If any claim be preferred to, or any objection be made to the attachment of, any property attached in execution of a decree, on the ground that such property is not liable to such attachment, the Court shall proceed to investigate the claim or objection with the like power as regards the examination of the claimant or objector, and in all other respects, as if he was a party to the suit:

Provided that no such investigation shall be made where the Court considers that the claim or objection was designedly or unnecessarily delayed.

Postponement of sale.

If the property to which the claim or objection applies has been advertised for sale, the Court ordering the sale may postpone it pending the investigation of the claim or objection.

Evidence to be adduced by claimant.

279. The claimant or objector must adduce evidence to show that at the date of the attachment he had some interest in, or was possessed of, the property attached.

Release of property from attachment.

280. If upon the said investigation the Court is satisfied that, for the reason stated in the claim or objection, such property was not, when attached, in the possession of the judgment-debtor or of some person in trust for him, or in the occupancy of a tenant or other person paying rent to him, or that, being in the possession of the judgment-debtor at such time, it was so in his possession, not on his own account or as his own property, but on account of or in trust for some other person, or partly on his own account and partly on account of some other person, the Court shall pass an order for releasing the property wholly or to such extent as it thinks fit, from attachment.

Disallowance of claim to release of property attached.

281. If the Court is satisfied that the property was, at the time it was attached, in possession of the judgment-debtor as his own property and not on account of any other person, or was in the possession of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, the Court shall disallow the claim.

Continuance of attachment subject to claim of incumbrancer.

282. If the Court is satisfied that the property is subject to a mortgage or lien in favour of some person not in possession, and thinks fit to continue the attachment, it may do so, subject to such mortgage or lien.

Saving of suits to establish right to attached property.

283. The party against whom an order under section 280, 281 or 282 is passed may institute a suit to establish the right which he claims to the property in dispute, but subject to the result of such suit, if any, the order shall be conclusive.

Power to order property attached to be sold, and proceeds be paid to person entitled.

284. Any Court may order that any property which has been attached, or such portion thereof as may seem necessary to satisfy the decree, shall be sold, and that the proceeds of such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same.

Property attached in execution of decrees of several Courts.

285. Where property not in the custody of any Court has been attached in execution of decrees of more Courts than one, the Court which shall receive or realize such property and shall determine any claim thereto and any objection to the attachment thereof shall be the Court of highest grade, or where there is no difference in grade between such Courts, the Court under whose decree the property was first attached.

G.—Of Sale and Delivery of Property.

(a) General Rules.

Sales by whom conducted and how made.

286. Sales in execution of decrees shall be conducted by an officer of the Court or by any other person whom the Court may appoint, and, except as provided in section 296, shall be made by public auction in manner hereinafter mentioned.

Proclamation of sales by public auction.

287. When any property is ordered to be sold by public auction in execution of a decree, the Court shall cause a proclamation of the intended sale to be made in the language of such Court. Such proclamation shall state the time and place of sale; and shall specify as fairly and accurately as possible—

(*a*) the property to be sold;

(*b*) the revenue assessed upon the estate or part of the estate, when the property to be sold is an interest in an estate or a part of an estate paying revenue to Government;

(*c*) any incumbrance to which the property is liable;

(*d*) the amount for the recovery of which the sale is ordered; and

(*e*) every other thing which the Court considers material for the purchaser to know in order to judge of the nature and value of the property.

For the purpose of ascertaining the matters so to be specified, the Court may summon any person whom it thinks necessary, and examine him in respect to any such matters, and require him to produce any document in his possession or power relating thereto.

Rules to be made by High Court.

The High Court shall, as soon as may be after this Code comes into force, make rules for the guidance of the Courts in exercise of their duties under this section. The High Court may from time to time alter any rules so made. All such rules shall be published in the local official Gazette and shall thereupon have the force of law. As regards his own Court and the Court of Small Causes at Rangoon the Recorder of Rangoon shall be deemed to be a 'High Court' within the meaning of this paragraph.

Nothing in this section shall apply to cases in which the execution of the decree has been transferred to the Collector.

Indemnity of Judges, &c.

288. No Judge or other public officer shall be answerable for any error, misstatement or omission in any proclamation under section 287 unless the same has been committed or made dishonestly.

Mode of making proclamation.

289. The proclamation shall be made, in manner prescribed by section 274, on the spot where the property is attached.

If the Court so direct, such proclamation shall also be published in the local official Gazette and in some local newspaper, and the costs of such publication shall be deemed to be costs of the sale.

Time of sale.

290. Except in the case of property mentioned in the proviso to section 269, no sale under this chapter shall, without the consent in writing of the judgment-debtor, take place until after the expiration of at least thirty days in the case of immoveable property, and of at least fifteen days in the case of moveable property, calculated from the date on which the notification has been affixed in the court-house of the Judge ordering the sale.

Power to adjourn sale.

291. The officer conducting any sale under this chapter may in his discretion adjourn the sale, recording his reasons for such adjournment: Provided that when the sale is made in or within the precincts of the Court-house no such adjournment shall be made without the leave of the Court. Every such sale shall be stopped if, before the lot is knocked down, the debt and costs (including the costs of the sale) are tendered to such officer, or proof is given to his satisfaction that the amount of such debt and costs has been paid into the Court that ordered the sale.

Stoppage of sale on tender of debt and costs, or on proof of payment.

Officers concerned in execution-sales not to bid for or buy property sold.

292. No officer having any duty to perform in connection with any sale under this chapter shall either directly or indirectly bid for, acquire, or attempt to acquire, any interest in any property sold at such sale.

Defaulting purchaser answerable for loss by re-sale.

293. The deficiency of price (if any) which may happen on a re-sale under this Code by reason of the purchaser's default, and all expenses attending such re-sale, shall be certified to the Court by the officer holding the sale,

and shall, at the instance of either the judgment-creditor or the judgment-debtor, be recoverable from the defaulter under the rules contained in this chapter for the execution of a decree for money.

Decree-holder not to bid for or buy property without permission.

294. No holder of a decree in execution of which property is sold, shall, without the express permission of the Court, bid for or purchase the property.

If decree-holder purchase, amount of decree may be taken as payment.

When a decree-holder purchases with such permission, the purchase-money and the amount due on the decree may, if he so desires, be set-off against one another, and the Court executing the decree shall enter up satisfaction of the decree in whole or in part accordingly.

Proceeds of execution-sale to be divided rateably among decree-holders.

295. Whenever assets are realized by sale or otherwise in execution of a decree, and more persons than one have, prior to the realization, applied to the Court by which such assets are held for execution of decrees for money against the same judgment-debtor, and have not obtained satisfaction thereof, the assets, after deducting the costs of the realization, shall be divided rateably among all such persons:

Proviso where property is sold subject to mortgage.

Provided that, when any property is sold subject to a mortgage or charge, the mortgagee or incumbrancer shall not be entitled to share in any surplus arising from such sale:

Provided also that when any property liable to be sold in execution of a decree is subject to a mortgage or charge, the Court may, with the assent of the mortgagee or incumbrancer, order that the property be sold free from the mortgage or charge giving to the mortgagee or incumbrancer the same right against the proceeds of the sale as he had against the property sold.

If all or any of such assets be paid to a person not entitled to receive the same, any person so entitled may sue such person to compel him to refund the assets.

Nothing in this section affects any right of the Government.

(b).—Rules as to Moveable Property.

Rules as to negotiable securities and shares in public Companies.

296. If the property to be sold be a negotiable instrument or a share in any public Company or Corporation, the Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument or share through a broker at the market-rate of the day.

Payment for moveable property sold.

297. In the case of other moveable property, the price of each lot shall be paid for at the time of sale, or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up and sold.

On payment of the purchase-money, the officer holding the sale shall grant a receipt for the same, and the sale shall become absolute.

Irregularity not to vitiate sale of moveable property, but any person injured may sue.

298. No irregularity in publishing or conducting the sale of moveable property shall vitiate the sale; but any person sustaining any injury by reason of such irregularity at the hand of any other person may institute a suit against him for compensation, or (if such other person be the purchaser) for the recovery of the specific property and for compensation in default of such recovery.

Delivery of moveable property belonging to defendant actually seized.

299. When the property sold is a negotiable instrument or other moveable property of which actual seizure has been made, the property shall be delivered to the purchaser.

Delivery of moveable property to which judgment-debtor is entitled subject to lien.

300. When the property sold is any moveable property to which the judgment-debtor is entitled subject to the possession of some other person, the delivery thereof to the purchaser shall be made by giving notice to the person in possession prohibiting him from delivering possession of the property to any person except the purchaser.

Delivery of debts and of shares in public Companies.

301. When the property sold is a debt not secured by a negotiable instrument, or is a share in any public Company, the delivery thereof shall be made by a written order of the Court prohibiting the creditor from receiving the debt or any interest thereon, and the debtor from making payment thereof to any person except the purchaser, or prohibiting the person in whose name the share may be standing from making any transfer of the share to any person except the purchaser, or receiving payment of any dividend or interest thereon, and the Manager, Secretary or other proper officer of the Company from permitting any such transfer or making any such payment to any person except the purchaser.

Transfer of negotiable instruments and shares.

302. If the endorsement or conveyance of the party in whose name a negotiable instrument or a share in any public Company is standing, is required to transfer such instrument or share, the Judge may endorse the instrument or the certificate of the share, or may execute such other document as may be necessary.

The endorsement or execution shall be in the following form or to the like effect:—"*A. B.* by *C. D.*, Judge of the Court of (*or as the case may be*); in a suit by *E. F.* against *A. B.*"

Until the transfer of such instrument or share, the Court may, by order, appoint some person to receive any interest or dividend due thereon, and to sign a receipt for the same; and any endorsement made or document executed or receipt signed as aforesaid shall be as valid and effectual for all purposes as if the same had been made or executed or signed by the party himself.

Vesting order in case of other property.

303. In the case of any moveable property not hereinbefore provided for, the Court may make an order vesting such property in the purchaser or as he may direct; and such property shall vest accordingly.

(c.)—Rules as to Immoveable Property.

Sales of land by Court not inferior to a District Court.

304. Sales of immoveable property in execution of a decree may be ordered by any Court other than a Court of Small Causes.

Postponement of sale of land to enable defendant to raise amount of decree.

305. When an order for the sale of immoveable property has been made, if the judgment-debtor can satisfy the Court that there is reason to believe that the amount of the decree may be raised by mortgage or lease or private sale of such property, or some part thereof, or of any other immoveable property of the judgment-debtor, the Court may on his application postpone the sale of property comprised in the order for sale for such period as it thinks proper, to enable him to raise the amount.

Certificate to judgment-debtor.

In such case the Court shall grant a certificate to the judgment-debtor authorizing him, within a period to be mentioned therein, to make the proposed mortgage, lease or sale: provided that all moneys payable under such mortgage, lease or sale, shall be paid into Court and not to the judgment-debtor.

Where such certificate has been granted and so long as it remains in force, the provisions of section 248 shall not apply.

Deposit by purchaser of immoveable property.

306. On every sale of immoveable property under this chapter, the person declared to be the purchaser shall pay immediately after such declaration a deposit of twenty-five per centum on the amount of his purchase-money to the officer conducting the sale, and, in default of such deposit, the property shall forthwith be put up again and sold.

Time for payment in full.

307. The full amount of purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

Procedure in default of payment.

308. In default of payment within the period mentioned in the last preceding section, the deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may subsequently be sold.

Notification on re-sale of immoveable property.

309. Every re-sale of immoveable property in default of payment of the purchase-money within the period allowed for such payment, shall be made after the issue of a fresh notification in the manner and for the period hereinbefore prescribed for the sale.

Co-sharer of a share of undivided estate sold in execution to have preference in bidding.

310. When the property sold in execution of a decree is a share of undivided immoveable property, and two or more persons, of whom one is a co-sharer, respectively advance the same sum at any bidding at such sale, such bidding shall be deemed to be the bidding of the co-sharer.

Sale of land not set aside on ground of irregularity unless in case of substantial injury.

311. The decree-holder or any person whose immoveable property has been sold under this chapter may apply to the Court to set aside the sale on the ground of a material irregularity in publishing or conducting it;

but no sale shall be set aside on the ground of irregularity unless the applicant proves to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity.

Effect of objection being disallowed and of its being allowed.

312. If no such application as is mentioned in the last preceding section be made, or if such application be made and the objection be disallowed, the Court shall pass an order confirming the sale as regards the parties to the suit and the purchaser.

If such application be made, and if the objection be allowed, the Court shall pass an order setting aside the sale.

No suit to set aside on the ground of such irregularity an order passed under this section shall be brought by the party against whom such order has been made.

Power to apply to set aside the sale.

313. The purchaser at any such sale may apply to the Court to set aside the sale, on the ground that the person whose property purported to be sold had no saleable interest therein, and the Court may make such order as it thinks fit: provided that no order to set aside a sale shall be made, unless the judgment-debtor and the decree-holder have had opportunity of being heard against such order.

Confirmation of sale.

314. No sale of immoveable property shall become absolute until it has been confirmed by the Court.

If sale set aside, price to be returned to purchaser.

315. When a sale of immoveable property is set aside under section 312 or 313,

or when it is found that the judgment-debtor had no saleable interest in the property which purported to be sold and the purchaser is for that reason deprived of it,

the purchaser shall be entitled to receive back his purchase-money (with or without interest as the Court may direct) from any person to whom the purchase-money has been paid.

The repayment of the said purchase-money and of the interest (if any) allowed by the Court may be enforced against such person under the rules provided by this Code for the execution of a decree for money.

Certificate to purchaser of immoveable property.

Certificate to state name of actual purchaser.

316. When a sale of immoveable property has become absolute in manner aforesaid, the Court shall grant a certificate stating the name of the person who, at the time of sale, is declared to be the purchaser and the date of such sale.

Benámí purchaser not recognized.

317. No suit shall be maintained against the certified purchaser on the ground that the purchase was made on behalf of any other person, or on behalf of some one through whom such other person claims.

Nothing in this section shall bar a suit to obtain a declaration that the name of the certified purchaser was inserted in the certificate fraudulently or without the consent of the real purchaser.

Delivery of immoveable property in occupancy of judgment-debtor.

318. When the property sold is in the occupancy of the judgment-debtor or of some person on his behalf, or of some person claiming under a title created by the judgment-debtor subsequently to the attachment of such property, and a certificate in respect thereof has been granted under section 316, the Court shall, on application by the purchaser, order delivery to be made by putting the purchaser or any person whom he may appoint to receive delivery on his behalf in possession of the property, and, if need be, by removing any person who refuses to vacate the same.

Delivery of immoveable property in the occupancy of tenant.

319. When the property sold is in the occupancy of a tenant or other person entitled to occupy the same, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery thereof to be made by affixing a copy of the certificate of sale in some conspicuous place on the property, and proclaiming to the occupant by beat of drum or in such other mode as may be customary, at some convenient place, that the interest of the judgment-debtor has been transferred to the purchaser.

Power to prescribe rules for transferring to Collector execution of decrees sale of land.

320. The Local Government may, with the sanction of the Governor General in Council, declare by notification in the official Gazette that in any local area the execution of decrees in cases in which a Court has ordered any immoveable property to be sold,

or the execution of any particular kind of such decrees,

or the execution of decrees ordering the sale of any particular kind of, or interest in, immoveable property,

shall be transferred to the Collector;

and rescind or modify any such declaration.

Power to prescribe rules as to transmission, execution and retransmission of decrees.

The Local Government may also from time to time prescribe rules for the transmission of the decree from the Court to the Collector, and for regulating the procedure of the Collector and his subordinates in executing the same, and for retransmitting the decree from the Collector to the Court.

Power of Collector as to sale of land in execution of decree.

321. Whenever the execution of a decree has been so transferred, the Collector may—

(*a*) sell the property comprised in the decree by public auction and either in one or more lots as he thinks fit:

(*b*) fix a reasonable reserved price for each lot:

(*c*) adjourn the sale for a reasonable time, whenever he deems the adjournment necessary for the purpose of obtaining a fair price for the property, recording his reasons for such adjournment:

(*d*) buy in the property offered for sale and re-sell the same.

Powers of Collector as to execution of certain money-decrees so transferred.

322. Whenever the execution of a decree not being a decree directing the sale of immoveable property in pursuance of a contract specifically affecting the same, but being a decree for money in satisfaction of which the Court has ordered the sale of immoveable property, has been so transferred, the Collector may either proceed as the Court would proceed under section 305, or if he has reason to believe that the judgment-debts of the judgment-debtor can be discharged without a sale of the whole of such property, the Collector may (notwithstanding any order under section 303, but subject to such rules as may from time to time be made in this behalf by the Chief Controlling Revenue Authority) raise the amount necessary to discharge such debts with interest thereon according to the decree, or, if the decree makes no provision as to interest, then with interest (if any) at such rate as he thinks fit,

(*a*) by letting in perpetuity, or for a term, on payment of a premium equivalent to such amount, the whole or any part of the judgment-debtor's immoveable property: or

(*b*) by mortgaging the whole or any part of such property: or

(*c*) by selling part of such property: or

(*d*) by letting on farm or managing by himself or another the whole or any part of such property for any term not exceeding twenty years from the date of the order of sale; or

(*e*) partly by one of such modes and partly by another or others of them.

For the purpose of managing under this section the whole or any part of such property, the Collector may exercise all the powers of its owner.

Procedure of Collector.

323. In the case of a decree for money, if the Collector proposes to proceed under section 322, he shall publish a notice in the language of the district, calling upon all persons holding decrees against the judgment-debtor to notify the same in writing to the Collector within sixty days from the date of such publication.

Such notice shall be published by being posted in the court-house of the Court which made the order under section 304, and at such other places (if any) as the Collector thinks fit.

So long as any letting or management under section 322 continues, the judgment-debtor and his representative in interest shall be incompetent to mortgage, charge, lease or alienate the property so let or managed, or any part thereof.

Sale by Collector.

324. If on the expiration of the letting or management, the amount necessary to discharge such debts in full with the interest (if any) payable thereon has not been raised, the Collector shall notify the fact in writing to the judgment-debtor or his representative, stating at the same time that, if the balance necessary to discharge such debts and interest is not paid to the Collector within six weeks of the date of such notice, the Collector will proceed to sell the said property; and if on the expiration of the said six weeks the said balance is not so paid, the Collector shall sell such property accordingly.

Sale, &c., to be reported to Court by Collector.

325. Whenever the Collector sells any property pursuant to the said order of sale or exercises any of the powers conferred upon him by section 321 or 322, he shall inform the Court which made such order of the fact of such sale or exercise, and shall render accounts to such Court of his receipts and payments in respect of the said property, and shall hold the balance at the disposal of such Court.

Application of balance.

Such balance (after deducting therefrom any debts due or liabilities incurred to Government by the judgment-debtor) shall be applied rateably in discharging the claims of all the decree-holders who have complied with the said notice; and no other person making any claim against the property so let or managed, or against such proceeds, shall be entitled to be paid thereout.

When Court may authorize Collector to stay public sale of land.

326. When, in any local area in which no declaration under section 320 is in force, the property attached consists of land or of a share in land, and the Collector represents to the Court that the public sale of the land or share is objectionable, and that satisfaction of the decree may be made within a reasonable period by a temporary alienation or management of the land or share, the Court may authorize the Collector to provide for such satisfaction in the manner recommended by him, instead of proceeding to a sale of the land or share. The provisions of sections 322 to 325 (both inclusive) shall in such case apply to the Collector.

Local rules as to sales of land in execution of decrees for money.

327. The Local Government may from time to time, with the sanction of the Governor General in Council, make special rules for any local area imposing conditions in respect of sale of any class of interests in land in execution of decrees for money, where such interests are so uncertain or undetermined as in the opinion of the Local Government to make it impossible to fix their value:

and if, when this Code comes into operation in any local area, any special rules as to sale of land in execution of decrees are in force therein, the Local Government may continue such rules in force, or may from time to time, with the sanction of the Governor General in Council, modify the same.

All rules so made or continued, and all such modifications of the same, shall be published in the local official Gazette, and shall thereupon have the force of law.

H.—Of Resistance to Execution.

Procedure in case of obstruction to execution of decree.

328. If in the execution of a decree for the possession of property, the officer charged with the execution of the warrant is resisted or obstructed by any person, the decree-holder may complain to the Court at any time within one month from the time of such resistance or obstruction.

The Court shall fix a day for investigating the complaint, and shall summon the party against whom the complaint is made to answer the same.

Procedure in case of obstruction by judgment-debtor or at his instigation.

329. If the Court is satisfied that the obstruction or resistance was occasioned by the judgment-debtor or by some person at his instigation, the Court shall inquire into the matter of the complaint, and pass such order as it thinks fit.

Procedure when obstruction continues.

330. If the Court is satisfied that the resistance or obstruction was without any just cause, and that the complainant is still resisted or obstructed in obtaining possession of the property by the judgment-debtor or some other person at his instigation, the Court may, at the instance of the decree-holder and without prejudice to any penalty to which such judgment-debtor or other person may be liable, under the Indian Penal Code or any other law, for such resistance or obstruction, commit the judgment-debtor or such other person to jail for a term which may extend to thirty days, and direct that the decree-holder be put into possession of the property.

Procedure in case of obstruction by claimant in good faith, other than judgment debtor.

331. If the resistance or obstruction has been occasioned by any person other than the judgment-debtor claiming in good faith to be in possession of the property on his own account or on account of some person other than the judgment-debtor, the claim shall be numbered and registered as a suit between the decree-holder as plaintiff and the claimant as defendant;

and the Court shall, without prejudice to any proceedings to which the claimant may be liable under the Indian Penal Code or any other law for the punishment of such resistance or obstruction, proceed to investigate the claim in the same manner and with the like power as if a suit for the property had been instituted by the decree-holder against the claimant under the provisions of the Specific Relief Act, 1877, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

Procedure in case of person dispossessed of property disputing right of decree-holder to be put into possession.

332. If any person other than the defendant is dispossessed of any property in execution of a decree, and such person disputes the right of the decree-holder to dispossess him of such property under the decree, on the ground that the property was *bonâ fide* in his possession on his own account or on account of some person other than the judgment-debtor, and that it was not comprised in the decree, or that, if it was comprised in the decree, he was not a party to the suit in which the decree was passed, he may apply to the Court.

If, after examining the applicant, it appears to the Court that there is probable cause for making the application, the application shall be numbered and registered as a suit between the applicant as plaintiff and the decree-holder as defendant, and the Court shall proceed to investigate the matter in dispute in the same manner and with the like power as if a suit for the property had been instituted by the applicant against the decree-holder under the provisions of the Specific Relief Act, 1877, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

In hearing applications under this section, the Court shall confine itself to the grounds of dispute above specified.

Nothing in this section or section 330 applies to a person to whom the judgment-debtor has transferred the property after the institution of the suit in which the decree is made.

Orders passed under sections 331 and 332 to have force of decrees, and to be subject to appeal.

333. The order passed under either of sections 331 and 332 shall be in the nature of, and shall have the same force as, a decree in a suit, and shall be subject to the same conditions as to appeal or otherwise.

Resisting or obstructing purchasers in obtaining possession of immoveable property.

334. If the purchaser of any immoveable property sold in execution of a decree be resisted or obstructed by the judgment-debtor or any one on his behalf in obtaining possession of the property, the provisions of this chapter relating to resistance or obstruction to a decree-holder in obtaining possession of the property adjudged to him, shall be applicable.

Obstruction by claimant other than defendant.

335. If it appear that the resistance or obstruction was occasioned by any person other than the judgment-debtor, not in possession of the property sold, but claiming a right thereto as proprietor, mortgagee, lessee or under any other title, the Court, on the complaint of the purchaser, shall enquire into the matter of the resistance or obstruction, and pass such order thereon as it thinks fit.

The party against whom such order is passed may institute a suit to establish the right which he claims to the present possession of the property, but subject to the result of such suit, if any, the order shall be conclusive.

I.—Of Arrest and Imprisonment.

Place of judgment-debtor's imprisonment.

336. A judgment-debtor may be arrested in execution of a decree at any hour and on any day, and shall as soon as practicable be brought before the Court, and his imprisonment may be in the civil jail of the district in which the Court ordering the imprisonment is situate, or, when such jail does not afford suitable accommodation, in any other place which the Local Government may appoint for the confinement of persons ordered to be imprisoned by the Courts of such district:

Arrest in houses.

Provided that no house shall be entered after sunset and before sunrise for the purpose of making an arrest under this section:

Proviso.

Provided also that when the decree in execution of which a judgment-debtor is arrested is a decree for money and the judgment-debtor pays the amount of the decree and the costs of the arrest to the officer arresting him, such officer shall at once release him.

The Local Government may, by notification published in the official Gazette, direct that whenever a judgment-debtor is arrested in execution of a decree for money and brought before the Court under this section, the Court shall inform him that he may apply under chapter XX to be declared an insolvent, and that he will be discharged if he has not committed any act of bad faith regarding the subject of his application and if he places all his property in possession of a receiver appointed by the Court.

If after such publication the judgment-debtor express his intention so to apply, and if he furnish sufficient security that he will appear when called upon, and that he will within one month apply under section 344 to be declared an insolvent, the Court shall release him from arrest:

But if he fails so to apply, the Court may either direct the security to be realised or commit him to jail in execution of the decree.

Warrant for arrest to direct judgment-debtor to be brought up.

337. Every warrant for the arrest of the judgment-debtor shall direct the officer entrusted with its execution to bring him before the Court with all convenient speed, unless the amount which he has been ordered to pay, together with the interest thereon and the costs, if any, to which he is liable, be sooner paid.

Scales of subsistence-allowances.

338. The Local Government may from time to time prescribe scales, graduated according to rank, race and nationality, of monthly allowances payable for the subsistence of judgment-debtors.

Judgment-debtor's subsistence-money.

339. No judgment-debtor shall be arrested in execution of a decree unless and until the decree-holder pays into court such sum as, having regard to the scales so fixed, the Judge thinks sufficient for the subsistence of the judgment-debtor from his arrest until he can be brought before the Court.

When a judgment-debtor is committed to jail in execution of a decree, the Court shall fix for his subsistence such monthly allowance as he may be entitled to according to the said scales, or where no such scales have been fixed, as it considers sufficient with reference to the class to which he belongs.

The monthly allowance fixed by the Court shall be supplied by the party on whose application the decree has been executed, to the proper officer of the Court by monthly payments in advance before the first day of each month.

The first payment shall be made for such portion of the current month as remains unexpired before the judgment-debtor is committed to jail.

Subsistence-money to be added to amount of decree.

340. Sums disbursed by the decree-holder for the subsistence of the judgment-debtor in jail shall be deemed to be costs on the suit:

Provided that the judgment-debtor shall not be detained in jail or arrested on account of any sum so disbursed.

Release of judgment-debtor.

341. The judgment-debtor shall be discharged from jail,

(*a*) on the decree being fully satisfied, or

(*b*) at the request of the person on whose application he has been imprisoned, or

(*c*) on such person omitting to pay the allowance as hereinbefore directed, or

(*d*) if the judgment-debtor be declared an insolvent, as hereinafter provided, or

(*e*) when the term of his imprisonment as limited by section 342 is fulfilled:

Provided that in the first, second, third and fourth cases mentioned in this section, the judgment-debtor shall not be discharged without the order of the Court.

A judgment-debtor discharged under this section is not thereby discharged from his debt, but he cannot be re-arrested under the decree in execution of which he was imprisoned.

Imprisonment not to exceed six months.

When not to exceed six weeks.

342. No person shall be imprisoned in execution of a decree for a longer period than six months;

or for a longer period than six weeks if the decree be for the payment of a sum of money not exceeding fifty rupees.

Endorsement on warrant.

343. The officer entrusted with the execution of the warrant shall endorse thereupon the day on and the manner in, which it was executed; and if the latest day specified in the warrant for the return thereof has been exceeded, the reason of the delay; or if it was not executed, the reason why it was not executed, and shall return the warrant with such endorsement to the Court.

If the endorsement is to the effect that such officer is unable to execute the warrant, the Court shall examine him on oath touching his alleged inability, and may, if it think fit, summon and examine witnesses as to such inability and shall record the result.

CHAPTER XX.

OF INSOLVENT JUDGMENT-DEBTORS.

Power to apply to be declared an insolvent.

344. Any person arrested or imprisoned in execution of a decree for money may apply in writing to be declared an insolvent.

Such application shall be made to the District Court which ordered his arrest or imprisonment, or when the District Court did not make such order, then to the District Court to which the Court that made the order is subordinate.

Contents of application.

345. The application shall set forth—

(*a*) the fact of such person's arrest or imprisonment, the Court by whose order he was arrested or imprisoned, and the place in which he is in custody;

(*b*) the amount, kind and particulars of his property, and the value of any such property not consisting of money;

(*c*) the place or places in which such property is to be found;

(*d*) his willingness to put it at the disposal of the Court;

(*e*) the amount and particulars of all pecuniary claims against him; and

(*f*) the names and residences of his creditors, so far as they are known to or can be ascertained by him.

Subscription and verification of application.

346. The application shall be subscribed and verified by the applicant in manner hereinbefore prescribed for subscribing and verifying plaints.

Service on decree-holder of copy of application and notice.

347. The Court shall fix a day for hearing the application, and shall cause a copy thereof, with a notice in writing of the time and place at which it will be heard, to be stuck up in Court and served at the applicant's expense on the holder of the decree in execution of which he was arrested or imprisoned, or on the pleader of such decree-holder, and on the other creditors (if any) mentioned in the application.

The Court may, if it thinks fit, publish at the applicant's expense the application in such official Gazettes and public newspapers as it thinks fit.

Power to serve other creditors.

348. The Court may also, if it thinks fit, cause a like copy and notice to be served on any other person alleging himself to be a creditor of the applicant and applying for leave to be heard on the application.

Powers of Court as to applicant under arrest.

349. Where the applicant is under arrest, the Court may, pending the hearing under section 350, order him to be immediately committed to jail; or leave him in the custody of the officer to whom the service of the warrant was entrusted.

Procedure at hearing.

350. On the day so fixed, or on any subsequent day to which the Court may adjourn the hearing, the Court shall examine the applicant, in the presence of the persons on whom such notice has been served or their pleaders, as to his then circumstances and as to his future means of payment, and shall hear the said decree-holder, the other creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors, in opposition to the applicant's discharge; and may, if it thinks fit, grant time to the said decree-holder and other creditors or persons to adduce evidence showing that the applicant is not entitled to be declared an insolvent.

Declaration of insolvency and appointment of receiver.

351. If the Court is satisfied—

(*a*) that the statements in the application are substantially true;

(*b*) that the applicant has not, with intent to defraud his creditors, concealed, transferred or removed any part of his property since the institution of the suit in which was passed the decree in execution of which he was arrested or imprisoned or at any subsequent time;

(*c*) that he has not, knowing himself to be unable to pay his debts in full, recklessly contracted debts or given an unfair preference to any of his creditors by any payment or disposition of his property;

(*d*) that he has not committed any other act of bad faith regarding the matter of the application,

the Court may declare him to be an insolvent, and may also, if it think fit, make an order appointing a receiver of his property, or if it does not appoint such receiver, may discharge the insolvent.

Creditors to prove their debts.

Schedule to be framed.

352. The creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors of the insolvent, shall then produce evidence of the amount and particulars of their respective pecuniary claims against him; and the Court shall by order determine the persons who have proved themselves to be the insolvent's creditors and their respective debts; and shall frame a schedule of such persons and debts; and the declaration under section 351 shall be deemed to be a decree in favour of each of the said creditors for their said respective debts.

A copy of every such schedule shall be stuck up in the court-house.

Nothing in this section shall be deemed to entitle a partner in an insolvent firm or, when he has died before the insolvency, his legal representative, to prove in competition with the creditors of the firm.

Applications by creditors.

353. Any creditor of the insolvent who is not mentioned in such schedule may, within three months from its publication, apply to the Court for permission to produce evidence of the amount and particulars of his pecuniary claims against the insolvent, and in case the applicant proves himself to be a creditor of the insolvent, for an order directing his name to be inserted in the schedule as a creditor for the debt so proved.

Any creditor mentioned in the schedule may within three months from the publication of the schedule apply to the Court for an order altering the schedule so far as regards the amount, nature, or particulars of his own debt, or to strike out the name of another creditor, or to alter the schedule so far as regards the amount, nature, or particulars of the debt of another creditor.

In the case of any application under this section, the Court, after causing such notices as it thinks fit to be served, at the applicant's expense, on the insolvent and the other creditors and hearing their objections, if any, may comply with or reject the application.

Effect of order appointing Receiver.

354. Every order under section 351 shall be published in the local official Gazette and shall operate to vest in the Receiver all the insolvent's property (except the particulars specified in the first proviso to section 266), whether set forth in his application or not.

Receiver to give security and collect assets.

355. The Receiver so appointed shall give such security as the Court may direct and shall possess himself of all such property, except as aforesaid;

Discharge of insolvent.

and on his certifying that the insolvent has placed him in possession thereof, or has done everything in his power for that purpose, the Court may discharge the insolvent from arrest or imprisonment, as the case may be, upon such conditions (if any) as the Court thinks fit.

Duty of Receiver.

356. The Receiver shall proceed under the direction of the Court—

(*a*) to convert the property into money:

(*b*) to pay thereout debts, fines and penalties (if any) due by the insolvent to Government:

(*c*) to pay the said decree-holder's costs:

(*d*) to distribute the balance among the scheduled creditors rateably according to the amounts of their respective debts, and without any preference;

His right to remuneration.

Delivery of surplus.

and such Receiver may retain as a remuneration for the performance of his duties a commission, to be fixed by the Court, not exceeding the rate of five per centum upon the amount of the balance so distributed (the amount of the commission so retained being deemed a distribution), and shall deliver the surplus, if any, to the insolvent or his legal representative.

Effect of discharge.

357. An insolvent discharged under section 355 shall not be arrested or imprisoned on account of any of the scheduled debts. But (subject to the provisions of section 358) his

property, whether previously or subsequently acquired (except the particulars specified in the first proviso to section 266 and except the property vested in the Receiver), shall, by order of the Court, be liable to attachment and sale until the decrees against him held by the scheduled creditors are fully satisfied or become incapable of being executed.

358. If the aggregate amount of the scheduled debts is two hundred rupees or a less sum, the Court may declare the insolvent discharged as aforesaid absolved from further liability in respect of such debts.

When Court may declare insolvent absolved from further liability.

359. Whenever, at the hearing under section 350, it is proved that the applicant has

Procedure in case of dishonest applicant.

(*a*) been guilty, in his application, of any concealment or of wilfully making any false statement as to the debts due by him, or respecting the property belonging to him, whether in possession or in expectancy, or held for him in trust;

(*b*) fraudulently concealed, transferred or removed any property; or

(*c*) committed any other act of bad faith regarding the matter of the application,

the Court shall, at the instance of any of his creditors, sentence him to imprisonment for a term which may extend to one year from the date of committal.

Or the Court may, if it think fit, send him to the Magistrate to be dealt with according to law.

360. The Local Government may, by notification in the official Gazette, invest any Court other than a District Court with the powers conferred on District Courts by sections 344 to 359 (both inclusive), and the District Judge may transfer to any Court situate in his district and so invested any case instituted under section 344.

Investment of other Courts with powers of District Courts.

Transfer of cases.

Any Court so invested may entertain any application under section 344 by any person arrested in execution of a decree of such Court.

PART II.

OF INCIDENTAL PROCEEDINGS.

CHAPTER XXI.

OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

361. The death of a plaintiff or defendant shall not cause the suit to abate if the cause of action survives.

No abatement by party's death, if cause of action survive.

Illustrations.

(*a*) A covenants with B and C to pay an annuity to B during C's life. B and C sue A to compel payment. B dies before the decree: the cause of action survives to C, and the suit does not abate.

(*b*) In the same case, all the parties die before decree. The cause of action survives to the representative of the survivor of B and C, and he may continue the suit against A's representative.

(*c*) A sues B for libel. A dies. The cause of action does not survive and the suit abates.

(*d*) A, a member of a Hindú joint family under the Mitákshará law, institutes a suit for partition of the family property. A dies leaving B, a minor son, his heir. The cause of action survives to B, and the suit does not abate.

362. If there be more plaintiffs or defendants than one, and any of them dies, and if the cause of action survives to the surviving plaintiff or plaintiffs alone, or against the surviving defendant or defendants alone, the Court shall cause an entry to that effect to be made on the record, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants.

Proceeding in case of death of one of several plaintiffs or defendants, if cause of action survive.

363. If there be more plaintiffs than one, and any of them dies, and if the cause of action does not survive to the surviving plaintiff or plaintiffs alone, but survives to him or them and the legal representative of the deceased plaintiff jointly, the Court may, on the application of such legal representative, enter his name on the record in the place of such deceased plaintiff, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs and such legal representative.

Proceeding in case of death of one of several plaintiffs where cause of action survives to survivors and representative of deceased.

364. If no application be made to the Court by any person claiming to be the legal representative of a deceased plaintiff, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs;

Proceeding where no application made by representative of deceased plaintiff.

and the legal representative (if any) of the deceased plaintiff shall be made a party and shall be interested in and bound by the decree passed in the suit, in the same manner as if the suit had proceeded at his instance conjointly with the surviving plaintiff or plaintiffs.

365. In case of the death of a sole plaintiff or sole surviving plaintiff, the Court may, where the cause of action survives, on the application of the legal representative of the deceased, enter his name in the place of such plaintiff on the record, and the suit shall thereupon proceed.

Proceeding in case of death of sole, or sole surviving, plaintiff.

366. If no such application be made to the Court by any person claiming to be the legal representative of the deceased plaintiff, the Court may pass an order that the suit shall abate, and award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the estate of the deceased plaintiff;

Abatement where no application by representative of deceased plaintiff.

or the Court may, if it think proper, on the application of the defendant, and upon such terms as to costs or otherwise as it thinks fit, pass such other order as it thinks fit for bringing in the legal representative of the deceased plaintiff, or for proceeding with the suit in order to a final determination of the matter in dispute, or for both those purposes.

Explanation.—A certificate of heirship, or a certificate to collect debts, does not of itself constitute the person holding it the legal representative of the deceased. But when the person holding any such certificate obtains thereby property belonging to the deceased, he may be treated as a legal representative liable in respect of such property.

367. If any dispute arise as to who is the legal representative of a deceased plaintiff, the Court may either stay the suit until the fact has been determined in another suit, or decide at or before the hearing of the suit who shall be admitted to be such legal representative for the purpose of prosecuting the suit.

Procedure in case of dispute as to representative of deceased plaintiff.

368. If there be more defendants than one, and any of them die before decree and the cause of action does not survive against the surviving defendant or defendants alone,

Procedure in case of death of one of several defendants, or of sole or sole surviving defendant.

and also in case of the death of a sole defendant, or sole surviving defendant, where the right to sue survives,

the plaintiff may make an application to the Court, specifying the name, description and place of abode of any person whom he alleges to be the legal representative of the deceased defendant, and whom he desires to be made the defendant in his stead.

The Court shall thereupon enter the name of such representative on the record in the place of such defendant,

and shall issue a summons to such representative to appear on a day to be therein mentioned to defend the suit;

and the case shall thereupon proceed in the same manner as if such representative had originally been made a defendant and had been a party to the former proceedings in the suit:

Provided that the person so made defendant may object that he is not the legal representative of the deceased defendant, or may make any defence appropriate to his character as such representative.

369. The marriage of a female plaintiff or defendant shall not cause the suit to abate, but the suit may notwithstanding be proceeded with to judgment, and where the decree is against a female defendant, it may thereupon be executed against her alone.

Suit not abated by marriage of female party.

If the case is one in which the husband is by law liable for the debts of his wife, the decree may, with the permission of the Court, be executed against the husband also; and in case of judgment for the wife, execution of the decree may with such permission be issued upon the application of the husband, where the husband is by law entitled to the subject-matter of the decree.

370. The bankruptcy or insolvency of a plaintiff in any suit which his assignee or the receiver appointed under section 351 might maintain for the benefit of his creditors shall not bar the suit, unless such assignee or receiver declines to continue the suit and to give security for the costs thereof within such time as the Court may order.

When plaintiff's bankruptcy or insolvency bars suit.

If the assignee or receiver neglect or refuse to continue the suit and to give such security within the time so ordered, the defendant may apply for the dismissal of the suit on the ground of the plaintiff's bankruptcy or insolvency, and the Court may dismiss the suit and award to the defendant the costs which he has incurred in defending the same, to be proved as a debt against the plaintiff's estate.

Procedure when assignee or receiver neglects to continue suit or give security.

371. When a suit abates or is dismissed under this chapter, no fresh suit shall be brought on the same cause of action.

Effect of abatement on parties' rights.

But the person claiming to be the legal representative of the deceased bankrupt or insolvent plaintiff, may apply for an order to set aside the order for abatement or dismissal; and if it be proved that he was prevented by any sufficient cause from continuing the suit, the Court shall set aside the abatement or dismissal upon such terms as to costs or otherwise as it thinks fit.

Application to set aside abatement or dismissal.

372. In other cases of assignment, creation or devolution of any interest pending the suit, the suit may, with the leave of the Court, given either with the consent of all parties or after service of notice in writing upon them, and hearing their objections, if any, be continued by or against the person to whom such interest has come, either in addition to or in substitution for the person from whom it has passed, as the case may require.

Procedure in case of assignment pending the suit.

CHAPTER XXII.

OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

373. If, at any time after the institution of the suit, the Court is satisfied on the application of the plaintiff (*a*) that the suit must fail by reason of some formal defect, or (*b*) that there are sufficient grounds for permitting him to withdraw from the suit or to abandon part of his claim with liberty to bring a fresh suit for the subject-matter of the suit or for the part so abandoned, the Court may grant such permission on such terms as to costs of otherwise as it thinks fit.

Power to allow plaintiff to withdraw with liberty to bring fresh suit.

If the plaintiff withdraw from the suit, or abandon part of his claim, without such permission, he shall be liable for such costs as the Court may award, and shall be precluded from bringing a fresh suit for the same matter.

Nothing in this section shall be deemed to authorize the Court to permit one of several plaintiffs to withdraw without the consent of the others.

374. In any fresh suit instituted on permission granted under the last preceding section, the plaintiff shall be bound by the law of limitation in the same manner as if the first suit had not been brought.

Limitation-law not affected by first suit.

375. If a suit be adjusted by any lawful agreement or compromise between the defendant and the plaintiff in respect to the matter of the suit, such agreement, compromise or satisfaction shall be recorded, and the Court shall pass a decree in accordance therewith so far as it relates to the parties to the suit, and such decree shall be final.

Compromise of suits.

CHAPTER XXIII.

OF PAYMENT INTO COURT.

Deposit by defendant of amount in satisfaction of claim.

376. The defendant in any suit to recover a debt or damages, may, at any stage of the suit, deposit in Court such sum of money as he considers a satisfaction in full of the claim.

Notice of deposit.

377. Notice of the deposit shall be given by the defendant to the plaintiff, and the amount of the deposit shall (unless the Court otherwise directs) be paid to the plaintiff on his application.

Interest on sum deposited not allowed to plaintiff after receipt of notice.

378. No interest shall be allowed to the plaintiff on any sum deposited by the defendant from the date of the receipt of such notice, whether the sum deposited be in full of the claim or fall short thereof.

Procedure where plaintiff accepts deposit as satisfaction in part.

379. If the plaintiff accept such amount only as satisfaction in part of his claim, he may prosecute his suit for the balance; and if the Court decides that the deposit by the defendant was a full satisfaction of the plaintiff's claim, the plaintiff must pay the costs of the suit incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

Procedure where he accepts it as satisfaction in full.

If the plaintiff accept such amount as satisfaction in full of his claim, he shall present to the Court a statement to that effect, and such statement shall be filed and the Court shall pass judgment accordingly, and in directing by whom the costs of each party are to be paid, the Court shall consider which of the parties is most to blame for the litigation.

Illustrations.

(*a*) A owes B Rs. 100. B sues A for the amount, having made no demand for payment and having no reason to believe that the delay caused by making a demand would place him at a disadvantage. On the plaint being filed, A pays the money into Court. B accepts it in full satisfaction of his claim, but the Court should not allow him any costs, the litigation being presumably groundless on his part.

(*b*) B sues A under the circumstances mentioned in illustration (*a*). On the plaint being filed, A disputes the claim. Afterwards A pays the money into Court. B accepts it in full satisfaction of his claim. The Court should also give B his costs of suit, A's conduct having shown that the litigation was necessary.

(*c*) A owes B Rs. 100 and is willing to pay him that sum without suit. B claims Rs. 150 and sues A for that amount. On the plaint being filed, A pays Rs. 100 into Court and disputes only his liability to pay the remaining Rs. 50. B accepts the Rs. 100 in full satisfaction of his claim. The Court should order him to pay A's costs.

CHAPTER XXIV.

OF REQUIRING SECURITY FOR COSTS.

When security for costs may be required from plaintiff at any stage of suit.

380. If, at the institution or at any subsequent stage of a suit, it appears to the Court that a sole plaintiff is, or (when there are more plaintiffs than one) that all the plaintiffs are, residing out of British India, and that such plaintiff does not, or that no one of such plaintiffs does, possess any sufficient immoveable property within British India independent of the property in suit, the Court may, either of its own motion or on the application of any defendant, order the plaintiff or plaintiffs, within a time to be fixed by the order, to give security for the payment of all costs incurred and likely to be incurred by any defendant.

Procedure where requisition is not complied with.

381. In the event of such security not being furnished within the time so fixed, the Court shall dismiss the suit unless the plaintiff or plaintiffs be permitted to withdraw therefrom under the provisions of section 373.

Residence out of British India.

382. Whoever leaves British India under such circumstances as to afford reasonable probability that he will not be forthcoming whenever he may be called upon to pay costs shall be deemed to be residing out of British India, within the meaning of section 380.

CHAPTER XXV.

OF COMMISSIONS.

A.—Commissions to examine Witnesses.

Cases in which Court may issue commission to examine witness.

383. Any Court may in any suit issue a commission for the examination on interrogatories or otherwise of persons resident within the local limits of its jurisdiction, who are exempted under this Code from attending the Court, or who are from sickness or infirmity unable to attend it.

Order for commission may be made either on application of parties or by Court of its own accord.

384. Such order may be made by the Court either of its own motion, or on the application, supported by affidavit, of any party to the suit or of the witness to be examined.

When witness resides within Court's jurisdiction.

385. The commission for the examination of a person who resides within the local limits of the jurisdiction of the Court issuing the same, may be issued to any person whom the Court thinks fit to execute the same.

When witness resides beyond Court's jurisdiction, but in British India.

386. Any Court may in any suit issue a commission for the examination of—

(*a*) any person resident beyond the local limits of its jurisdiction;

(*b*) persons who are about to leave such limits before the date on which they are required to be examined in Court; and

(*c*) civil and military officers of Government who cannot, in the opinion of the Judge, attend the Court without detriment to the public service.

Such commission shall ordinarily be issued to any Court not being a High Court, within the local limits of whose jurisdiction such person resides, and which can most conveniently execute the same:

Provided that if he resides beyond the local limits of the jurisdiction of the Court issuing the commission and within the towns of Calcutta, Madras, Bombay or Rangoon, the commission shall be issued to the Court of Small Causes within whose jurisdiction he resides:

When witness is within local limits of ordinary original civil jurisdiction of a High Court.

Provided also that, under special circumstances, the commission may be directed to any person whom the Court issuing the commission thinks fit to appoint.

The Court on issuing any commission under this section shall direct whether the commission shall be returned to itself or to any subordinate Court.

When witness is not within British India.

387. When any Court to which application is made for the issue of a commission for the examination of a person residing at any place not within British India is satisfied that his evidence is necessary, the Court may issue such commission.

Court to examine witness pursuant to commission.

388. Every Court receiving a commission for the examination of any person shall examine him pursuant thereto.

Commission when executed to be returned to Court issuing it with depositions of witnesses.

389. After the commission has been duly executed, it shall be returned, together with the evidence taken under it, to the Court out of which it issued, unless the order for issuing the commission has otherwise directed, in which case the commission shall be returned in terms of such order; and the commission and the return thereto, and the evidence taken under it, shall (subject to the provisions of the next following section) form part of the record of the suit.

When depositions may be read in evidence.

390. Evidence taken under a commission shall not be read as evidence in the suit without the consent of the party against whom the same is offered, unless

(*a*) the person who gave the evidence is beyond the jurisdiction of the Court, or dead, or unable from sickness or infirmity to attend to be personally examined, or exempted from personal appearance in Court, or

(*b*) the Court in its discretion dispenses with the proof of any of the circumstances mentioned in the last preceding clause, and authorizes the evidence of any person being read as evidence in the suit, notwithstanding proof that the cause for taking such evidence by commission has ceased at the time of reading the same.

Provisions as to execution and return of commissions to apply to commissions issued by foreign Courts.

391. The provisions hereinbefore contained as to the execution and return of commissions shall apply to commissions issued by

(*a*) Courts situate beyond the limits of British India and established by the authority of Her Majesty or of the Governor General in Council, or

(*b*) Courts situate in any part of the British Empire other than British India, or

(*c*) Courts of any foreign country for the time being in alliance with Her Majesty.

B.—Commissions for Local Investigations.

Commission to make local investigations.

392. In any suit or proceeding in which the Court deems a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the market-value of any property, or the amount of any mesne profits or damages or annual nett profits, and the same cannot be conveniently conducted by the Judge in person, the Court may issue a commission to such person as it thinks fit, directing him to make such investigation and to report thereon to the Court:

Provided that, when the Local Government has made rules as to the persons to whom such commission shall be issued, the Court shall be bound by such rules.

Procedure of Commissioner.

393. The Commissioner, after such local inspection as he deems necessary, and after reducing to writing the evidence taken by him, shall return such evidence, together with his report in writing, subscribed with his name, to the Court.

Report and depositions to be evidence in suit.

The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court, or any of the parties to the suit may, with the permission of the Court, examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to the manner in which he has made the investigation.

Commissioner may be examined in person.

C.—Commissions to examine Accounts.

Commission to examine or adjust accounts.

394. In any suit in which an examination or adjustment of accounts is necessary, the Court may issue a commission to such person as it thinks fit directing him to make such examination or adjustment.

Court to give Commissioner necessary instructions.

395. The Court shall furnish the Commissioner with such part of the proceedings and such detailed instructions as appear necessary,

and the instructions shall distinctly specify whether the Commissioner is merely to transmit the proceedings which he may hold on the inquiry, or also to report his own opinion on the point referred for his examination.

Proceedings of Commissioner receivable in evidence.

Power to make further inquiry.

The proceedings of the Commissioner shall be received in evidence in the suit, unless the Court has reason to be dissatisfied with them, in which case the Court shall direct such further inquiry as is requisite.

D.—Commission to make Partition.

Commission to make partition of non-revenue-paying immoveable property.

396. In any suit in which the partition of immoveable property not paying revenue to Government appears to the Court to be necessary, the Court, after ascertaining the several parties interested in such property and their several rights therein, may issue a commission to such persons as it thinks fit to make a partition according to such rights.

The Commissioners shall ascertain and inspect the property, and shall divide the same into as many shares as may be directed by the order under which the commission issues, and shall allot such shares to the parties, and may, if authorized thereto by the said order, award sums to be paid for the purpose of equalizing the value of the shares.

The Commissioners shall then prepare and sign a report, or (if they cannot agree) separate reports, appointing the share of each party, and dis-

tinguishing each share (if so directed by the said order) by metes and bounds. Such report or reports shall be annexed to the commission and transmitted to the Court: and the Court, after hearing any objections which the parties may make to the report or reports shall either quash the same and issue a new commission, or (where the Commissioners agree in their report) pass a decree in accordance therewith.

E.—General Provisions.

397. Before issuing any commission under this chapter, the Court may order such sum (if any) as it thinks reasonable for the expenses of the commission to be paid into Court by the party at whose instance or for whose benefit the commission is issued.

Expenses of commission to be paid into Court.

398. Any Commissioner appointed under this chapter may, unless otherwise directed by the order of appointment,

Commissioner may examine parties and witnesses and call for papers.

(*a*) examine the parties themselves and any witness whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him:

(*b*) call for and examine documents and other things relevant to the subject of inquiry:

(*c*) at any reasonable time enter upon or into any land or building mentioned in the order.

399. The provisions of this Code relating to the summoning, attendance and examination of witnesses and to the remuneration of, and penalties to be imposed upon, witnesses, shall apply to persons required to give evidence or to produce documents under this chapter, whether the commission in execution of which they are so required has been issued by a Court situate within, or by a Court situate beyond, the limits of British India.

Attendance, examination and punishment of witnesses before Commissioner.

400. Whenever a commission is issued under this chapter, the Court shall direct that the parties to the suit shall appear before the Commissioner in person or by their agents or pleaders.

Procedure *ex parte* where parties do not appear.

If the parties do not so appear, the Commissioner may proceed *ex parte*.

PART III.
OF SUITS IN PARTICULAR CASES.

CHAPTER XXVI.
SUITS BY PAUPERS.

401. Subject to the following rules, any suit may be brought by a pauper.

Suits may be brought *in forma pauperis*.

Explanation.—A person is a 'pauper' when he is not possessed of sufficient means to enable him to pay the fee prescribed by law for the plaint in such suit, or, where no such fee is prescribed, when he is not entitled to property worth one hundred rupees other than his necessary wearing apparel and the subject-matter of the suit.

402. No suit shall be brought by a pauper to recover compensation for loss of caste, libel, slander, abusive language or assault.

What suits excepted.

403. The application for permission to sue by a pauper shall be in writing, and shall contain the particulars required by section 50 in regard to plaints in suits: a schedule of any moveable or immoveable property belonging to the petitioner, with the estimated value thereof, shall be annexed thereto; and it shall be subscribed and verified in the manner hereinbefore prescribed for the subscription and verification of plaints.

Application to be in writing.

Contents of application.

404. Notwithstanding anything contained in section 36, the application shall be presented to the Court by the applicant in person unless he is exempted from appearing in Court under section 640 or 641, in which case the application may be presented by a duly authorized agent, who can answer all material questions relating to the application, and who may be examined in the same manner as the party represented by him might have been examined had such party attended in person.

Presentation of application.

405. If the application be not framed or presented in the manner prescribed by sections 403 and 404, the Court shall reject it.

Rejection of application.

406. If the application be in proper form and duly presented, the Judge shall examine the petitioner, or his agent when the applicant is allowed to appear by agent, regarding the merits of the claim and the property of the applicant.

Examination of applicant.

When the application is presented by an agent, the Court may, if it thinks fit, order that the applicant be examined by a commission in the manner in which the examination of an absent witness may be taken under the provisions of this Code.

If presented by agent, Court may order applicant to be examined by commission.

407. If it appear to the Court upon such examination

Rejection of application.

(*a*) that the applicant is not a pauper, or

(*b*) that he has, within the two months next before the presentation of the application, disposed of any property fraudulently or with a view to obtain the benefit of this chapter, or

(*c*) that his allegations do not show a right to sue in such Court, or

(*d*) that he has entered into any agreement with reference to the subject-matter of the proposed suit under which any other person has obtained an interest in such subject-matter,

the Court shall reject the application.

408. If upon such examination the Court sees no reason to refuse the application on any of the grounds stated in section 407, it shall fix a day (of which at least ten days' previous notice shall be given to the opposite party and the Government Pleader) for receiving such evidence as the applicant may adduce in proof of his pauperism, and

Notice of day for receiving evidence of applicant's pauperism.

for hearing any evidence which may be adduced in disproof thereof.

409. On the day so fixed, or as soon thereafter as may be convenient, the Court shall examine the witnesses (if any) produced by either party, and may cross-examine the applicant or his agent, and shall make a memorandum of the substance of their evidence.

Procedure at hearing.

The Court shall also hear any argument which the parties may desire to offer on the question whether, on the face of the application and of the evidence (if any) taken by the Court as herein provided, the applicant is or is not subject to any of the prohibitions specified in section 407.

The Court shall then either allow or refuse to allow the applicant to sue as a pauper.

410. If the application be granted, it shall be numbered and registered, and shall be deemed the plaint in the suit, and the suit shall proceed in all other respects as a suit instituted under chapter V, except that the plaintiff shall not be liable to any court-fee (other than fees payable for service of process) in respect of any petition, appointment of a pleader, or other proceeding connected with the suit.

Procedure if application admitted.

411. If the plaintiff succeed in the suit, the Court shall calculate the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper; and such amount shall be a first charge on the subject-matter of the suit, and shall also be recoverable by the Government from any party ordered by the decree to pay the same, in the same manner as costs of suit are recoverable under this Code.

Costs when pauper succeeds.

Recovery of court-fees.

412. If the plaintiff fails in the suit, or if he is dispaupered, the Court shall order the plaintiff, or any person made under section 32 co-plaintiff to the suit, to pay the court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper;

and, if it find that the suit was frivolous or vexatious, it may also punish the plaintiff with fine not exceeding one hundred rupees, or with imprisonment for a term which may extend to a month, or with both.

Procedure when pauper fails.

413. Refusal to allow the applicant to sue as a pauper shall be a bar to any subsequent application of the like nature by him in respect of the same right to sue; but the applicant shall be at liberty to institute a suit in the ordinary manner in respect of such right, provided that he first pays the costs (if any) incurred by Government in opposing his application for leave to sue as a pauper.

Refusal to allow applicant to sue as pauper to bar subsequent application of like nature.

414. The Court may, on motion by the defendant, or by the Government Pleader, of which one week's notice in writing has been given to the plaintiff, order the plaintiff to be dispaupered—

Dispaupering.

(*a*) if he is guilty of vexatious or improper conduct in the course of the suit;

(*b*) if it appears that his means are such that he ought not to continue to sue as a pauper, or

(*c*) if he has entered into any agreement with reference to the subject-matter of the suit, under which any other person has obtained an interest in such subject-matter.

415. The costs of an application for permission to sue as a pauper and of an inquiry into pauperism are costs in the suit.

Costs.

CHAPTER XXVII.
SUITS BY OR AGAINST GOVERNMENT OR PUBLIC OFFICERS.

416. Suits by or against the Government shall be instituted by or against (as the case may be) the Secretary of State in Council.

Suits by or against Secretary of State in Council.

417. Persons being *ex-officio* or otherwise authorized to act for Government in respect of any judicial proceeding, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of Government.

Persons authorized to act for Government.

418. In suits by the Secretary of State for India in Council, instead of inserting in the plaint the name and description and place of abode of the plaintiff, it shall be sufficient to insert the words "The Secretary of State for India in Council."

Plaints in suits by Secretary of State in Council.

419. The Government Pleader in any Court shall be the agent of the Government for the purpose of receiving processes against the said Secretary of State in Council issuing out of such Court.

Agent of Government to receive process.

420. The Court, in fixing the day for the said Secretary of State in Council to answer to the plaint, shall allow a reasonable time for the necessary communication with the Government through the proper channels, and for the issue of intructions to the Government Pleader to appear and answer on behalf of the said Secretary of State in Council or the Government, and may extend the time at its discretion.

Appearance and answer by Secretary of State in Council.

421. The Court may also in any case in which the Government Pleader is not accompanied by any person on the part of the said Secretary of State in Council, who may be able to answer any material questions relating to the suit, direct the attendance of such a person.

Attendance of person able to answer questions relating to suit against Government.

422. Where the defendant is a public officer, the Court may send a copy of the summons to the head of the office in which the defendant is employed, for the purpose of being

Service on public officers.

served on him, if it appear to the Court that the summons may be most conveniently so served.

Extension of time to enable officer to make reference to Government.

423. If the public officer on receiving the summons considers it proper to make a reference to the Government before answering to the plaint, he may apply to the Court to grant such extension of the time fixed in the summons as may be necessary to enable him to make such reference and to receive orders thereon through the proper channel;

and the Court upon such application may extend the time for so long as appears to be requisite.

Notice previous to suing Secretary of State in Council or public officer.

424. No suit shall be instituted against the said Secretary of State in Council or against a public officer until the expiration of two months next after notice in writing has been in the case of the Secretary of State in Council delivered to, or left at the office of, a Secretary to the Local Government or the Collector of the District, and, in the case of a public officer, delivered to him or left at his office, stating the cause of action and the name and place of abode of the intending plaintiff; and the plaint must contain a statement that such notice has been so delivered or left.

Arrests in such suits.

425. No warrant of arrest shall be issued in such suit without the consent in writing of the District Judge.

Application where Government undertakes defence.

426. If the Government undertake the defence of a suit against a public officer, the Government Pleader, upon being furnished with authority to appear and answer to the plaint, shall apply to the Court, and upon such application the Court shall cause a note of his authority to be entered in the register.

Procedure where no such application made.

427. If such application is not made by the Government Pleader on or before the day fixed in the notice for the defendant to appear and answer to the plaint, the case shall proceed as in a suit between private parties, except that the defendant shall not be liable to arrest, nor his property to attachment, otherwise than in execution of a decree.

Defendant not liable to arrest before judgment.

Exemption of public officers from personal appearance.

428. In a suit against a public officer the Court shall exempt the defendant from appearing in person when he satisfies the Court that he cannot absent himself from his duty without detriment to the public service.

Procedure where decree is against Government or a public officer.

429. When the decree is against the said Secretary of State in Council or against a public officer, a time shall be specified in the decree within which it shall be satisfied; and if the decree is not satisfied within the time so specified, the Court shall report the case for the orders of the Local Government.

Execution shall not issue on any such decree unless it remains unsatisfied for the period of three months computed from the date of the report.

CHAPTER XXVIII.

SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

When aliens may sue.

430. Alien enemies residing in British India with the permission of the Governor General in Council and alien friends may sue in the Courts of British India as if they were subjects of Her Majesty.

No alien enemy residing in British India without such permission, or residing in a foreign country, shall sue in any of such Courts.

Explanation.—Every person residing in a foreign country, the Government of which is at war with the United Kingdom of Great Britain and Ireland and carrying on business in that country without a license in that behalf under the hand of one of Her Majesty's Secretaries of State or of a Secretary to the Government of India, shall; for the purpose of the second paragraph of this section, be deemed to be an alien enemy residing in a foreign country.

When a foreign State may sue.

431. A foreign State may sue in the Courts of British India, provided that—

(*a*) it has been recognized by Her Majesty or the Governor General in Council, and

(*b*) the object of the suit is to enforce the private rights of the head or of the subjects of the foreign State.

The Court shall take judicial notice of the fact that a foreign State has not been recognized by Her Majesty or by the Governor General in Council.

Persons specially appointed by Government to prosecute or defend for Princes or Chiefs.

432. Persons specially appointed by order of Government at the request of any Sovereign Prince or ruling Chief, whether in subordinate alliance with the British Government or otherwise, and whether residing within or without British India, to prosecute or defend any suit on his behalf, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of such Prince or Chief.

Suits against Sovereign Princes, &c.

433. Any such Prince or Chief, and any ambassador or envoy of a foreign State may, with the consent of Government certified by the signature of one of its Secretaries (but not without such consent) be sued in any competent Court not subordinate to a District Court;

Such consent shall not be given unless—

(*a*) the Prince, Chief, ambassador or envoy has instituted a suit in such Court against the person desiring to sue him, or

(*b*) the Prince, Chief, ambassador or envoy by himself or another trades within the local limits of the jurisdiction of such Court; or

(*c*) the subject-matter of the suit is immoveable property situate within the said local limits and in the possession of the Prince, Chief, ambassador or envoy.

No such Prince, Chief, ambassador or envoy shall be arrested under this Code; and no decree shall be executed against the property of any such Prince, Chief, ambassador or envoy unless with consent of Government certified as aforesaid.

Sovereign Princes, &c., exempt from arrest.

When their property may be attached.

Execution in British India of decrees of Courts of Native States.

434. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*a*) declare that the decrees of any Courts situate in the territories of any Native Prince or State in alliance with Her Majesty, and not established by the authority of the Governor General in Council, may be executed in British India as if they had been made by the Courts of British India, and

(*b*) cancel any such declaration.

So long as such declaration remains in force, the said decrees may be executed accordingly.

CHAPTER XXIX.

SUITS BY AND AGAINST CORPORATIONS AND COMPANIES.

Subscription and verification of plaint.

435. In suits by a Corporation, or by a Company authorized to sue and be sued in the name of an officer or of a trustee, the plaint may be subscribed and verified on behalf of the Corporation or Company by any director, secretary, or other principal officer of the Corporation or Company, who is able to depose to the facts of the case.

Service on Corporation or Company.

436. When the suit is against a Corporation, or against a Company authorized to sue and be sued in the name of an officer or of a trustee, the summons may be served

(*a*) by leaving it at the registered office (if any) of the Corporation or Company, or

(*b*) by sending it by post in a letter addressed to such officer or trustee at the office (or if there be more offices than one, at the principal office in British India) of the Corporation or Company, or

(*c*) by giving it to any director, secretary or other principal officer of the Corporation or Company,

and the Court may require the personal appearance of any director, secretary or other principal officer of the Corporation or Company who may be able to answer material questions relating to the suit.

CHAPTER XXX.

SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

Representation of beneficiaries in suits concerning property vested in trustees, &c.

437. In all suits concerning property vested in a trustee, executor or administrator, the trustee, executor or administrator shall represent the persons beneficially interested in such property; and it shall not ordinarily be necessary to make such persons parties to the suit. But the Court may, if it think fit, order them or any of them to be made such parties.

Joinder of executors and administrators.

438. When there are several executors or administrators, they shall all be made parties to a suit against one or more of them:

Provided that executors who have not proved their testator's will, and executors and administrators beyond the local limits of the jurisdiction of the Court, need not be made parties.

Husband of married executrix not to join.

439. Unless the Court directs otherwise, the husband of a married administratrix or executrix shall not be a party to a suit by or against her.

CHAPTER XXXI.

SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

Minor must sue by next friend.

Costs.

440. Every suit by a minor shall be instituted in his name by an adult person, who in such suit shall be called the next friend of the minor, and may be ordered to pay any costs in the suit as if he were the plaintiff.

Applications to be made by next friend or guardian *ad litem*.

441. Every application to the Court on behalf of a minor (other than an application under section 451) shall be made by his next friend, or his guardian for the suit.

Plaint filed without next friend to be taken off the file.

Costs.

442. If a plaint be filed by or on behalf of a minor, without a next friend, the defendant may apply to have the plaint taken off the file, with costs to be paid by the pleader or other person by whom it was presented. Notice of such application shall be given to such person by the defendant; and the Court, after hearing his objections, if any, may make such order in the matter as it thinks fit.

Guardian *ad litem* to be appointed by the Court.

443. Where the defendant to a suit is a minor, the Court, on being satisfied of the fact of his minority, shall appoint a proper person to be guardian for the suit for such minor, to put in the defence for such minor, and generally to act on his behalf in the conduct of the case.

A guardian for the suit is not a guardian of person or property within the meaning of the Indian Majority Act, 1875, section 3.

Order obtained without next friend or guardian may be discharged.

Costs.

444. Every order made in a suit or on any application before the Court, in or by which a minor is in any way concerned or affected, without such minor being represented by a next friend or guardian for the suit, as the case may be, may be discharged, and, if the pleader of the party at whose instance such order was obtained knew, or might reasonably have known, the fact of such minority, with costs to be paid by such pleader.

Who may be next friend.

445. Any person being of sound mind and full age may act as next friend of a minor, provided his interest is not adverse to that of such minor, and he is not a defendant in the suit.

446. If the interest of the next friend of a minor is adverse to that of such minor, or if he is so connected with a defendant whose interest is adverse to that of the minor, as to make it unlikely that the minor's interest will be properly protected by him, or if he does not do his duty, or, pending the suit, ceases to reside within British India, or for any other sufficient cause, application may be made on behalf of the minor or by a defendant for his removal; and the Court (if satisfied of the sufficiency of the cause assigned) may order the next friend to be removed accordingly.

Removal of next friend.

447. Unless otherwise ordered by the Court, a next friend shall not retire at his own request without first procuring a fit person to be put in his place, and giving security for the costs already incurred.

Retirement of next friend.

The application for the appointment of a new next friend shall be supported by affidavit showing the fitness of the person proposed, and also that he has no interest adverse to the minor.

Application for appointment of new next friend.

448. On the death or removal of the next friend of a minor, further proceedings shall be stayed until the appointment of a next friend is made in his place.

Stay of proceedings on death or removal of next friend.

449. If the pleader of such minor omits, within reasonable time, to take steps to get a new next friend appointed, any person interested in the minor or the matter at issue may apply to the Court for the appointment of one, and the Court may appoint such person as it thinks fit.

Application for appointment of new next friend.

450. A minor plaintiff, or a minor not a party to a suit on whose behalf an application is pending, on coming of age must elect whether he will proceed with the suit or application.

Course to be followed by minor plaintiff or applicant on coming of age.

451. If he elects to proceed with it, he shall apply for an order discharging the next friend, and for leave to proceed in his own name.

Where he elects to proceed.

The title of the suit or application shall in such case be corrected so as to read thenceforth thus:

"*A. B.* late a minor by *C. D.*, his next friend, but now of full age."

452. If he elects to abandon the suit or application, he shall, if a sole plaintiff, or sole applicant, apply for an order to dismiss the suit or application on repayment of the costs incurred by the defendant or respondent, or which may have been paid by his next friend.

Where he elects to abandon.

Costs.

453. Any application under section 451 or section 452 may be made *ex parte*, and it must be proved by affidavit that the late minor has attained his full age.

Making and proving applications under sections 451, 452.

454. A minor co-plaintiff on coming of age, and desiring to repudiate the suit must apply to have his name struck out as co-plaintiff; and the Court, if it find that he is not a necessary party, shall dismiss him from the suit on such terms as to costs or otherwise as it thinks fit.

When minor co-plaintiff.

Notice of the application shall be served on the next friend, as well as on the defendant; and it must be proved by affidavit that the late minor has attained his full age. The costs of all parties of such application and of all or any proceedings theretofore had in the suit shall be paid by such persons as the Court directs.

Costs.

If the late minor be a necessary party to the suit, the Court may direct him to be made a defendant.

455. If any minor on attaining majority can prove to the satisfaction of the Court that a suit instituted in his name by a next friend was unreasonable or improper, he may, if a sole plaintiff, apply to have the suit dismissed.

When suit unreasonable or improper.

Notice of the application shall be served on all the parties concerned: and the Court, upon being satisfied of such unreasonableness or impropriety, may grant the application, and order the next friend to pay the costs of all parties in respect of the application and of anything done in the suit.

Costs.

456. An order for the appointment of a guardian for the suit may be obtained upon application in the name of the minor. Such application must be supported by an affidavit verifying the fact that the proposed guardian has no interest in the matters in question in the suit adverse to that of the minor, and that he is a fit person to be so appointed.

Petition for appointment of guardian *ad litem*.

457. A co-defendant of sound mind and of full age may be appointed guardian for the suit, if he has no interest adverse to that of the minor; but neither a plaintiff, nor a married woman, can be so appointed.

Who may be guardian *ad litem*.

458. If the guardian for the suit of a minor defendant does not do his duty, or if other sufficient ground be made to appear, the Court may remove him, and may order him to pay such costs as may have been occasioned to any party by his breach of duty.

Guardian neglecting his duty may be removed.

Costs.

459. If the guardian for the suit dies pending such suit or is removed by the Court, the Court shall appoint a new guardian in his place.

On death of guardian, *pendente lite*, new guardian to be appointed.

460. When the enforcement of a decree is applied for against the heir or representative, being a minor, of a deceased party, a guardian for the suit of such minor shall be appointed by the Court, and the decree-holder shall serve on such guardian notice of such application.

When decree to be enforced against heir or representative.

461. No sum of money or other thing shall be received or taken by a next friend or guardian for the suit at any time on behalf of a minor, at any time before decree or order, unless he has first obtained the leave of the Court, and given security to its satisfaction that such money or other thing shall be duly accounted for, to, and held for the benefit of, such minor.

Before decree, next friend or guardian *ad litem* not to receive money without leave of Court and giving security.

462. No next friend or guardian for the suit shall, without the leave of the Court, enter into any agreement or compromise on behalf of a minor, with reference to the suit in which he acts as next friend or guardian.

Next friend or guardian *ad litem* not to compromise without leave of Court.

Any such agreement or compromise entered into without the leave of the Court shall be voidable against all parties other than the minor.

Compromise without leave voidable.

463. The provisions contained in sections 440 to 462 (both inclusive) shall, *mutatis mutandis*, apply in the case of persons of unsound mind, adjudged to be so under Act No. XXXV of 1858, or under any other law for the time being in force.

Application of sections 440 to 462 to persons of unsound mind.

464. Nothing in sections 442 to 462 applies to any minor or person of unsound mind, for whose person or property a guardian or manager has been appointed by the Court of Wards or by the Civil Court under any local law.

Wards of Court.

CHAPTER XXXII.

SUITS BY AND AGAINST MILITARY MEN.

465. When any officer or soldier actually serving the Government in a military capacity is a party to a suit, and cannot obtain leave of absence for the purpose of prosecuting or defending the suit in person, he may authorize any person to sue or defend in his stead.

Officers or soldiers who cannot obtain leave may authorize any person to sue or defend for them.

The authority shall be in writing and shall be signed by the officer or soldier in the presence of (*a*) his commanding officer or of the next subordinate officer, if the party be himself the commanding officer, or (*b*) where the officer or soldier is serving in military staff employment, the head or other superior officer of the office in which he is employed. Such commanding or other officer shall countersign the authority which shall be filed in Court.

When so filed, the countersignature shall be sufficient proof that the authority was duly executed, and that the officer or soldier by whom it was granted could not obtain leave of absence for the purpose of prosecuting or defending the suit in person.

Explanation.—In this chapter the expression 'commanding officer' means the officer in actual command for the time being of any regiment, corps, detachment or depôt, to which the officer or soldier belongs.

466. Any person authorized by an officer or soldier to prosecute or defend a suit in his stead may prosecute or defend it in person in the same manner as the officer or soldier could do if present; or he may appoint a pleader to prosecute or defend the suit on behalf of such officer or soldier.

Person so authorized may act personally or appoint pleaders.

467. Processes served upon any person authorized by an officer or soldier, as in section 465, or upon any pleader appointed as aforesaid by such person to act for, or on behalf of, such officer or soldier, shall be as effectual as if they had been served on the party in person or on his pleader.

Service on person so authorized, or on his pleader, to be good service.

468. When an officer or soldier is a defendant, the Court shall send a copy of the summons to his commanding officer for the purpose of being served on him.

Service on officers and soldiers.

The officer to whom such copy is sent, after causing it to be served on the person to whom it is addressed, if practicable, shall return it to the Court with the written acknowledgment of such person endorsed thereon.

If from any cause the copy cannot be so served, it shall be returned to the Court by which it was sent, with information of the cause which has prevented the service.

469. If, in the execution of a decree, a warrant of arrest is to be executed within the limits of a cantonment, garrison, military station or military bázár, the officer charged with the execution of such warrant shall deliver the same to the commanding officer.

Execution of warrant of arrest in cantonments, &c.

The commanding officer shall back the warrant with his signature, and the person named therein is within the limits of his command shall cause him to be arrested and delivered to the officer so charged.

CHAPTER XXXIII.

INTERPLEADER.

470. When two or more persons claim adversely to one another the same payment or property from another person, whose only interest therein is that of a mere stakeholder and who is ready to render it to the right owner, such stakeholder may institute a suit of interpleader against all the claimants for the purpose of obtaining a decision as to whom the payment or property should be made or delivered, and of obtaining indemnity for himself:

When interpleader-suit may be instituted.

Provided that if any suit is pending in which the rights of all parties can properly be decided, the stakeholder shall not institute a suit of interpleader.

471. In every suit of interpleader the plaint must, in addition to the other statements necessary for plaints, state—

Plaint in such suit.

(*a*) that the plaintiff has no interest in the thing claimed otherwise than as a mere stakeholder;

(*b*) the claims made by the defendants severally; and

(*c*) that there is no collusion between the plaintiff and any of the defendants.

Payment of thing claimed into court.

472. When the thing claimed is capable of being paid into court or placed in the custody of the Court, the plaintiff must so pay or place it before he can be entitled to any order in the suit.

Procedure at first hearing.

473. At the first hearing the Court may

(*a*) declare that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit:

or, if it thinks that justice or convenience so require,

(*b*) retain all parties until the final disposal of the suit:

and, if it finds that the admissions of the parties or other evidence enable it,

(*c*) adjudicate the title to the thing claimed; or else it may

(*d*) direct the defendants to interplead one another by filing statements and entering into evidence for the purpose of bringing their respective claims before the Court.

When agents and tenants may institute interpleader-suits.

474. Nothing in this chapter shall be taken to enable agents to sue their principals, or tenants to sue their landlords, for the purpose of compelling them to interplead with any persons other than persons making claim through such principals or landlords.

Illustrations.

(*a*) A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B. B cannot institute an interpleader-suit against A and C.

(*b*) A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B. B may institute an interpleader-suit against A and C.

Charge of plaintiff's costs.

475. When the suit is properly instituted, the Court may provide for the plaintiff's costs by giving him a charge on the thing claimed or in some other effectual way.

Procedure where a defendant is suing stakeholder.

476. If any of the defendants in an interpleader-suit is actually suing the stakeholder in respect of the subject of such suit, the Court in which the suit against the stakeholder is pending shall, on being duly informed by the Court which passed the decree in the interpleader-suit in favour of the stakeholder, that such decree has been passed, stay the proceedings as against him; and his costs in the suit so stayed may be provided for in such suit; but if, and so far as, they are not provided for in that suit, they may be added to his costs incurred in the interpleader-suit.

Costs.

PART IV.
PROVISIONAL REMEDIES.

CHAPTER XXXIV.

OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

A.—Arrest before Judgment.

When plaintiff may apply that security be taken.

477. If at any stage of any suit, other than a suit for the possession of immoveable property, the plaintiff satisfies the Court by affidavit—

that the defendant, with intent to avoid or delay the plaintiff, or to avoid any process of the Court, or to obstruct or delay the execution of any decree that may be passed against him,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under circumstances affording reasonable probability that the plaintiff will or may thereby be obstructed or delayed in the execution of any decree that may be passed against the defendant in the suit,

the plaintiff may apply to the Court that security be taken for the appearance of the defendant to answer any decree that may be passed against him in the suit.

Order to bring up defendant to show cause why he should not give security.

478. If the Court, after examining the applicant, and making such further investigation as it thinks fit, is satisfied

that the defendant, with any such intent as aforesaid,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under the circumstances last aforesaid,

the Court may issue an order for bringing the defendant before the Court to show cause why he should not give security for his appearance.

If defendant fail to show cause, Court may order him to make deposit or give security.

479. If the defendant fail to show such cause, the Court shall order him either to deposit in court money or other property sufficient to answer the claim against him, or to give security for his appearance at any time when called upon while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the suit.

The surety shall bind himself, in default of such appearance, to pay any sum of money which the defendant may be ordered to pay in the suit.

Procedure in case of application by surety to be discharged.

480. The surety for the appearance of the defendant may at any time apply to the Court in which he became such surety to be discharged from his obligation.

On such application being made, the Court shall summon the defendant to appear, or, if it thinks fit, may issue a warrant for his arrest in the first instance.

On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety to be discharged from his obligation, and shall call upon the defendant to find fresh security.

Procedure where defendant fails to give security or find fresh security.

481. If the defendant fail to comply with any order under section 479 or section 480, the Court may commit him to jail until the decision of the suit, or, if judgment be given against the defendant, until the execution of the decree: Provided that no person shall be imprisoned under this section in any case for a longer period than six months, nor for a longer period than six weeks when the amount or value of the subject-matter of the suit does not exceed fifty rupees.

Subsistence of defendant arrested.

482. The provisions of section 339 as to allowances payable for the subsistence of judgment-debtors shall apply to all defendants arrested under this chapter.

B.—Attachment before Judgment.

Application before judgment for security from defendant to satisfy decree, and in default, for attachment of property.

483. If at any stage of any suit the plaintiff satisfies the Court by affidavit that the defendant, with intent to obstruct or delay the execution of any decree that may be passed against him,

(*a*) is about to dispose of the whole or any part of his property, or to remove the same from the jurisdiction of the Court in which the suit is pending, or

(*b*) has quitted the jurisdiction of the Court, leaving therein property belonging to him,

the plaintiff may apply to the Court to call upon the defendant to furnish security to satisfy any decree that may be passed against him in such suit, and, on his failing to give such security, to direct that any portion of his property shall be attached until the further order of the Court.

Contents of application.

The application shall, unless the Court otherwise directs, specify the property required to be attached and the estimated value thereof.

Court may call on defendant to furnish security or show cause.

484. If the Court, after examining the applicant, and making any further investigation which it thinks fit, is satisfied that the defendant is about to dispose of or remove his property, with intent to obstruct or delay the execution of any decree that may be passed against him in the suit, the Court may require him, within a time to be fixed by the Court, either to furnish security in such sum as may be specified in the order, to produce and place at the disposal of the Court, when required, the said property or the value of the same, or such portion thereof as may be sufficient to satisfy the decree, or to appear and show cause why he should not furnish security.

The Court may also in the order direct the conditional attachment of the whole or any portion of the property specified in the application.

Attachment if cause not shown or security not furnished.

485. If the defendant fail to show cause why he should not furnish security, or fail to furnish the security required within the time fixed by the Court, the Court may order that the property specified in the application, or such portion thereof as appears sufficient to satisfy any decree which may be passed in the suit, shall be attached.

Withdrawal of attachment.

If the defendant show such cause or furnish the required security, and the property specified in the application or any portion of it has been attached, the Court shall order the attachment to be withdrawn.

Mode of making attachment.

486. The attachment shall be made in the manner herein provided for the attachment of property in execution of a decree for money.

Investigation of claims to property attached before judgment.

487. If any claim be preferred to the property attached before judgment, such claim shall be investigated in the manner hereinbefore provided for the investigation of claims to property attached in execution of a decree for money.

Removal of attachment when security furnished.

488. When an order of attachment before judgment is passed, the Court which passed the order shall remove the attachment whenever the defendant furnishes the security required, together with security for the costs of the attachment, or when the suit is dismissed.

Attachment not to affect rights of strangers, or bar the decree-holder from applying for sale.

489. Attachment before judgment shall not affect the rights, existing prior to the attachment, of persons not parties to the suit, nor bar any person holding a decree against the defendant from applying for the sale of the property under attachment in execution of such decree.

Property attached under this chapter, not to be re-attached in execution of decree.

490. Where property is under attachment by virtue of the provisions of this chapter, and a decree is given in favour of the plaintiff, it shall not be necessary to re-attach the property in execution of such decree.

C.—Compensation for improper Arrests or Attachments.

Compensation for obtaining arrest or attachment on insufficient grounds.

491. If in any suit in which an arrest or attachment has been effected, it appear to the Court that such arrest or attachment was applied for on insufficient grounds,

or if the suit of the plaintiff fails, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding one thousand rupees, as

it deems a reasonable compensation to the defendant for the expense or injury caused to him by the arrest or attachment:

Proviso.

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

An award under this section shall bar any suit for compensation in respect of such arrest or attachment.

CHAPTER XXXV.

OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

A.—Temporary Injunctions.

Cases in which temporary injunction may be granted.

492. If in any suit it be proved by affidavit or otherwise

(*a*) that any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, or wrongfully sold in execution of a decree, or

(*b*) that the defendant threatens, or is about to remove or dispose of his property with intent to defraud his creditors,

the Court may by order grant a temporary injunction to restrain such act, or give such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property as the Court thinks fit, or refuse such injunction or other order.

Injunction to restrain repetition or continuance of breach.

493. In any suit for restraining the defendant from committing a breach of contract or other injury, whether compensation be claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for a temporary injunction to restrain the defendant from committing the breach of contract or injury complained of, or any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right.

The Court may by order grant such injunction on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as the Court thinks fit, or refuse the same.

In case of disobedience, an injunction granted under this section or section 492 may be enforced by the imprisonment of the defendant for a term not exceeding six months, or the attachment of his property, or both.

No attachment under this section shall remain in force for more than one year, at the end of which time if the defendant has not obeyed the injunction, the property attached may be sold, and out of the proceeds the Court may award to the plaintiff such compensation as it thinks fit and may pay the balance, if any, to the defendant.

Before granting injunction, Court may direct notice to be given to opposite party.

494. The Court shall in all cases, except where it appear that the object of granting the injunction would be defeated by the delay, before granting an injunction, direct notice of the application for the same to be given to the opposite party.

Injunction to corporation binding on its members and officers.

495. An injunction directed to a corporation or public company is binding not only on the corporation or company itself, but also on all members and officers of the corporation or company whose personal action it seeks to restrain.

Order for injunction may be discharged, varied or set aside.

496. Any order for an injunction may be discharged, or varied, or set aside by the Court, on application made thereto by any party dissatisfied with such order.

Compensation to defendant for issue of injunction on insufficient grounds.

497. If it appears to the Court that the injunction was applied for on insufficient grounds, or

if, after the issue of the injunction, the suit is dismissed or judgment is given against the plaintiff by default or otherwise, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such sum, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury caused to him by the issue of the injunction:

Proviso.

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

An award under this section shall bar any suit for compensation in respect of the issue of the injunction.

B.—Interlocutory Orders.

Power to order interim sale of perishable articles.

498. The Court may, on the application of any party to a suit, order the sale, by any person named in such order, and in such manner and on such terms as it thinks fit, of any moveable property being the subject of such suit, which is subject to speedy and natural decay.

Power to make order for detention, &c., of subject-matter and to authorize entry, taking of samples and experiments.

499. The Court may, on the application of any party to a suit, and on such terms as it thinks fit,

(*a*) make an order for the detention, preservation or inspection of any property being the subject of such suit;

(*b*) for all or any of the purposes aforesaid, authorize any person to enter upon or into any land or building in the possession of any other party to such suit, and

(*c*) for all or any of the purposes aforesaid, authorize any samples to be taken, or any observation to be made or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

The provisions hereinbefore contained as to execution of process shall apply, *mutatis mutandis*, to persons authorized to enter under this section.

Application for such orders to be after notice.

500. An application by the plaintiff for an order under section 498 or section 499 may be made after notice in writing to the defendant at any time after service of the summons.

An application by the defendant for a like order may be made after notice in writing to the plaintiff, and at any time after the applicant has appeared.

When party may be put in immediate possession of land, the subject of suit.

501. When land paying revenue to Government, or a tenure liable to sale, is the subject of a suit, if the party in possession of such land or tenure neglects to pay the Government revenue, or the rent due to the proprietor of the tenure, as the case may be, and such land or tenure is consequently ordered to be sold, any other party to the suit claiming to have an interest in such land or tenure may upon payment of the revenue or rent due previously to the sale (and with or without security at the discretion of the Court), be put in immediate possession of the land or tenure;

and the Court in its decree may award against the defaulter the amount so paid, with interest thereupon at such rate as the Court thinks fit, or may charge the amount so paid, with interest thereupon at such rate as the Court orders, in any adjustment of accounts which may be directed in the decree passed in the suit.

Deposit of money, &c., in Court.

502. When the subject-matter of a suit is money or some other thing capable of delivery, and any party thereto admits that he holds such money or other thing as a trustee for another party, or that it belongs or is due to another party, the Court may order the same to be deposited in court or delivered to such last-named party, with or without security, subject to the further direction of the Court.

CHAPTER XXXVI.

APPOINTMENT OF RECEIVERS.

Power of Court to appoint receivers.

503. Whenever it appears to the Court to be necessary for the realization, preservation or better custody or management of any property, moveable or immoveable, the subject of a suit, or under attachment, the Court may by order

(*a*) appoint a receiver of such property,
and, if need be,

(*b*) remove the person in whose possession or custody the property may be from the possession or custody thereof;

(*c*) commit the same to the custody or management of such receiver; and

(*d*) grant to such receiver such fee or commission on the rents and profits of the property by way of remuneration, and all such powers as to bringing and defending suits, and for the realization, management, protection, preservation and improvement of the property, the collection of the rents and profits thereof, the application and disposal of such rents and profits, and the execution of instruments in writing, as the owner himself has, or such of those powers as the Court thinks fit.

Receiver's liabilities.

Every receiver so appointed shall

(*e*) give such security (if any) as the Court thinks fit duly to account for what he shall receive in respect of the property,

(*f*) pass his accounts at such periods and in such form as the Court directs,

(*g*) pay the balance due from him thereon as the Court directs, and

(*h*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

Nothing in this section authorizes the Court to remove from the possession or custody of property under attachment any person whom the parties to the suit, or some or one of them, have or has not a present right so to remove.

When Collector may be appointed receiver.

504. If the property be land paying revenue to Government, or land of which the revenue has been assigned or redeemed, and the Court considers that the interests of those concerned will be promoted by the management of the Collector, the Court may appoint the Collector to be receiver of such property.

Courts empowered under this chapter.

505. The powers conferred by this chapter shall be exercised only by High Courts and District Courts. Provided that whenever the Judge of a Court subordinate to a District Court considers it expedient that a receiver should be appointed in any suit before him, he shall nominate such person as he considers fit for such appointment, and submit such person's name, with the grounds for the nomination, to the District Court, and the District Court shall authorize such Judge to appoint the person so nominated or pass such other order as it thinks fit.

PART V.

OF SPECIAL PROCEEDINGS.

CHAPTER XXXVII.

REFERENCE TO ARBITRATION.

Parties to suit may apply for order of reference.

506. If all the parties to a suit desire that any matter in difference between them in the suit be referred to arbitration, they may, at any time before judgment is pronounced, apply, in person or by their respective pleaders specially authorized in writing in this behalf, to the Court for an order of reference.

Every such application shall be in writing and shall state the particular matter sought to be referred.

Nomination of arbitrator.

507. The arbitrator shall be nominated by the parties in such manner as may be agreed upon between them.

When Court to nominate arbitrator.

If the parties cannot agree with respect to such nomination, or if the person whom they nominate refuses to accept the arbitration and the parties desire that the nomination shall be made by the Court, the Court shall nominate the arbitrator.

Order of reference.

508. The Court shall, by order, refer to the arbitrator the matter in difference which he is required to determine, and shall fix such time as it thinks reasonable for the delivery of the award, and specify such time in the order.

When once a matter is referred to arbitration, the Court shall not deal with it in the same suit, except as hereinafter provided.

When reference is to two or more, order to provide for difference of opinion.

509. If the reference be to two or more arbitrators, provision shall be made in the order for a difference of opinion among the arbitrators,

(*a*) by the appointment of an umpire, or

(*b*) by declaring that the decision shall be with the majority if the major part of the arbitrators agree, or

(*c*) by empowering the arbitrators to appoint an umpire, or

(*d*) otherwise, as may be agreed between the parties; or, if they cannot agree, as the Court determines.

If an umpire is appointed, the Court shall fix such time as it thinks reasonable for the delivery of his award in case he is required to act.

Death, incapacity, &c., of arbitrators or umpire.

510. If the arbitrator, or, where there are more arbitrators than one, any of the arbitrators, or the umpire, dies, or refuses, or neglects, or becomes incapable to act, or leaves British India under circumstances showing that he will probably not return at an early date, the Court may in its discretion either appoint a new arbitrator or umpire in the place of the person so dying, or refusing, or neglecting, or becoming incapable to act, or leaving British India, or make an order superseding the arbitration, and in such case shall proceed with the suit.

Appointment of umpire by Court.

511. Where the arbitrators are empowered by the order of reference to appoint an umpire and fail to do so, any of the parties may serve the arbitrators with a written notice to appoint an umpire; and if, within seven days after such notice has been served, or such further time as the Court may in each case allow, no umpire be appointed, the Court, upon the application of the party who has served such notice as aforesaid, may appoint an umpire.

Powers of arbitrator or umpire appointed under sections 509, 510, 511.

512. Every arbitrator or umpire appointed under section 509, 510 or 511 shall have the like powers as if his name had been inserted in the order of reference.

Summoning witnesses.

513. The Court shall issue the same processes to the parties and witnesses whom the arbitrators or umpire desire to examine, as the Court may issue in suits tried before it.

Punishment for default, &c.

Persons not attending in accordance with such process, or making any other default, or refusing to give their evidence, or guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred, shall be subject to the like disadvantages, penalties and punishments by order of the Court on the representation of the arbitrator or umpire, as they would incur for the like offences in suits tried before the Court.

Extension of time for making award.

514. If from the want of the necessary evidence or information, or from any other cause, the arbitrators cannot complete the award within the period specified in the order, the Court may, if it think fit, either grant a further time, and from time to time enlarge the period for the delivery of the award, or make an order superseding the arbitration, and in such case shall proceed with the suit.

When umpire may arbitrate in lieu of arbitrators.

515. When an umpire has been appointed, he may enter on the reference in the place of the arbitrators

(*a*) if they have allowed the appointed time to expire without making an award, or

(*b*) when they have delivered to the Court or to the umpire a notice in writing, stating that they cannot agree.

Award to be signed and filed.

516. When an award in a suit has been made, the persons who made it shall sign it and cause it to be filed in Court, together with any depositions and documents which have been taken and proved before them; and notice of the filing shall be given to the parties.

Arbitrators or umpire may state special case.

517. Upon any reference by an order of Court, the arbitrators or umpire may, with the consent of the Court, state the award as to the whole or any part thereof in the form of a special case for the opinion of the Court; and the Court shall deliver its opinion thereon; and such opinion shall be added to and form part of the award.

Court may, on application, modify or correct award in certain cases.

518. The Court may, by order, modify or correct an award,

(*a*) where it appears that a part of the award is upon a matter not referred to arbitration, provided such part can be separated from the other part and does not affect the decision on the matter referred, or

(*b*) where the award is imperfect in form, or contains any obvious error which can be amended without affecting such decision.

Order as to costs of arbitration.

519. The Court may also make such order as it thinks fit respecting the costs of the arbitration, if any question arise respecting such costs and the award contain no sufficient provision concerning them.

When award or matter referred to arbitration may be remitted.

520. The Court may remit the award or any matter referred to arbitration to the reconsideration of the same arbitrators or umpire, upon such terms as it thinks fit,

(*a*) where the award has left undetermined any of the matters referred to arbitration, or where it determines any matter not referred to arbitration;

(*b*) where the award is so indefinite as to be incapable of execution;

(*c*) where an objection to the legality of the award is apparent upon the face of it.

Grounds for setting aside award.

521. An award remitted under section 520 becomes void on the refusal of the arbitrators or umpire to reconsider it. But no award shall be set aside except on one of the following grounds (namely)—

(*a*) corruption or misconduct of the arbitrator or umpire;

(*b*) either party having been guilty of fraudulent concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the arbitrator or umpire;

(*c*) the award having been made after the issue of an order by the Court superseding the arbitration and restoring the suit;

and no award shall be valid unless made within the period allowed by the Court.

Judgment to be according to award.

522. If the Court sees no cause to remit the award or any of the matters referred to arbitration for reconsideration in manner aforesaid, and if no application has been made to set aside the award, or if the Court has refused such application,

the Court shall, after the time for making such application has expired, proceed to give judgment according to the award,

or, if the award has been submitted to it in the form of a special case, according to its own opinion on such case:

Decree to follow.

Upon the judgment so given a decree shall follow, and shall be enforced in manner provided in this Code for the execution of decrees. No appeal shall lie from such decree except in so far as the decree is in excess of, or not in accordance with, the award.

Agreement to refer to arbitration may be filed in Court.

523. When any persons agree in writing that any difference between them shall be referred to the arbitration of any person named in the agreement or to be appointed by any Court having jurisdiction in the matter to which the agreement relates, the parties thereto, or any of them, may apply that the agreement be filed in Court.

Application to be numbered and registered.

The application shall be in writing and shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the others or other of them as defendants or defendant, if the application have been presented by all the parties, or, if otherwise, between the applicant as plaintiff and the other parties as defendants.

Notice to show cause against award.

On such application being made, the Court shall direct notice thereof to be given to any of the parties to the agreement other than the applicants, requiring such parties to show cause, within the time specified in the notice, why the agreement should not be filed.

If no sufficient cause be shown, the Court may order the agreement to be filed, and shall make an order of reference thereon, and may also nominate the arbitrator when he is not named therein and the parties cannot agree as to the nomination.

Provisions of this chapter applicable to proceedings under order of reference.

524. The foregoing provisions of this chapter, so far as they are consistent with any agreement so filed, shall be applicable to all proceedings under an order of reference made by the Court under section 523, and to the award of arbitration and to the enforcement of the decree founded thereupon.

Filing award in matter referred to arbitration without intervention of Court.

525. When any matter has been referred to arbitration without the intervention of a Court of Justice, and an award has been made thereon, any person interested in the award may apply to the Court of the lowest grade having jurisdiction over the matter to which the award relates, that the award be filed in Court.

Application to be numbered and registered.

The application shall be in writing and shall be numbered and registered as a suit between the applicant as plaintiff and the other parties as defendants.

Notice to parties to arbitration.

The Court shall direct notice to be given to the parties to the arbitration other than the applicant, requiring them to show cause, within a time specified, why the award should not be filed.

Filing and enforcement of such award.

526. If no ground such as is mentioned or referred to in section 520 or 521, be shown against the award, the Court shall order it to be filed, and such award shall then take effect as an award made under the provisions of this chapter.

CHAPTER XXXVIII.

OF PROCEEDINGS ON AGREEMENT OF PARTIES.

Power to state case for Court's opinion.

527. Parties claiming to be interested in the decision of any question of fact or law, may enter into an agreement in writing stating such question in the form of a case for the opinion of the Court, and providing that, upon the finding of the Court with respect to such question,

(*a*) a sum of money fixed by the parties or to be determined by the Court, shall be paid by one of the parties to the other of them; or

(*b*) some property, moveable or immoveable, specified in the agreement, shall be delivered by one of the parties to the other of them; or

(*c*) one or more of the parties shall do, or refrain from doing, some other particular act specified in the agreement.

Every case stated under this section shall be divided into consecutively numbered paragraphs, and shall concisely state such facts and documents as may be necessary to enable the Court to decide the question raised thereby.

When value of subject-matter must be stated.

528. If the agreement is for the delivery of any property, or for the doing, or the abstaining from doing, any particular act, the estimated value of the property, or the

delivered, or to which the act specified has reference, shall be stated in the agreement.

529. The agreement, if framed in accordance with the rules hereinbefore contained, may be filed in the Court which would have jurisdiction to entertain a suit, the amount or value of the subject-matter of which is the same as the amount or value of the subject-matter of the agreement.

Agreement to be filed and numbered as a suit.

The agreement, when so filed, shall be numbered and registered as a suit between one or more of the parties claiming to be interested, as plaintiff or plaintiffs, and the other or others of them as defendant or defendants; and notice shall be given to all the parties to the agreement other than the party or parties by whom it was presented.

530. When the agreement has been filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by the statements contained therein.

Parties to be subject to Court's jurisdiction.

531. The case shall be set down for hearing as a suit instituted under chapter V, the provisions of which shall apply to such suit so far as the same are applicable.

Hearing and disposal of the case.

If the Court is satisfied, after an examination of the parties, or taking such evidence as it thinks fit,

(*a*) that the agreement was duly executed by them, and

(*b*) that they have a *bonâ fide* interest in the question stated therein, and

(*c*) that the same is fit to be decided,

it shall proceed to pronounce judgment thereon, in the same way as in an ordinary suit, and upon the judgment so given a decree shall follow, and shall be enforced in the manner provided in this Code for the execution of decrees.

CHAPTER XXXIX.

OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

532. In any Court to which this section applies all suits upon bills of exchange, hundís or promissory notes may, in case the plaintiff desires to proceed under this chapter, be instituted by presenting a plaint in the form prescribed by this Code; but the summons shall be in the form contained in the fourth schedule hereto annexed, No. 172, or in such other form as the High Court may from time to time prescribe.

Institution of summary suits upon bills of exchange, &c.

In any case in which the plaint and summons are in such forms respectively, the defendant shall not appear or defend the suit unless he obtains leave from a Judge as hereinafter mentioned so to appear and defend;

and in default of his obtaining such leave or of appearance and defence in pursuance thereof, the plaintiff shall be entitled to a decree for any sum not exceeding the sum mentioned in the summons, together with interest at the rate specified (if any) to the date of the decree, and a sum for costs to be fixed by a rule of the High Court, unless the plaintiff claim more than such fixed sum, in which case the costs shall be ascertained in the ordinary way, and such decree may be enforced forthwith.

The defendant shall not be required to pay into Court the sum mentioned in the summons, or to give security therefor, unless the Court thinks his defence not to be *primâ facie* sustainable, or feels reasonable doubt as to its good faith.

Payment into Court of sum mentioned in summons.

Explanation.—This section is not confined to cases in which the bill, hundí or note sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

533. The Court shall, upon application by the defendant, give leave to appear and to defend the suit, upon the defendant paying into Court the sum mentioned in the summons or upon affidavits satisfactory to the Court, which disclose a defence or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the Court may deem sufficient to support the application, and on such terms as to security, framing and recording issues, or otherwise, as the Court thinks fit.

Defendant showing defence on merits to have leave to appear.

534. After decree, the Court may, under special circumstances, set aside the decree, and if necessary stay or set aside execution, and may give leave to appear to the summons and to defend the suit, if it seem reasonable to the Court so to do, and on such terms as the Court thinks fit.

Power to set aside decree.

535. In any proceeding under this chapter the Court may order the bill, hundí or note on which the suit is founded to be forthwith deposited with an officer of the Court, and may further order that all proceedings shall be stayed until the plaintiff gives security for the costs thereof.

Power to order bill to be deposited with officer of Court.

536. The holder of every dishonoured bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting the same for non-acceptance or non-payment, or otherwise, by reason of such dishonour, as he has under this chapter for the recovery of the amount of such bill or note.

Recovery of cost of noting non-acceptance of dishonoured bill.

537. Except as provided by sections 532 to 536 both inclusive, the procedure in suits under this chapter shall be the same as the procedure in suits instituted under chapter V.

Procedure in suits under this chapter.

538. Sections 532 to 537 (both inclusive) apply only to—

Power to extend this chapter.

(*a*) the High Courts of Judicature at Fort William, Madras and Bombay;

(*b*) the Court of the Recorder of Rangoon;

(*c*) the Courts of Small Causes in Calcutta, Madras and Bombay;

(*d*) the Court of the Judge of Karáchi; and

(*e*) any other Court having ordinary original civil jurisdiction to which the Local Government may, by notification in the official Gazette, apply them.

In case of such application the Local Government may direct by whom any of the powers and duties incident to the provisions so applied shall be exercised and performed, and make any rules which it thinks requisite for carrying into operation the provisions so applied.

Within one month after such notification has been published, such provisions shall apply accordingly, and the rules so made shall have the force of law.

The Local Government may from time to time alter or cancel any such notification.

CHAPTER XL.

OF SUITS RELATING TO PUBLIC CHARITIES.

539. In case of any alleged breach of any express or constructive trust created for public charitable purposes, or whenever the direction of the Court is deemed necessary for the administration of any such trust, the Advocate General acting *ex-officio*, or two or more persons having a direct interest in the trust and having obtained the consent in writing of the Advocate General, may institute a suit in the High Court or the District Court within the local limits of whose civil jurisdiction the whole or any part of the subject-matter of the trust is situate, to obtain a decree—

When suit relating to public charities may be brought.

(*a*) appointing new trustees of the charity:

(*b*) vesting any property in the trustees of the charity:

(*c*) declaring the proportions in which its objects are entitled:

(*d*) authorizing the whole or any part of its property to be let, sold, mortgaged or exchanged:

(*e*) settling a scheme for its management;

or granting such further or other relief as the nature of the case may require.

The powers conferred by this section on the Advocate General may (where there is no Advocate General) be exercised by the Government Advocate) or (where there is no Government Advocate) by such officer as the Local Government may appoint in this behalf.

PART VI.

OF APPEALS.

CHAPTER XLI.

OF APPEALS FROM ORIGINAL DECREES.

540. Unless when otherwise expressly provided in this Code or by any other law for the time being in force, an appeal shall lie from the decrees, or from any part of the decrees, of the Courts exercising original jurisdiction to the Courts authorized to hear appeals from the decisions of those Courts.

Appeal to lie from all original decrees, except when expressly prohibited.

541. The appeal shall be made in the form of a memorandum in writing presented by the appellant, and shall be accompanied by a copy of the decree appealed against and (unless the appellate Court dispenses therewith) of the judgment on which it is founded.

Form of appeal.

Memorandum to be accompanied by copy of decree and judgment.

Such memorandum shall set forth, concisely and under distinct heads, the grounds of objection to the decree appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

Memorandum of appeal.

542. The appellant shall not, without the leave of the Court, urge or be heard in support of any other ground of objection, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant:

Appellant confined to grounds set out.

Provided that the Court shall not rest its decision on any ground not set forth by the appellant, unless the respondent has had sufficient opportunity of contesting the case on that ground.

543. If the memorandum of appeal be not drawn up in the manner hereinbefore prescribed, it may be rejected, or be returned to the appellant for the purpose of being amended within a time to be fixed by the Court, or be amended then and there.

Rejection of memorandum or grounds of objection.

When the Court rejects under this section any memorandum, it shall record the reasons for such rejection.

When a memorandum of appeal is amended under this section the Judge, or such officer as he appoints in this behalf, shall attest the amendment by his signature.

544. Where there are more plaintiffs or more defendants than one in a suit, and the decree appealed against proceeds on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal against the whole decree, and the Appellate Court may reverse or modify the decree in favour of all the plaintiffs or defendants as the case may be.

One of several plaintiffs or defendants may obtain reversal of whole decree if it proceed on ground common to all.

Of staying and executing Decrees under Appeal.

545. Execution of a decree shall not be stayed by reason only of an appeal having been preferred against the decree; but the Appellate Court may for sufficient cause order the execution to be stayed:

Execution of decree not stayed solely by reason of appeal.

If an application be made for stay of execution of an appealable decree before the expiry of the time allowed for appealing therefrom, the Court which passed the decree may for sufficient cause order the execution to be stayed:

Stay of execution of appealable decree before time for appealing has expired.

Provided that no order shall be made under this section unless the Court making it is satisfied—

(*a*) that substantial loss may result to the party applying for stay of execution unless the order is made;

(*b*) that the application has been made without unreasonable delay; and

(c) that security has been given by the applicant for the due performance of such decree or order as may ultimately be binding upon him.

Security required before making order to stay execution.

546. If an order is made for the execution of a decree against which an appeal is pending, the Court which passed the decree shall, on sufficient cause being shown by the appellant, require security to be given for the restitution of any property which may be taken in execution of the decree, or for the payment of the value of such property, and for the due performance of the decree or order of the Appellate Court,

Security in case of order for execution of decree appealed against.

or the Appellate Court may for like cause direct the Court which passed the decree to take such security.

And when an order has been passed for the sale of immoveable property in execution of a decree for money and an appeal is pending against such decree, the sale shall on the application of the judgment-debtor be stayed until the appeal is disposed of, on such terms as to giving security or otherwise as the Court which passed the decree thinks fit.

547. No such security as is mentioned in sections 545 and 546 shall be required from the Secretary of State for India in Council, or (when Government has undertaken the defence of the suit) from any public officer sued in respect of an act alleged to be done by him in his official capacity.

No such security to be required from Government or public officers.

Of Procedure in Appeal from Decrees.

548. When a memorandum of appeal is admitted, the Appellate Court or the proper officer of that Court shall endorse thereon the date of presentation, and shall register the appeal in a book to be kept for the purpose.

Registry of memorandum of appeal.

Such book shall be called the Register of Appeals.

Register of appeals.

549. The Appellate Court may, at its discretion, either before the respondent is called upon to appear and answer or afterwards on the application of the respondent, demand from the appellant security for the costs of the appeal, or of the original suit, or of both:

Appellate Court may require appellant to give security for costs.

Provided that the Court shall demand such security in all cases in which the appellant is residing out of British India, and is not possessed of any sufficient immoveable property within British India independent of the property (if any) to which the appeal relates.

When appellant resides out of British India.

If such security be not furnished within such time as the Court orders, the Court shall reject the appeal.

550. When the memorandum of appeal is registered, the Appellate Court shall send notice of the appeal to the Court against whose decree the appeal is made.

Appellate Court to give notice to Court whose decree is appealed against.

If the appeal be from a Court the records of which are not deposited in the Appellate Court, the Court receiving such notice shall send with all practicable despatch all material papers in the suit, or such papers as may be specially called for by the Appellate Court.

Transmission of papers to Appellate Court.

Either party may apply in writing to the Court against whose decree the appeal is made, specifying any of such papers in such Court of which he requires copies to be made; and copies of such papers shall be made at the expense of the applicant, and shall be deposited accordingly.

Copies of exhibits in Court whose decree is appealed against.

551. The Appellate Court may, if it thinks fit, after fixing a time for hearing the appellant or his pleader, and hearing him accordingly if he appears at such time, confirm the decision of the Court against whose decree the appeal is made, without sending notice of the appeal to such Court and without serving notice on the respondent or his pleader; but in such case the confirmation shall be notified to the same Court.

Power to confirm decision of lower Court without sending it notice.

552. The Appellate Court, unless where it confirms, under section 551, the decision of the lower Court, shall fix a day for hearing the appeal.

Day for hearing appeal.

Such day shall be fixed with reference to the current business of the Court, the place of residence of the respondent, and the time necessary for the service of the notice of appeal, so as to allow the respondent sufficient time to appear and answer the appeal on such day.

553. Notice of the day so fixed shall be stuck up in the appellate court-house, and a like notice shall be sent by the Appellate Court to the Court against whose decree the appeal is made, and shall be served on the respondent or on his pleader in the Appellate Court in the manner provided in chapter VI for the service on a defendant of a summons to appear and answer; and all rules applicable to such summons and to proceedings with reference to the service thereof, shall apply to the service of such notice.

Publication and service of notice of day for hearing appeal.

Instead of sending the notice to the Court against whose decree the appeal is made, the Appellate Court may itself cause the notice to be served on the respondent or his pleader under the rules above referred to.

Appellate Court may itself cause notice to be served.

554. The notice to the respondent shall declare that, if he does not appear in the Appellate Court on the day so fixed, the appeal will be heard *ex parte*.

Contents of notice.

Procedure on Hearing.

555. On the day so fixed, or on any other day to which the hearing may be adjourned, the party having the right to begin shall be heard in support of or against the appeal, as the case may be. The other party shall then be heard, and the party having the right to begin shall then be entitled to reply.

Right to begin.

Explanation.—If the appeal is from the whole decree, or if there are cross-appeals, the party having the right to begin is the party who had the right to begin on the hearing in the Court whose decree is appealed from.

If the appeal is from only a portion of the decree, and there is no cross-appeal, the appellant has the right to begin.

556. If on the day so fixed, or any other day to which the hearing may be adjourned, the appellant does not attend in person or by his pleader, the appeal shall be dismissed for default.

Dismissal of appeal for appellant's default.

If the appellant attends and the respondent does not attend, the appeal shall be heard *ex parte* in his absence.

Hearing appeal *ex parte*.

557. If on the day so fixed, or any other day to which the hearing may be adjourned, it is found that the notice to the respondent has not been served in consequence of the failure of the appellant to deposit, within the period fixed by the Court, the sum required to defray the cost of issuing the notice, the Court may order that the appeal be dismissed:

Dismissal of appeal where notice has not been served in consequence of appellant's failure to deposit cost of notice.

Proviso.

Provided that no such order shall be passed, although the notice has not been served upon the respondent, if on the day fixed for hearing the appeal the respondent appears in person or by a pleader, or by a duly authorized agent.

558. If an appeal be dismissed under section 556 or section 557, the appellant may apply to the Appellate Court for the re-admission of the appeal; and if it be proved that he was prevented by any sufficient cause from attending when the appeal was called on for hearing or from depositing the sum so required, the Court may re-admit the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Re-admission of appeal dismissed for default.

559. If it appear to the Court at the hearing that any person who was a party to the suit in the Court against whose decree the appeal is made, but who has not been made a party to the appeal, is interested in the result of the appeal, the Court may adjourn the hearing to a future day to be fixed by the Court, and direct that such person be made a respondent.

Power to adjourn hearing, and direct persons appearing interested to be made respondents.

560. When an appeal is heard *ex parte* in the absence of the respondent, and judgment is given against him, he may apply to the Appellate Court to re-hear the appeal; and if it be proved that the respondent was prevented by sufficient cause from attending when the appeal was called on for hearing, the Court may re-hear the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Re-hearing on application of respondent against whom *ex parte* decree is made.

561. Any respondent, though he may not have appealed against any part of the decree, may upon the hearing not only support the decree on any of the grounds decided against him in the Court below, but take any objection to the decree which he could have taken by way of appeal, provided he has given to the appellant or his pleader seven days' notice of such objection.

Upon hearing respondent may object to decree as if he had preferred separate appeal.

Such objection shall be in the form of a memorandum, and the provisions of section 541, so far as they relate to the form and contents of the memorandum of appeal, shall apply thereto.

Form of notice, and provisions applicable thereto.

562. If the Court against whose decree the appeal is made has disposed of the suit upon a preliminary point so as to exclude any evidence of fact, which appears to the Appellate Court essential to the determination of the rights of the parties, and the decree upon such preliminary point is reversed in appeal, the Appellate Court may, if it thinks fit, by order remand the case, together with a copy of the order in appeal, to the Court against whose decree the appeal is made, with directions to re-admit the suit under its original number in the register and proceed to investigate the suit on the merits.

Remand of case by Appellate Court.

The Appellate Court may, if it think fit, direct what issue or issues shall be tried in any case so remanded.

563. When a case is remanded with directions to take any evidence so excluded the Court to which the case is remanded shall not take any other evidence in the case, except evidence tendered to contradict the evidence so taken.

When further evidence barred.

564. The Appellate Court shall not remand a case for a second decision, except as provided in section 562.

Limit to remand.

565. When the evidence upon the record is sufficient to enable the Appellate Court to pronounce judgment, the Appellate Court shall, after re-settling the issues, if necessary, finally determine the case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly upon some ground other than that on which the Appellate Court proceeds.

When evidence on record sufficient, Appellate Court shall determine case finally.

566. If the Court against whose decree the appeal is made has omitted to frame or try any issue, or to determine any question of fact, which appears to the Appellate Court essential to the right decision of the suit upon the merits, and the evidence upon the record is not sufficient to enable the Appellate Court to determine such issue or question, the Appellate Court may frame issues for trial, and may refer the same for trial to the Court against whose decree the appeal is made, and in such case shall direct such Court to take the additional evidence required,

When Appellate Court may frame issues and refer them for trial to Court whose decree is appealed against.

and such Court shall proceed to try such issue, and shall return to the Appellate Court its finding thereon together with the evidence.

567. Such finding and evidence shall become part of the record in the suit; and either party may, within a time to be fixed by the Appellate Court, present a memorandum of objections to the finding.

Finding and evidence to be put on record.

Objections to finding.

After the expiration of the period fixed for presenting such memorandum, the Appellate Court shall proceed to determine the appeal.

Determination of appeal.

568. The parties to an appeal shall not be entitled to produce additional evidence, whether oral or documentary, in the Appellate Court. But if

Production of additional evidence in Appellate Court.

(*a*) the Court against whose decree the appeal is made refused to admit evidence which ought to have been admitted, or,

(*b*) the Appellate Court requires any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause,

the Appellate Court may allow such evidence to be produced, or document to be received, or witness to be examined.

Whenever additional evidence is admitted by an Appellate Court, the Court shall record on its proceedings the reason for such admission.

569. Whenever additional evidence is allowed to be received, the Appellate Court may either take such evidence, or direct the Court against whose decree the appeal is made, or any other subordinate Court, to take such evidence and to send it when taken to the Appellate Court.

Mode of taking additional evidence.

570. In all cases where additional evidence is directed or allowed to be taken, the Appellate Court shall specify the points to which the evidence is to be confined, and record on its proceedings the points so specified.

Points to be defined and recorded.

Of the Judgment in Appeal.

571. The Appellate Court, after hearing the parties or their pleaders and referring to any part of the proceedings, whether on appeal or in the Court against whose decree the appeal is made, to which reference may be considered necessary, shall pronounce judgment in open Court, either at once or on some future day, of which notice shall be given to the parties or their pleaders.

Judgment when and where pronounced.

572. The judgment shall be written in English; provided that if English is not the mother-tongue of the Judge, and he is not able to write an intelligible judgment in English, the judgment shall be written in his mother-tongue or in the language of the Court.

Language of judgment.

573. When the language in which the judgment is written is not the language of the Court, the judgment shall, if any party so require, be translated into such language, and the translation, after it has been ascertained to be correct, shall be signed by the Judge or such officer as he appoints in this behalf.

Translation of judgment.

574. The judgment of the Appellate Court shall state—

Contents of judgment.

(*a*) the points for determination;

(*b*) the decision thereupon;

(*c*) the reasons for the decision; and

(*d*) when the decree appealed against is reversed or varied, the relief to which the appellant is entitled,

and shall at the time that it is pronounced be signed and dated by the Judge or by the Judges concurring therein.

Date and signature.

575. When the appeal is heard by a Bench of two or more Judges, the appeal shall be decided in accordance with the opinion of such Judges or of the majority (if any) of such Judges.

Decision when appeal is heard by two or more Judges.

If there be no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed:

Provided that if the Bench hearing the appeal is composed of two Judges belonging to a Court consisting of more than two Judges, and the Judges composing the Bench differ in opinion on a point of law, the appeal may be referred to one or more of the other Judges of the same Court, and shall be decided according to the opinion of the majority (if any) of all the Judges who have heard the appeal, including those who first heard it.

When there is no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed.

The High Court may from time to time make rules consistent with this Code to regulate references under this section.

576. When the appeal is heard by more Judges than one, any Judge dissenting from the judgment of the Court shall state in writing the decision or order which he thinks should be passed on the appeal, and he may state his reasons for the same.

Dissent to be recorded.

577. The judgment may be for confirming, varying or reversing the decree of the Court against which the appeal is made, or, if the parties to the appeal agree as to the form which the decree in appeal shall take, or as to the order to be passed in appeal, the Appellate Court may pass a decree or order accordingly.

What judgment may direct.

578. No decree shall be reversed or substantially varied, nor shall any case be remanded in appeal, on account of any error, defect or irregularity, whether in the decision or in any order passed in the suit, or otherwise, not affecting the merits of the case or the jurisdiction of the Court.

No decree to be reversed or modified for error or irregularity not affecting merits or jurisdiction.

Of the Decree in Appeal.

579. The decree of the Appellate Court shall bear date the day on which the judgment was pronounced.

Contents of decree.

The decree shall contain the number of the appeal, and the memorandum of appeal, including the names and description of the appellant and respondent, and shall specify clearly the relief granted or other determination of the appeal.

The decree shall also state the amount of costs incurred in the appeal, and by what parties and in what proportions such costs and the costs in the suit are to be paid.

The decree shall be signed and dated by the Judge or Judges who passed it:

Provided that where there are more Judges than one, if there be a difference of opinion among them, it shall not be necessary for any Judge dissenting from the judgment of the Court to sign the decree.

Judge dissenting from judgment need not sign decree.

580. Certified copies of the judgment and decree in appeal shall be furnished to the parties on application to the Court and at their expense.

Copies of judgment and decree to be furnished to parties

581. A copy of the judgment and of the decree, certified by the Appellate Court or such officer as it appoints in this behalf, shall be sent to the Court which passed the decree appealed against, and shall be filed with the original proceedings in the suit, and an entry of the judgment of the Appellate Court shall be made in the register of civil suits.

Certified copy of decree to be sent to Court whose decree is appealed against.

582. The Appellate Court shall have the same powers in appeals under this chapter as are vested by this Code in Courts of original jurisdiction in respect of suits instituted under chapter V.

Appellate Court to have same powers as Courts of original jurisdiction.

The provisions hereinbefore contained shall apply to appeals under this chapter so far as such provisions are applicable.

583. When a party entitled to any benefit (by way of restitution or otherwise) under a decree passed in an appeal under this chapter desires to obtain execution of the same, he shall apply to the Court which passed the decree against which the appeal was preferred; and such Court shall proceed to execute the decree passed in appeal, according to the rules hereinbefore prescribed for the execution of decrees in suits.

Execution of decree of Appellate Court.

CHAPTER XLII.

OF APPEALS FROM APPELLATE DECREES.

584. Unless when otherwise provided in this Code or by any other law, from all decrees passed in appeal by any Court subordinate to a High Court, an appeal shall lie to the High Court on any of the following grounds, (namely)—

Second appeals to High Court.

(*a*) the decision being contrary to some specified law or usage having the force of law;

Grounds of second appeal.

(*b*) the decision having failed to determine some material issue of law or usage having the force of law;

(*c*) a substantial error or defect in the procedure as prescribed by this Code or any other law, which may have produced error or defect in the decision of the case upon the merits.

585. No second appeal shall lie except on the grounds mentioned in section 584.

Second appeal only on grounds mentioned in section 584.

586. No second appeal shall lie in any suit of the nature cognizable in Courts of Small Causes, when the amount or value of the subject-matter of the original suit does not exceed five hundred rupees.

No second appeal in certain suits.

587. The provisions contained in chapter XLI shall apply as far as may be to appeals under this chapter, and to the execution of decrees passed in such appeals.

Provisions as to second appeals

CHAPTER XLIII.

OF APPEALS FROM ORDERS.

588. An appeal shall lie from the following orders under this Code and from no other such orders:—

Orders appealable.

(*a*) orders under section 20, staying proceedings in a suit,

(*b*) orders under section 32, striking out or adding the name of any person as plaintiff or defendant,

(*c*) orders under section 44, adding a cause of action,

(*d*) orders under section 47, excluding a cause of action,

(*e*) orders rejecting or returning plaints under section 53, clause (*d*), or section 54, clauses (*b*) and (*d*), or section 57, clauses (*b*) and (*c*),

(*f*) orders rejecting applications under section 102 (in cases open to appeal) for an order to set aside the dismissal of a suit,

(*g*) orders under section 120 where a party fails to appear in person,

(*h*) orders under section 168 for attachment of property,

(*i*) orders under section 176 where a party refuses to give evidence or produce a document called for by the Court,

(*j*) orders under section 244, as to questions relating to the execution of decrees, of the same nature with appealable orders made in the course of a suit,

(*k*) orders under section 258 compelling decree-holders to certify,

(*l*) orders under section 261 as to objections to draft-conveyances or draft-endorsements,

(*m*) orders under section 312 for confirming or setting aside a sale,

(*n*) orders in insolvency matters under section 351, 352, 353 or 357,

(*o*) orders rejecting applications under section 370 for dismissal of the suit,

(*p*) orders disallowing objections under section 372,

(*q*) orders as to interpleader-suits under section 473, 475 or 476,

(*r*) orders under section 479, 480, 481, 485, 492, 493, 496, 503,

(*s*) orders under section 514 superseding an arbitration,

(*t*) orders under section 518 modifying an award,

(*u*) orders under any of the provisions of this Code, imposing fines, or for the imprisonment of any person, except when such imprisonment is in execution of a decree,

(*v*) refusals under section 558 to re-admit, or under section 560 to re-hear, an appeal,

(*w*) orders under section 562 remanding a case.

The orders passed in appeals under this section shall be final.

Court which shall hear appeals.

589. An appeal from any order specified in section 588, clause (*n*), shall lie to the High Court.

When an appeal from any other order is allowed by this chapter, it shall lie to the Court to which an appeal would lie from the decree in the suit in relation to which such order was made or, when such order is passed by a Court (not being a High Court) in the exercise of appellate jurisdiction, then to the High Court.

Procedur in appea s from orders

590. The procedure prescribed in chapter XLI shall, so far as may be, apply to appeals from orders under this Code, or under any special or local law in which a different procedure is not provided.

No appeal, before decree, from order passed in course of suit; but if decree appealed against, error or defect therein may be set forth.

591. Except as provided in this chapter, no appeal shall lie from any order passed by any Court on the exercise of its original or appellate jurisdiction; but if any decree be appealed against, any error, defect or irregularity in any such order, affecting the decision of the case, may be set forth as a ground of objection in the memorandum of appeal.

CHAPTER XLIV.

OF PAUPER APPEALS.

Who may appeal as pauper.

592. Any person entitled under this Code or any other law to prefer an appeal, who is unable to pay the fee required for the petition of appeal, may, on presenting an application accompanied by a memorandum of appeal, be allowed to appeal as a pauper, subject to the rules contained in chapters XXVI, XLI, XLII and XLIII, in so far as those rules are applicable:

Procedure on application for admission of appeal.

Provided that the Court shall reject the application unless upon a perusal thereof and of the judgment and decree against which the appeal is made, it sees reason to think that the decree appealed against is contrary to law or to some usage having the force of law, or is otherwise erroneous or unjust.

Enquiry into pauperism.

593. The inquiry into the pauperism of the applicant may be made either by the Appellate Court or by the Court against whose decision the appeal is made under the orders of the Appellate Court:

Proviso.

Provided that, if the applicant was allowed to sue or appeal as a pauper in the Court against whose decree the appeal is made, no further enquiry in respect of his pauperism shall be necessary, unless the Appellate Court sees special cause to direct such enquiry.

CHAPTER XLV.

OF APPEALS TO THE QUEEN IN COUNCIL.

'Decree' defined.

594. In this chapter, unless there be something repugnant in the subject or context, the expression 'decree' includes also judgment and order.

When appeals lie to Queen in Council.

595. Subject to such rules as may, from time to time, be made by Her Majesty in Council regarding appeals from the Courts of British India, and to the provisions hereinafter contained—

an appeal shall lie to Her Majesty in Council

(*a*) from any final decree passed on appeal by a High Court or other Court of final appellate jurisdiction,

(*b*) from any final decree passed by a High Court in the exercise of original civil jurisdiction, and

(*c*) from any decree, when the case, as hereinafter provided, is certified to be a fit one for appeal to Her Majesty in Council.

Value of subject-matter.

596. In each of the cases mentioned in clauses (*a*) and (*b*) of section 595,

the amount or value of the subject-matter of the suit in the Court of first instance must be ten thousand rupees or upwards, and the amount or value of the matter in dispute on appeal to Her Majesty in Council must be the same sum or upwards,

or the decree must involve, directly or indirectly, some claim or question to, or respecting, property of like amount or value,

and where the decree appealed from affirms the decision of the Court immediately below the Court passing such decree, the appeal must involve some substantial question of law.

Bar of certain appeals.

597. Notwithstanding anything contained in section 595,

no appeal shall lie to Her Majesty in Council from the judgment of one Judge of a High Court established under the twenty-fourth and twenty-fifth of Victoria, chapter 104, or of one Judge of a Division Court, or of two or more Judges of such High Court, or of a Division Court constituted by two or more Judges of such High Court, wherever such Judges are equally divided in opinion, and do not amount in number to a majority of the whole of the Judges of the High Court at the time being;

and no appeal shall lie to Her Majesty in Council from any decree which, under section 586, is final.

Application to Court whose decree is complained of.

598. Whoever desires to appeal under this chapter to Her Majesty in Council must apply by petition to the Court whose decree is complained of.

Time within which application must be made.

599. Such application must ordinarily be made within six months from the date of such decree.

But if that period expires when the Court is closed, the application may be made on the day that the Court re-opens.

Certificate as to value or fitness.

600. Every petition under section 598 must state the grounds of appeal, and pray for a certificate, either that, as regards amount or value and nature, the case fulfils the requirements of section 596, or that it is otherwise a fit one for appeal to Her Majesty in Council.

Upon receipt of such petition, the Court may direct notice to be served on the opposite party to show cause why the said certificate should not be granted.

Effect of refusal of certificate.

601. If such certificate be refused, the petition shall be dismissed:

Provided that, if the decree complained of be a final decree passed by a Court other than a High Court, the order refusing the certificate shall be appealable, within thirty days from the date of the order, to the High Court to which the former Court is subordinate.

Security and deposit required on grant of certificate.

602. If the certificate be granted, the applicant shall, within six months from the date of the decree complained of, or within six weeks from the grant of the certificate, whichever is the later date,

(*a*) give security for the costs of the respondent, and

(*b*) deposit the amount required to defray the expense of translating, transcribing, indexing and transmitting to Her Majesty in Council a correct copy of the whole record of the suit, except

(1) formal documents directed to be excluded by any order of Her Majesty in Council in force for the time being;

(2) papers which the parties agree to exclude;

(3) accounts, or portions of accounts, which the officer empowered by the Court for that purpose considers unnecessary, and which the parties have not specifically asked to be included, and

(4) such other documents as the High Court may direct to be excluded:

and when the applicant prefers to print in India the copy of the record, except as aforesaid, he shall also, within the time mentioned in the first clause of this section, deposit the amount required to defray the expense of printing such copy.

Admission of appeal and procedure thereon.

603. When such security has been completed and deposit made to the satisfaction of the Court, the Court may

(*a*) declare the appeal admitted, and

(*b*) give notice thereof to the respondent, and shall then

(*c*) transmit to Her Majesty in Council, under the seal of the Court, a correct copy of the said record, except as aforesaid, and

(*d*) give to either party one or more authenticated copies of any of the papers in the suit on his applying therefor and paying the reasonable expenses incurred in preparing them.

Revocation of acceptance of security.

604. At any time before the admission of the appeal, the Court may, upon cause shown, revoke the acceptance of any such security, and make further directions thereon.

Power to order further security or payment.

605. If at any time after the admission of the appeal, but before the transmission of the copy of the record, except as aforesaid, to Her Majesty in Council, such security appears inadequate,

or further payment is required for the purpose of translating, transcribing, printing, indexing or transmitting the copy of the record, except as aforesaid,

the Court may order the appellant to furnish, within a time to be fixed by the Court, other and sufficient security, or to make, within like time, the required payment.

Effect of failure to comply with order.

606. If the appellant fail to comply with such order, the proceedings shall be stayed,

and the appeal shall not proceed without an order in this behalf of Her Majesty in Council,

and in the meantime execution of the decree appealed against shall not be stayed.

Refund of balance of deposit.

607. When the copy of the record, except as aforesaid, has been transmitted to Her Majesty in Council, the appellant may obtain a refund of the balance, if any, of the amount which he has deposited under section 602.

Powers of Court pending appeal.

608. Notwithstanding the admission of any appeal under this chapter, the decree appealed against shall be unconditionally enforced, unless the Court admitting the appeal otherwise directs.

But the Court may, if it think fit, on any special cause shown by any party interested in the suit, or otherwise appearing to the Court—

(*a*) impound any moveable property in dispute or any part thereof, or

(*b*) allow the decree appealed against to be enforced, taking such security from the respondent as the Court thinks fit for the due performance of any order which Her Majesty in Council may make on the appeal, or

(*c*) stay the execution of the decree appealed against, taking such security from the appellant as the Court thinks fit for the due performance of the decree appealed against, or of any order which Her Majesty in Council may make on the appeal, or

(*d*) place any party seeking the assistance of the Court under such conditions, or give such other direction respecting the subject-matter of the appeal as it thinks fit.

Increase of security found inadequate.

609. If at any time during the pendency of the appeal, the security so furnished by either party appears inadequate, the Court may, on the application of the other party, require further security.

In default of such further security being furnished as required by the Court, if the original security was furnished by the appellant, the Court may, on the application of the respondent, issue execution of the decree appealed against as if the appellant had furnished no such security.

And if the original security was furnished by the respondent, the Court shall, so far as may be practicable, stay all further execution of the decree, and restore the parties to the position in which they respectively were when the security which appears inadequate was furnished, or give such direction respecting the subject-matter of the appeal as it thinks fit.

Procedure to enforce orders of Queen in Council.

610. Whoever desires to enforce or to obtain execution of any order of Her Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court from which the appeal to Her Majesty was preferred.

Such Court shall transmit the order of Her Majesty to the Court which made the first decree appealed from, or to such other Court as Her Majesty by her said order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same; and the Court to which the said order is so transmitted shall enforce or execute it accordingly, in the manner and according to the rules applicable to the execution of its original decrees.

When any monies expressed to be payable in British currency are payable in India under such order, the amount so payable shall be estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments.

Appeal against order relating to execution.

611. The orders made by the Court which enforces or executes the order of Her Majesty in Council relating to such enforcement or execution, shall be appealable in the same manner and subject to the same rules as the orders of such Court relating to the enforcement or execution of its own decrees.

Power to make rules.

612. The High Court may, from time to time, make rules consistent with this Act to regulate—

(*a*) the service of notices under section 600,

(*b*) the grant or refusal of certificates under sections 601 and 602 by Courts of final appellate jurisdiction subordinate to the High Court,

(*c*) the amount and nature of the security required under sections 602, 605 and 609,

(*d*) the testing of such security,

(*e*) the estimate of the cost of transcribing the record,

(*f*) the preparation, examination and certifying of such transcript,

(*g*) the revision and authentication of translations,

(*h*) the preparation of indices to transcripts of records, and of lists of the papers not included therein,

(*i*) the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council,

and all other matters connected with the enforcement of this chapter.

Publication of rules.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law in the High Court and the Courts of final appellate jurisdiction subordinate thereto.

Legalization of existing rules.

613. All rules heretofore made and published by any High Court relating to appeal to Her Majesty in Council and in force immediately before the passing of this Act, shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Recorder of Rangoon.

614. In sections 595 and 612, the expression 'High Court' shall be deemed to include also the Recorder of Rangoon, but not so as to empower him to make rules binding on Courts other than his own Court.

Construction of Bengal Regulation III of 1828, section 4, clause 5.

615. The rules and restrictions referred to in Bengal Regulation III of 1828, section IV, clause *fifth*, shall be deemed to be the rules and restrictions applicable to appeals under this Code from the decisions of the High Court of Judicature at Fort William in Bengal.

Saving of Her Majesty's pleasure.

616. Nothing herein contained shall be understood—

(a) to bar the full and unqualified exercise of Her Majesty's pleasure in receiving or rejecting appeals to Her Majesty in Council, or otherwise howsoever, or

(b) to interfere with any rules made by the Judicial Committee of the Privy Council, and for the time being in force, for the presentation of appeals to Her Majesty in Council, or their conduct before the said Judicial Committee.

and of rules for conduct of business before Judicial Committee.

And nothing in this chapter applies to any matter of criminal or admiralty or vice-admiralty jurisdiction, nor to appeals from orders and decrees of Prize Courts.

PART VII.

CHAPTER XLVI.

OF REFERENCE TO AND REVISION BY THE HIGH COURT.

617. If before or on the hearing of a suit or appeal in which the decree is final, or if in the execution of any such decree, any question of law or usage having the force of law, or the construction of a document which construction may affect the merits, arises, on which the Court trying the suit or appeal or executing the decree entertains reasonable doubt, the Court may, either of its own motion or on the application of any of the parties, draw up a statement of the facts of the case and the point on which doubt is entertained, and refer such statement with its own opinion on the point for the decision of the High Court.

Reference of question to High Court.

618. The Court may either stay the proceedings or proceed in the case, notwithstanding such reference, and may pass a decree or order contingent upon the opinion of the High Court on the point referred;

Court may pass decree contingent upon opinion of High Court.

but no execution shall be issued, property sold, or person imprisoned in any case in which such reference is made until the receipt of a copy of the judgment of the High Court upon such reference.

619. The High Court shall hear the parties to the case in which the reference is made, in person or by their respective pleaders, and shall decide the point so referred, and shall transmit a copy of its judgment under the signature of the Registrar, to the Court by which the reference was made, and such Court shall, on the receipt thereof, proceed to dispose of the case in conformity with the decision of the High Court.

Judgment of High Court to be transmitted, and case disposed of accordingly.

620. Costs, if any, consequent on a reference for the opinion of the High Court, shall be costs in the case.

Costs of reference to High Court.

621. When a case is referred to the High Court under this chapter, the High Court may return the case for amendment, and may alter, cancel or set aside any decree or order which the Court making the reference has passed in the case out of which the reference arose, and make such order as it thinks fit.

Power to alter, &c., decrees of Court making reference.

622. The High Court may call for the record of any case in which no appeal lies to the High Court, if the Court by which the case was decided appears to have exercised a jurisdiction not vested in it by law, or to have failed to exercise a jurisdiction so vested, and may pass such order in the case as the High Court thinks fit.

Power to call for record of cases decided by Small Cause Courts, or, on appeal, by subordinate Courts.

PART VIII.

CHAPTER XLVII.

OF REVIEW OF JUDGMENT.

623. Any person considering himself aggrieved—

Application for review of judgment.

(a) by a decree or order from which an appeal is hereby allowed, but from which no appeal has been preferred;

(b) by a decree or order from which no appeal is hereby allowed; or

(c) by a judgment on a reference from a Court of Small Causes;

and who from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him,

may apply for a review of judgment to the Court which passed the decree or made the order or to the Court, if any, to which the business of the former Court has been transferred.

A party who is not appealing from a decree may apply for a review of judgment notwithstanding the pendency of an appeal by some other party, except when the ground of such appeal is common to the applicant and the appellant, or when being a respondent, he can present to the Appellate Court the case on which he applies for the review.

624. Except upon the ground of the discovery of such new and important matter or evidence as aforesaid, or of some clerical error apparent on the face of the decree, no application for a review of judgment, other than that of a High Court, shall be made to any Judge other than the Judge who delivered it.

To whom applications for review may be made.

625. The rules hereinbefore contained as to the form of making appeals shall apply, *mutatis mutandis*, to applications for review.

Form of applications for review.

626. If it appear to the Court that there is not sufficient ground for a review, it shall reject the application.

Application when rejected.

If the Court be of opinion that the application for the review should be granted, it shall grant the same, and the Judge shall record with his own hand his reasons for such opinion:

Application when granted.

Proviso.

Provided that—

(*a*) no such application shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the decree a review of which is applied for; and

(*b*) no such application shall be granted on the ground of discovery of new matter, or evidence which the applicant alleges was not within his knowledge, or could not be adduced by him when the decree or order was passed, without strict proof of such allegation.

627. If the Judge or Judges, or any one of the Judges, who passed the decree or order, a review of which is applied for, continues or continue attached to the Court at the time when the application for a review is presented and is not or are not precluded by absence or other cause, for a period of six months next after the application, from considering the decree or order to which the application refers, such Judge or Judges or any of them shall hear the application, and no other Judge or Judges of the Court shall hear the same.

Application for review in Court consisting of two or more Judges.

628. If the application for a review be heard by more than one Judge and the Court be equally divided, the application shall be rejected.

Application when rejected.

If there be a majority the decision shall be according to the opinion of the majority.

629. An order of the Court for rejecting the application shall be final, but whenever such application is admitted, the admission may be objected to on the ground that it was

Order of Court final.

(*a*) in contravention of the provisions of section 624,

(*b*) in contravention of the provisions of section 626, or

(*c*) after the expiration of the period of limitation prescribed therefor and without sufficient cause.

Such objection may be made at once by an appeal against the order granting the application, or may be taken in any appeal against the final decree or order made in the suit.

Where the application has been rejected in consequence of the failure of the applicant to appear, he may apply for an order to have the rejected application restored to the file, and if it be proved to the satisfaction of the Court that he was prevented by any sufficient cause from appearing when such application was called on for hearing, the Court may order it to be restored to the file upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for hearing the same.

No order shall be made under this section unless the applicant has served the opposite party with notice in writing of the latter application.

No application to review an order passed on review or on an application for a review shall be entertained.

630. When an application for a review is granted, a note thereof shall be made in the register and the Court may at once re-hear the case or make such order in regard to the re-hearing as it thinks fit.

Registry of application granted, and order for re-hearing.

PART IX.

CHAPTER XLVIII.

SPECIAL RULES RELATING TO THE CHARTERED HIGH COURTS.

631. This chapter applies only to High Courts which are or may hereafter be established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 (*An Act for establishing High Courts of Judicature in India*).

This part to apply only to certain High Courts.

632. Except as provided in this Chapter the provisions of this Code apply to such High Courts.

Application of Code to High Courts.

633. The High Court shall take evidence, and record judgments and orders in such manner as it by rule from time to time directs.

High Court to record judgments according to its own rules.

634. Whenever a High Court considers it necessary that a decree made in the exercise of its ordinary original civil jurisdiction should be enforced before the amount of the costs incurred in the suit can be ascertained by taxation, the Court may order that the decree shall be executed forthwith, except as to so much thereof as relates to the costs;

Power to order execution of decree before ascertainment of costs, and execution for costs subsequently.

and, as to so much thereof as relates to the costs, that the decree may be executed as soon as the amount of the costs shall be ascertained by taxation.

635. Nothing in this Code shall be deemed to authorize any person on behalf of another to address the Court in the exercise of its ordinary original civil jurisdiction or to examine witnesses, except when the Court shall have in the exercise of the power conferred by its charter authorized him so to do, or to interfere with the power of the High Court to make rules concerning advocates, vakíls and attorneys.

Attorneys not to address Court, except when authorized

636. Notices to produce documents, summonses to witnesses, and every other judicial process, issued in the exercise of the ordinary or extraordinary original civil jurisdiction of the High Court, and of its matrimonial, testamentary and intestate jurisdictions, except summonses to defendants issued under section 65, writs of execution, and notices under section 553, may be served by the attorneys in the suit, or by persons employed by them, or by such other persons as the High Court by any rule or order from time to time directs.

Process of High Courts may be served by attorneys in suit.

637. Any non-judicial or quasi-judicial act which this Code requires to be done by a Judge, and any act which may be done by a Commissioner appointed to examine and adjust accounts under section 394, may be done by the Registrar of the Court or by such other officer of the Court as the Court may direct to do such act.

Non-judicial acts may be done by Registrar.

The High Court may from time to time by rule declare what shall be deemed to be non-judicial and quasi-judicial acts within the meaning of this section.

638. The following portions of this Code shall not apply to the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction, namely, sections 16 and 17, sections 54, clauses (*a*) and (*b*), 57, 119, 160, 182 to 185 (both inclusive), 187, 189, 190, 191, 192 (so far as relates to the manner of taking evidence), 198 to 206 (both inclusive), 261, and so much of section 409 as relates to the making of a memorandum,

Sections not applying to High Court in original civil jurisdiction.

and section 579 shall not apply to the High Court in the exercise of its appellate jurisdiction.

Nothing in this Code shall extend or apply to any High Court in the exercise of its jurisdiction as an Insolvent Court.

Code not to affect High Court in exercise of insolvent jurisdiction.

639. The High Court may from time to time frame forms for any proceeding in such Court, and may make rules as to the books, entries and accounts to be kept by its officers.

Power to frame forms.

PART X.

CHAPTER XLIX.

MISCELLANEOUS.

640. Women, who according to the customs and manners of the country ought not to be compelled to appear in public, shall be exempt from personal appearance in court.

Exemption of certain women from personal appearance.

But nothing herein contained shall be deemed to exempt such women from arrest in execution of civil process.

641. The Local Government may, by notification in the official Gazette, exempt from personal appearance in court any person whose rank, in the opinion of such Government, entitles him to the privilege of exemption, and may, by like notification, withdraw such privilege.

Local Government may exempt certain persons from personal appearance.

The names and residences of the persons so exempted shall from time to time be forwarded to the High Court by the Local Government, and a list of such persons shall be kept in such Court, and a list of such persons as reside within the local limits of the jurisdiction of each Court, subordinate to the High Court, shall be kept in such subordinate Court.

List of names of persons exempted to be kept in subordinate Court.

When any person so exempted claims the privilege of such exemption, and it is consequently necessary to examine him by commission, he shall pay the costs of that commission, unless the party requiring his evidence pays such costs.

Costs of commission rendered necessary by claiming privilege.

642. No Judge, Magistrate or other judicial officer shall be liable to arrest under this Code while going to, presiding in, or returning from his Court.

Persons exempt from arrest.

And, except as hereinafter provided, the parties to a suit and their pleaders and recognized agents shall be exempt from arrest under this Code while going to or attending a Civil Court for the purpose of such suit and while returning from such Court. Witnesses acting in obedience to a summons shall be similarly exempt.

643. When in a case pending before any Court, there appears to the Court sufficient ground for sending for investigation to the Magistrate a charge of any such offence as is described in section 193, 196, 199, 200, 205, 206, 207, 208, 209, 210, 463, 471, 474, 475, 476 or 477 of the Indian Penal Code, which may be made in the course of any other suit or proceeding or with respect to any document offered in evidence in the case, the Court may cause the person accused to be detained till the rising of the Court, and may then send him in custody to the Magistrate, or take sufficient bail for his appearance before the Magistrate.

Procedure in case of certain offences.

The Court shall send to the Magistrate the evidence and documents relevant to the charge, and may bind over any person to appear and give evidence before such Magistrate.

The Magistrate shall receive such charge and proceed with it according to law.

644. Subject to the power conferred on the High Court by section 639 and by the twenty-fourth and twenty-fifth of Victoria, chapter 104, section 15, the forms set forth in the fourth schedule hereto annexed, with such variation as the circumstances of each case require, shall be used for the respective purposes therein mentioned.

Use of forms in fourth schedule.

645. The language which, when this Code comes into force, is the language of any Court subordinate to a High Court, shall continue to be the language of such subordinate Court until the Local Government otherwise orders;

Language of subordinate Courts.

but it shall be lawful for the Local Government from time to time to declare what language shall be the language of every such Court.

646. Whenever the Registrar of a Court of Small Causes has any doubt upon any question of law or usage having the force of law, or as to the construction of a document which construction may

Power of Registrars of Small Cause Courts to state cases.

affect the merits of the decision, he may state a case for the opinion of the Judge; and all the provisions herein contained relative to the stating of a case by the Judge shall apply, *mutatis mutandis*, to the stating of a case by the Registrar.

Miscellaneous proceedings.

647. The procedure herein prescribed shall be followed, as far as it can be made applicable, in all proceedings in any Court of civil jurisdiction other than suits and appeals.

Admission of affidavits as evidence.

The High Court may from time to time make rules to provide for the admission, in such proceedings, of affidavits as evidence of the matters to which such affidavits respectively relate; and such rules, on being published in the local official Gazette, shall have the force of law.

Procedure when person to be arrested or property to be attached is outside the District.

648. If any person to be arrested or any property to be attached under this Code, resides or is situate outside the District within which the Court issuing the warrant of arrest or making the order of attachment is situate, such Court shall send to the District Court within the local limits of whose jurisdiction such person or property resides or is situate, a copy of the warrant or order, together with the probable amount of the costs of the arrest or attachment.

The District Court shall, on receipt of such copy and amount, cause the arrest or attachment to be made by its own officers or by a Court subordinate to itself, and shall inform the Court which issued or made such warrant or order of the arrest or attachment,

and the Court making any arrest under this section shall send the person arrested to the Court by which the warrant of arrest was issued.

Rules applicable to all civil process for arrest, sale or payment.

649. The rules contained in chapter XIX shall apply to the execution of any judicial process for the arrest of a person or the sale of property or payment of money, which may be desired or ordered by a Civil Court in any civil proceeding.

Application of rules as to witnesses.

650. The provisions of chapters XIV and XV relating to witnesses shall apply to all persons required to give evidence, or to produce documents in any proceeding under this Code.

Penalty for escaping from custody under Code.

651. Whoever offers any resistance or illegal obstruction to the lawful apprehension of himself under this Code, or under the warrant of any Court of Civil Judicature, or escapes or attempts to escape from any custody in which he is lawfully detained under this Code or under such warrant, shall, on conviction before a Magistrate, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Power to make subsidiary rules of procedure.

652. The High Court may from time to time make rules consistent with this Code to regulate any matter connected with the procedure of the Courts of Civil Judicature subject to its superintendence. All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

THE FIRST SCHEDULE.

(*See section* 3).

A.—STATUTE REPEALED.

Year and chapter.	Title.	Extent of repeal.
29 Char. II. chap. 7 ...	An Act for the better observance of the Lord's day commonly called Sunday.	The whole.

B.—ACTS REPEALED.

Number and year.	Subject or title.	Extent of repeal.
IX of 1840 ...	For amending the law administered in Her Majesty's Courts of Justice with reference to Arbitrations, Damages, and interested Witnesses.	So much as has not been repealed.
XXIII of 1840 ...	For executing within the local limits of the jurisdiction of Her Majesty's Courts legal Process issued by authorities in the Mufassal.	So far as it relates to the execution of the process of Civil Courts.
VIII of 1841 ...	Interpleader	The whole.
XXVI of 1841 ...	Extending 3 & 4 Wm. IV, c. 42 ...	So much as has not been repealed.
XIV of 1848 ...	Commissions for taking affidavits ...	The whole.
XVII of 1852 ...	Special cases	The whole.
XXXIII of 1852 ...	Enforcement of judgments ...	The whole Act, except so far as it relates to the decrees of Military Courts of Requests.
VI of 1855 ...	Writs of execution	The whole.
XXXIV of 1855 ...	Execution of judgments	The whole.
VIII of 1859 ...	For simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.	So much as has not been repealed.
XXIII of 1861 ...	To amend Act VIII of 1859 ...	So much as has not been repealed.
XX of 1862 ...	To provide for the levy of Fees and Stamp-duties in the High Court, &c.	So much as has not been repealed.
XXIV of 1862 ...	To continue in force Act XX of 1862	So much as has not been repealed.
IX of 1863 ...	To amend the Code of Civil Procedure	The whole.

THE FIRST SCHEDULE.

ACTS REPEALED—*continued.*

Number and year.	Subject or title.	Extent of repeal.
XVIII of 1863 ...	To make provision for the speedy and efficient disposal of the business, &c.	So much as has not been repealed.
XXXII of 1863 ...	To continue in force Act XX of 1862 ...	So much as has not been repealed.
XI of 1865 ...	Mufassal Small Cause Courts Act ...	Sections 8, 9, 10, 11, para. 2, 22, 23, 24, 25, 26, 27, 28, 42 and 47, and in section 32 the words "in the manner prescribed in the twenty-second section of this Act" and "contained in the twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of this Act."
XIV of 1865 ...	Central Provinces Courts Act ...	Sections 17 and 18.
XIX of 1865 ...	Panjáb Courts Act	Sections 13 and 17.
V of 1866 ...	To provide a summary procedure on Bills of Exchange, &c.	In the title, the words '*to provide a summary procedure on Bills of Exchange and*'
		The preamble down to and including the words 'Notes; and'
		In section 1, the definitions of 'High Court' and 'Local Government.'
		Sections two to eight (both inclusive).
		Section fourteen.
XXIV of 1866 ...	High Court, North-Western Provinces	So much as has not been repealed.
X of 1867 ...	References by Mufassal Small Cause Courts.	The whole.
XXVI of 1867 ...	To amend the law relating to Stamp Duties.	So much as has not been repealed.
XV of 1869 ...	Prisoners' Testimony Act ...	So much of sections 15 and 16 as relates to process issued by a Civil Court.
IX of 1873 ...	Panjáb Appeals Act, 1873 ...	Sections 9 and 10.
VI of 1874 ...	The Privy Council Appeals Act, 1874...	The whole.

C.—REGULATIONS REPEALED.

Bengal Regulation XX of 1810.	Cantonments	So much of section XIX as relates to civil process.
Madras Regulation XIV of 1816.	Vakíls	Section 27.

THE SECOND SCHEDULE.

(See section 5).

Chapters and Sections of this Code extending to Mufassal Courts of Small Causes.

PRELIMINARY: Sections 1, 2, 3 and 5.

CHAPTER I.—Of the Jurisdiction of the Courts and *Res Judicata*, except section 11.
CHAPTER II.—Of the Place of Suing, except section 20, paragraph 4, and sections 22 to 24 (both inclusive).
CHAPTER III.—Of Parties and their Appearances, Applications and Acts.
CHAPTER IV.—Of the Frame of the Suit, except section 42 and section 44, rule *a*.
CHAPTER V.—Of the Institution of Suits.
CHAPTER VI.—Of the Issue and Service of Summons, except section 77.
CHAPTER VII.—Of the Appearance of the Parties and consequence of Non-appearance.
CHAPTER VIII.—Section 111, Set-off.
CHAPTER IX.—Of the Examination of the Parties by the Court, except section 119.
CHAPTER X.—Of Discovery and the Admission, &c., of Documents.
CHAPTER XII.—Section 155, first paragraph, Judgment where either party fails to produce his evidence.
CHAPTER XIII.—Of Adjournments.
CHAPTER XIV.—Of the Summoning and Attendance of Witnesses.
CHAPTER XV.—Of the Hearing of the Suit and Examination of Witnesses, except sections 182 to 188 (both inclusive).
CHAPTER XVII.—Of Judgment and Decree, except sections 204, 207, 211, 212, 213, 214 and 215.
CHAPTER XVIII.—Sections 220, 221 and 222, of Costs.
CHAPTER XIX.—Of the Execution of Decrees, sections 230 to 236 (both inclusive), 239 to 258 (both inclusive), 259 (except so far as relates to the recovery of wives), 266 (except so far as relates to immoveable property), 267 to 272 (both inclusive), 273 (so far as relates to decrees for moveable property), 275 to 280 (both inclusive), 283, 284 (so far as relates to moveable property), 285, 286, 287, 288, 289, 290, 291, 292, 293 (so far as relates to re-sales under 297), 294 to 303 (both inclusive), 328 to 333 (both inclusive, so far as relates to moveable property), 336 to 343 (both inclusive).
CHAPTER XXI.—Of the Death, Marriage and Insolvency of Parties.
CHAPTER XXII.—Of the Withdrawal and Adjustment of Suits.
CHAPTER XXIII.—Of Payment into Court.
CHAPTER XXIV.—Of requiring Security for Costs.
CHAPTER XXV.—Of Commissions.
CHAPTER XXVI.—Suits by Paupers.
CHAPTER XXVII.—Suits by and against Government or Government Servants.
CHAPTER XXVIII.—Suits by Aliens and by and against Foreign and Native Rulers, except the first paragraph of section 433.
CHAPTER XXIX.—Suits by and against Corporations and Companies.
CHAPTER XXX.—Suits by and against Trustees, Executors and Administrators.
CHAPTER XXXI.—Suits by and against Minors and Persons of unsound Mind.
CHAPTER XXXII.—Suits by and against Military Men.
CHAPTER XXXIII.—Interpleader.
CHAPTER XXXIV.—Of Arrest and Attachment before Judgment.
CHAPTER XXXVII.—Reference to Arbitration, sections 506 to 522 (both inclusive).
CHAPTER XXXVIII.—Of proceedings on Agreement of Parties.
CHAPTER XLVI.—Reference to and Revision by High Court.
CHAPTER XLVII.—Of Review of judgment.
CHAPTER XLIX.—Miscellaneous, sections 640 to 647 (both inclusive), section 648 (so far as relates to arrests), sections 649 to 652 (both inclusive).

THE THIRD SCHEDULE.

(See section 7).

Bombay Enactments.

Bombay Regulation XXIX, 1827.
„ „ VII, 1830.
„ „ I, 1831.
„ „ XVI, 1831.
Act XIX of 1835.
„ XIII of 1842.

THE FOURTH SCHEDULE.

(*See section* 644.)

FORMS OF PLEADINGS AND DECREES.

A.—PART I. PLAINTS.

No. 1.

FOR MONEY LENT.

IN THE COURT OF AT

Civil Suit No.

A. B. of

against

C. D. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , he lent the defendant rupees repayable on demand [*or* on the day of].

2. That the defendant has not paid the same, except rupees paid on the day of 18 .

[*If the plaintiff claims exemption from any law of limitation, say*:—

3. The plaintiff was a minor [*or* insane] from the day of till the day of].

4. The plaintiff prays judgment for rupees, with interest at per cent. from the day of 18 .

[NOTE.—The object of stating when the debt is to be repaid is merely to fix a date for interest. If, therefore interest is not claimed, the statement may be omitted.]

No. 2.

FOR MONEY RECEIVED TO PLAINTIFF'S USE.

(*Title.*)

A. B., and *G. H.*, the above-named plaintiffs, state as follows:—

1. That on the day of 18 , at , the defendant received rupees [*or* a cheque on the Bank for Rs.] from one *E. F.* for the use of the plaintiffs.

2. That the defendant has not paid [*or* delivered] the same accordingly.

3. The plaintiffs pray judgment for rupees, with interest at per cent. from the day of 18 .

No. 3.

FOR PRICE OF GOODS SOLD BY A FACTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at he and *E. F.*, since deceased, delivered to the defendant [*one thousand barrels of flour, five hundred maunds of rice, or as the case may be*] for sale upon commission.

2. That on the day of 18 [*or*, on some day unknown to the plaintiff, before the day of 18], the defendant sold the said merchandise for rupees.

3. That the commission and expenses of the defendant thereon, amount to rupees.

4. That on the day of 18 , the plaintiff demanded from the defendant the proceeds of the said merchandise.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 4.

FOR MONEY RECEIVED BY DEFENDANT THROUGH THE PLAINTIFF'S MISTAKE OF FACT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff agreed to buy and the defendant agreed to sell bars of silver at annas per tola of fine silver.

2. That the plaintiff procured the said bars to be assayed by one *E. F.*, who was paid by the defendant for such assay, and that the said *E. F.* declared each of the said bars to contain 1,500 tolas of fine silver, and that the plaintiff accordingly paid the defendant Rs. annas therefor.

3. That each of the said bars did contain only 1,200 tolas of fine silver.

4. That the defendant has not repaid the sum so overpaid.

[*Demand of judgment.*]

[NOTE.—A demand of repayment is not necessary, but it may affect the question of interest or the costs.]

No. 5.

FOR MONEY PAID TO A THIRD PARTY AT THE DEFENDANT'S REQUEST.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , at the request [*or* by the authority] of the defendant, the plaintiff paid to one *E. F.* rupees.

2. That, in consideration thereof, the defendant promised [*or* became bound] to pay the same to the plaintiff on demand [*or as the case may be.*]

3. That [on the day of 18 , the plaintiff demanded payment of the same from the defendant, but] he has not paid the same.

[*Demand of judgment.*]

[NOTE.—If the request or authority is implied, the plaint should state facts raising the implication.]

No. 6.

FOR GOODS SOLD AT A FIXED PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of deceased sold and delivered to the defendant [one hundred barrels of flour, *or*, the goods mentioned in the schedule hereto annexed, *or*, sundry goods].

2. That the defendant promised to pay rupees for the said goods on delivery [*or* on the day of *some day before the plaint was filed*].

3. That he has not paid the same.

4. That the said *E. F.* in his lifetime made his will, whereby he appointed the plaintiff executor thereof.

5. That on the day of 187 the said *E. F.* died.

6. That on the day of probate of the said will was granted to the plaintiff by the Court of .

7. The plaintiff as executor as aforesaid [*Demand of judgment*].

[NOTE.—If a day was fixed for payment it should be stated as furnishing a date for the commencement of interest.]

No. 7.

GOODS SOLD AT A REASONABLE PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff sold and delivered to the defendant [*sundry articles of house furniture*] but no express agreement was made as to the price.

2. That the same were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—The law implies a promise to pay as much as the goods are reasonably worth.]

No. 8.

FOR GOODS DELIVERED TO A THIRD PARTY AT DEFENDANT'S REQUEST AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff sold to the defendant [*one hundred barrels of flour*] and, at the request of the defendant, delivered the same to one *E. F.*

2. That the defendant promised to pay to the plaintiff rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 9.

FOR NECESSARIES FURNISHED TO THE FAMILY OF DEFENDANT'S TESTATOR WITHOUT HIS EXPRESS REQUEST, AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff furnished to [*Mary Jones*] the wife of *James Jones* deceased, at her request, sundry articles of [*food and clothing*], but no express agreement was made as to the price.

2. That the same were necessary for her.

3. That the same were reasonably worth rupees.

4. That the said *James Jones* refused to pay the same.

5. That the defendant is the executor of the last will of the said *James Jones*.

[*Demand of judgment.*]

No. 10.

FOR GOODS SOLD AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold to *E. F.* of deceased [*all the crops then growing on his farm in*].

2. That the said *E. F.* promised to pay the plaintiff rupees for the same.

3. That he did not pay the same.

4. That the defendant is administrator of the estate of the said *E. F.*

[*Demand of judgment.*]

No. 11.

FOR GOODS SOLD AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of sold to the defendant [*all the fruit growing in his orchard in*], but no express agreement was made as to the price.

2. That the same was reasonably worth rupees.

3. That the defendant has not paid the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the plaintiff committee of his estate with the usual powers for the management thereof.

5. The plaintiff as committee as aforesaid [*Demand of judgment.*]

[NOTE.—When the lunatic's estate is not subject to the ordinary original jurisdiction of a High Court, for paragraphs 4 and 5 substitute the following:—]

4. That on the day of the Civil Court of duly adjudged the said *E. F.* to be of unsound mind and incapable of managing his affairs and appointed the plaintiff Manager of his estate.

5. The plaintiff as Manager as aforesaid [*Demand of judgment.*]

No. 12.

FOR GOODS MADE AT DEFENDANT'S REQUEST, AND NOT ACCEPTED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of agreed with the plaintiff that the plaintiff should make for him [*six tables and fifty chairs*], and that the said *E. F.* should pay for the same upon delivery thereof rupees.

2. That the plaintiff made the said goods, and on the day of 18 offered to deliver the same to the said *E. F.*, and has ever since been ready and willing so to do.

3. That the said *E. F.* has not accepted the said goods or paid for the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the defendant committee of his estate.

5. The plaintiff prays judgment for rupees with interest from the day of , at the rate of per cent. per annum, to be paid out of the estate of the said *E. F.* in the hands of the defendant.

No. 13.

FOR DEFICIENCY UPON A RE-SALE [GOODS SOLD AT AUCTION].

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff put up at auction sundry [*articles of merchandise*], subject to the condition that all goods not paid for and removed by the purchaser thereof, within [*ten days*] after the sale, should be re-sold by auction on his account of which condition the defendant had notice.

2. That the defendant purchased [*one crate of crockery*] at the said auction at the price of rupees.

3. That the plaintiff was ready and willing to deliver the same to the defendant on the said day and for [*ten days*] thereafter, of which the defendant had notice.

4. That the defendant did not take away the said goods purchased by him, nor pay therefor, within [*ten days*] after the sale, nor afterwards.

5. That on the day of 18 , at , the plaintiff re-sold the said [*crate of crockery*], on account of the defendant, by public auction, for rupees.

6. That the expenses attendant upon such re-sale amounted to rupees.

7. That the defendant has not paid the deficiency thus arising, amounting to rupees.

[*Demand of judgment.*]

NOTE to § 4. Unless the seller agreed to deliver, the purchaser must fetch the goods. See Act IX of 1872, sec. 93.]

No. 14.

FOR THE PURCHASE-MONEY OF LANDS CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold [and conveyed] to the defendant [the house and compound No. , in , in the city of *or*, a farm known as *or*, a piece of land lying, *&c.*]

2. That the defendant promised to pay the plaintiff rupees for the said [house and compound, *or* farm, *or* land].

3. That he has not paid the same.

[*Demand of judgment.*]

NOTE.—Where there has been no actual conveyance, say, in § 1, "sold to the defendant the house, &c., and put him in possession of the same."]

No. 15.

FOR THE PURCHASE-MONEY OF IMMOVEABLE PROPERTY CONTRACTED TO BE SOLD, BUT NOT CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff [the house No. in the town of , *or* one hundred bighás of land in , bounded by the East Indian railroad, and by other lands of the plaintiff] for rupees.

2. That on the day of 18 , at , the plaintiff tendered [*or*, was ready and willing, and offered to execute] a sufficient instrument of conveyance of the said property to the defendant, on payment of the said sum, and still is ready and willing to execute the same.

3. That the defendant has not paid the said sum.

[*Demand of judgment.*]

No. 16.

FOR SERVICES AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [hired plaintiff as a clerk, at the salary of rupees per year].

2. That from the [said day] until the day of 18 , the plaintiff served the defendant as his clerk].

3. That the defendant has not paid the said salary.

[*Demand of judgment.*]

No. 17.

FOR SERVICES AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That between the day of 18 , and the day of 18 , at , plaintiff [executed sundry drawings, designs and diagrams] for the defendant, at his request; but no express agreement was made as to the sum to be paid for such services.

2. That the said services were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 18.

FOR SERVICES AND MATERIALS AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff [furnished the paper for and printed one thousand copies of a book called for the defendant, at his request [and delivered the same to him].

2. That the defendant promised to pay rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 19.

FOR SERVICES AND MATERIALS AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff built a house [known as No. , in], and furnished the materials therefor, for the defendant, at his request; but no express agreement was made as to the price to be paid for such work and materials.

2. That the said work and materials were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 20.

FOR RENT RESERVED IN A LEASE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into a covenant with the plaintiff, under their hands, a copy of which is hereto annexed.

[*Or state the substance of the agreement.*]

2. That the defendant has not paid the rent of the [month] ending on the day of 18 , amounting to rupees.

[*Demand of judgment.*]

Another Form.

1. That the plaintiff let to the defendant a house No. 27 Chowringhee for seven years to hold from the day of 187 at rupees a year, payable quarterly.

2. That of such rent quarters are due and unpaid.

[*Demand of judgment.*]

No. 21.

FOR USE AND OCCUPATION AT A FIXED RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant hired from the plaintiff [the house No. , street], at the rent of rupees, payable on the first days of .

2. That the defendant occupied the said premises from the day of 18 to the day of 18 .

3. That the defendant has not paid rupees, being the part of said rent due on the first day of 18 .

[*Demand of judgment.*]

No. 22.

FOR USE AND OCCUPATION AT A REASONABLE RENT.

(*Title.*)

A. B., the above-named plaintiff, executor of the will of *X. Y.*, deceased, states as follows:—

1. That the defendant occupied the [house No , street], by permission of the said *X. Y.*, from the day of 18 , until the day of 18 and no agreement was made as to payment for the use of the said premises.

2. That the use of the said premises for the said period was reasonably worth rupees.

3. That the defendant has not paid the same.

4. The plaintiff as such executor as aforesaid prays judgment for rupees.

No. 23.

FOR BOARD AND LODGING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That from the day of 18 , until the day of 18 , the defendant occupied certain rooms in the house [No. , street], by permission of the plaintiff, and was furnished by the plaintiff, at his request, with meat, drink, attendance and other necessaries.

2. That in consideration thereof, the defendant promised to pay, [*or* that no agreement was made as to payment for such meat, drink, attendance or necessaries, but the same were reasonably worth] the sum of rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 24.

FOR FREIGHT OF GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff transported in [his barge, *or otherwise*] [one thousand barrels of flour, *or* sundry goods], from to , at the request of the defendant.

2. That the defendant promised to pay the plaintiff the sum of [one rupee per barrel] as freight thereon. [*Or*, that no agreement was made as to payment for such transportation, but that such transportation was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 25.

FOR PASSAGE-MONEY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff conveyed the defendant [in his ship, called the] from to at his request.

2. That the defendant promised to pay the plaintiff rupees therefor. [*or* that no agreement was made as to the price of the said passage; but that the said passage was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 26.

ON AN AWARD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, having a controversy between them concerning [a demand of the plaintiff for the price of ten barrels of oil, which the defendant refused to pay], agreed to submit the same to the award of *E. F.* and *G. H.*, as arbitrators [*or*, entered into an agreement, a copy of which is hereto annexed.]

2. That on the day of 18 , at , the said arbitrators awarded that the defendant should [pay the plaintiff rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—This will apply where the agreement to refer is not filed in Court.]

No. 27.

ON A FOREIGN JUDGMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , in the State [*or* Kingdom] of , the Court of that State [*or* Kingdom], in a suit therein pending between the plaintiff and the defendant, duly adjudged that the defendant should pay to the plaintiff rupees, with interest from the said date.

2. That the defendant has not paid the same.

[*Demand of judgment.*]

PLAINTS UPON INSTRUMENTS FOR THE PAYMENT OF MONEY ONLY.

No. 28.

ON AN ANNUITY BOND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bond became bound to the plaintiff in the sum of rupees to be paid by the defendant to the plaintiff, subject to a condition that if the defendant should pay to the plaintiff rupees half yearly on the day of and the day of in every year during the life of the plaintiff, the said bond should be void.

2. That afterwards, on the day of 187 , the sum of rupees for of the said half-yearly payments of the said annuity, became due to the plaintiff and is still unpaid

[*Demand of judgment.*]

No. 29.

PAYEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of , 18 , at , the defendant by his promissory note now overdue, promised to pay to the plaintiff rupees [days] after date.

2. That he has not paid the same [except rupees, paid on the day of 18].

[*Demand of judgment.*]

[NOTE.—*Where the note is payable after notice, for paras.* 1 *and* 2 *substitute*—]

1. That on the day of at the defendant by his promissory note promised to pay to the plaintiff rupees months after notice.

2. That notice was afterwards given by the plaintiff to the defendant to pay the same months after the said notice.

3. That the said time for payment has elapsed, but the defendant has not paid the same.

[*Where the note is payable at a particular place, say*—]

1.—That on the day of 187 at the defendant by his promissory note now overdue promised to pay to the plaintiff [at Messrs. *A. and Co.*, Madras] rupees months after date.

2.—That the said note was duly presented for payment [at Messrs. *A. and Co.*] aforesaid, but has not been paid.

Written statement of the Defendant.

In the Court, &c.

C. D., the above-named defendant, states as follows:—

1. The defendant made the note sued upon under the following circumstances: The plaintiff and defendant had for some years been in partnership as indigo manufacturers, and it had been agreed between them that they should dissolve partnership, that the plaintiff should retire from the business, that the defendant should take over the whole of the partnership assets and liabilities and should pay the plaintiff the value of his share in the assets after deducting the liabilities.

2. The plaintiff thereupon undertook to examine the partnership books and enquire into the state of the partnership assets and liabilities; and he did accordingly examine the said books and make the said enquiries, and he thereupon represented to the defendant that the assets of the firm exceeded Rs. 1,00,000 and that the liabilities of the firm were less than Rs. 30,000, whereas the fact was that the assets of the firm were less than Rs. 50,000 and the liabilities of the firm largely exceeded the assets.

3. The misrepresentations mentioned in the second para. of this statement induced the defendant to make the note now sued on, and there never was any other consideration for the making of such note.

No. 30.

FIRST INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by his promissory note, now overdue, promised to pay to the order of *E. F.* [*or* to *E. F.* or order] rupees [days after date].

2. That the said *E. F.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 31.

SUBSEQUENT INDORSEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form.*]

2. That the same was, by the indorsement of the said *E. F.* and of *G. H.* and *I. J.* [*or* and others] transferred to the plaintiff.

[*Demand of judgment.*]

No. 32.

FIRST INDORSEE AGAINST FIRST INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That *E. F.*, on the day of 18 , at , by his promissory note, now overdue, promised to pay to the defendant or order rupees months after date.

2. That the defendant indorsed the same to the plaintiff.

3. That on the day of 18 the same was duly presented for payment, but was not paid.

[*Or state facts excusing want of presentment.*]

4. That the defendant had notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 33.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.* a promissory note, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at , to the order of the defendant, for the sum of rupees [payable days after date].

2. That the same was by the indorsement of the said *E. F.*, [and others] transferred to the plaintiff. [*Or*, that the said *E. F.* indorsed the same to the plaintiff.]

3, 4 *and* 5. [*Same as* 3, 4 *and* 5 *of the preceding form.*]

[*Demand of judgment.*]

No. 34.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to him a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant.

2, 3 *and* 4. [*As in No.* 33.]

[*Demand of judgment.*]

No. 35.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(*Title*).

A. B., the above-named plaintiff, states as follows:—

1. That a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant, was by the indorsement of the defendant [and others] transferred to the plaintiff.

2, 3 *and* 4. [*As in No* 33.]

[*Demand of judgment.*]

No. 36.

SUBSEQUENT INDORSEE AGAINST MAKER, FIRST AND SECOND INDORSER.

IN THE COURT OF AT

Civil Suit No.

A. B. of
against
C. D. of
E. F. of
and
G. H. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his promissory note, now overdue, promised to pay to the order of the defendant, *E. F.*, rupees [months after date].

2. That the said *E. F.* indorsed the same to the defendant, *G. H.*, who indorsed it to the plaintiff.

3. That on the day of 18 , the same was presented [*or state facts excusing want of presentment*] to the said *C. D.* for payment, but was not paid.

4. That the said *E. F.* and *G. H.* had notice thereof.

5. That they have not paid the same.

[*Demand of judgment.*]

No. 37.

DRAWER AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , by his bill of exchange, now overdue, the plaintiff required the defendant to pay to him rupees [days after date, *or* sight thereof].

2. That the defendant accepted the said bill. [*If the bill is payable at a certain time after sight, the date of acceptance should be stated, otherwise it is not necessary.*]

3. That he has not paid the same.

4. That by reason thereof the plaintiff incurred expenses in and about the presenting and noting of the bill, and incidental to the dishonour thereof.

[*Demand of judgment.*]

[NOTE.—Where the bill is payable to a third party, for paras. 1, 2, 3, say—]

1. That on &c., at &c., by his bill of exchange, now overdue, directed to the defendant the plaintiff required the defendant to pay to *E. F.* or order rupees months after date.

2. That the plaintiff delivered the said bill to the said *E. F.* on

3. That the defendant accepted the said bill, but did not pay the same, whereupon the same was returned to the plaintiff.

No. 38.

PAYEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the plaintiff rupees after sight thereof.

2. That he has not paid the same.

[*Demand of judgment.*]

No. 39.

FIRST INDORSEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the order of one *G. H.* rupees after sight thereof.

2. That the said *G. H.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 40.

SUBSEQUENT INDORSEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form, to the end of art.* 1.]

2. That by the indorsement of the said *G. H.* [and others], the same was transferred to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 41.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by his bill of exchange, directed to *E. F.*, required the said *E. F.* to pay to the plaintiff rupees [days after sight].

2. That on the day of 18 , the same was duly presented to the said *E. F.* for acceptance, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Notice of dishonour by non-acceptance must be given at once.]

No. 42.

FIRST INDORSEE AGAINST FIRST INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to the plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at requiring one *G. H.* to pay to the order of the defendant rupees [days] after sight [*or* after date, *or* at sight] thereof, [and accepted by the said *G. H.* on the day of 18 .]

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 43.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.*, a bill of exchange, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at requiring one *I. J.* to pay to the order of the defendant rupees days after sight thereof [*or otherwise*], and accepted by the said *I. J.* on the day of 18 . [*This clause may be omitted, if not according to the fact.*]

2. That the same was, by the indorsement of the said *E. F.* [and others], transferred to the plaintiff.

3. That on the day of 18 the same was presented to the said *I. J.* for payment, and was dishonoured.

4. That the defendant had due notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 44.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.* to pay to the order of *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 45.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.*, to pay to the order of one *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant, was, by the indorsement of the defendant [and others], transferred to the plaintiff.

2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[*Demand of judgment.*]

No. 46.

INDORSEE AGAINST DRAWER, ACCEPTOR AND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of
E. F. of
G. H. of

A, B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his bill of exchange, now overdue, directed to the defendant *E. F.*, required the said *E. F.* to pay to the order of the defendant *G. H.*, rupees [days after sight thereof].

2. That on the day of 18 , the said *E. F.* accepted the same.

3. That the said *G. H.* indorsed the same to the plaintiff.

4. That on the day of 18 , the same was presented to the said *E. F.* for payment, and was dishonoured.

5. That the other defendants had due notice thereof.

6. That they have not paid the same.

[*Demand of judgment.*]

No. 47.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE OF A FOREIGN BILL.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bill of exchange drawn in Calcutta, required one *E. F.* to pay to the plaintiff in [London] pounds sterling, [sixty days] after sight thereof.

2. That on the day of 18 , the same was presented to the said *E. F.* for acceptance, and was dishonoured, and was thereupon duly protested.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[5. That the value of pounds sterling, at the time of the service of notice of protest on the defendant, was rupees annas.]

Wherefore the plaintiff demands judgment against the defendant for rupees, with [ten per centum] compensation and interest from the day of 18

No. 48.

PAYEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.*, by his bill of exchange, now overdue, directed to the defendant, required the defendant to pay to the plaintiff rupees after date [*or* days after sight] thereof.

2. That on the day of 18 , the defendant accepted the said bill.

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—This form omits to state the delivery of the bill to the plaintiff or his title to sue. See *Churchill v Gardner*, 7 T. R. 596.]

No. 49.

ON A MARINE [OPEN] POLICY, ON VESSEL LOST BY PERILS OF THE SEA.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] the ship at the time of its loss, as hereafter mentioned.

2. That on the day of 18 , at , the defendants, in consideration of rupees to them paid [*or*, which the plaintiff then promised to pay], executed to him a policy of insurance upon the said ship, a copy of which is hereto annexed; [*or*, whereby they promised to pay to the plaintiff, within days after proof of loss and interest, all loss and damage accruing to him by reason of the destruction or injury of the said ship, during its next voyage from to , whether by perils of the sea or by fire, or by other causes therein mentioned, not exceeding rupees].

3. That the said vessel, while proceeding on the voyage mentioned in the said policy, was on the day of 18 , totally lost by the perils of the sea [*or, otherwise*].

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendants with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendants have not paid the said loss.

[*Demand of judgment.*]

No. 50.

ON CARGO, LOST BY FIRE:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] on board the ship at the time of its loss as hereafter mentioned.

2. That on the day of 18 , at , the defendant, in consideration of rupees which the plaintiff then paid [*or*, promised to pay], executed to him a policy of insurance upon the said goods, a copy of which is hereto annexed; [*or*, whereby it promised to pay to the plaintiff rupees in case of the total loss, by fire or other causes mentioned, of the said goods before their landing at ; *or*, in case of partial loss, such damage as the plaintiff might sustain thereby, provided the same should exceed per centum of the whole value of the goods].

3. That on the day of 18 , at , while proceeding on the voyage mentioned in the said policy, the said goods were totally destroyed by fire.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the last preceding Form.*]

Demand of judgment.]

No. 51.

ON FREIGHT:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff had an interest in the freight to be earned by the ship [ ] on her voyage from to , at the time of her loss as hereafter mentioned, and that a large quantity of goods was shipped upon freight in her at that time.

2. That on the day of 18 , at , the defendant in consideration of rupees to it paid, executed to the plaintiff a policy of insurance upon the said freight, a copy of which is hereto annexed [*or state its tenor, as before*].

3. That the said vessel, while proceeding upon the voyage mentioned in the said policy, was, on the day of 18 , totally lost by [the perils of the sea].

4. That the plaintiff has not received any freight from the said vessel, nor did she earn any on the said voyage, by reason of her loss as aforesaid.

5 *and* 6. [*As in Form No.* 50.]

[*Demand of judgment.*]

No. 52.

FOR A LOSS BY GENERAL AVERAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] shipped on board a vessel called the *Y. Z.*, from to , at the time of the loss hereafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [which the plaintiff then promised to pay], the defendant executed to the plaintiff a policy of insurance upon his said goods, a copy of which is hereto annexed [*or state its tenor, as before.*]

3. That on the day of 18 , while proceeding on the voyage mentioned in the said policy, the said vessel was so endangered by perils of the sea, that the master and crew thereof were compelled to, and did, cast into the sea a large part of her rigging and furniture.

4. That the plaintiff was, by reason thereof, compelled to, and did, pay a general average loss of rupees.

5. That on the day of 18 , he furnished the defendant with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 53.

FOR A PARTICULAR AVERAGE LOSS.

(*Title.*)

A. B., the above named plaintiff, states as follows:—

1 *and* 2. [*As in the preceding Form.*]

3. That on the day of 18 , while on the high seas, the sea-water broke into the said ship, and damaged the said [cotton] to the amount of rupees.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the preceding Form.*]

[*Demand of judgment.*]

No. 54.

ON A FIRE INSURANCE POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff [was the owner of, *or*] had an interest in a [dwelling-house, known as No. , street, in the city of ,] at the time of its destruction [*or*, injury] by fire as hereinafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [to it paid], the defendant executed to the plaintiff a policy of insurance on the said [premises], a copy of which is hereto annexed [*or state its tenor*].

3. That on the day of 18 , the said [dwelling-house] was totally destroyed [*or*, greatly damaged] by fire.

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendant with proof of his said loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 55.

AGAINST SURETIES FOR PAYMENT OF RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.* hired from the plaintiff, for the term of years, the [house No. street,], at the annual rent of rupees, payable [monthly].

2. That [at the same time and place] the defendant agreed, in consideration of the letting of the said premises to the said *E. F.*, to guarantee the punctual payment of the said rent.

3. That the rent aforesaid for the month of 18 , amounting to rupees, has not been paid.

[*If, by the terms of the agreement, notice is required to be given to the surety, add:*—]

4. That on the day of 18 , the plaintiff gave notice to the defendant of the non-payment of the said rent, and demanded payment thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

B.—PLAINTS FOR COMPENSATION FOR BREACH OF CONTRACT.

No. 56.

FOR BREACH OF AGREEMENT TO CONVEY LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* That on, &c., the defendant agreed with the plaintiff that, in consideration of a deposit of rupees then paid, and of the further sum of ten thousand rupees payable as hereafter mentioned, he would, on the day of 18 , at , execute to the plaintiff a sufficient conveyance of [the house No. street, in the city of free from all incumbrances; and the plaintiff agreed to pay ten thousand rupees for the same on delivery thereof]

2. That on the day of 18 , the plaintiff demanded the conveyance of the said property from the defendant and tendered rupees to the defendant [*or*, that all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part.]

3. That the defendant has not executed any conveyance of the said property to the plaintiff [*or* That there is a mortgage upon the said property, made by to , for rupees, registered in the office of , on the day of 18 , and still unsatisfied, *or any other defect of title*].

4. That the plaintiff has thereby lost the use of the money paid by him as such deposit as aforesaid and of other moneys provided by him for the completion of the said purchase, and has lost the expenses incurred by him in investigating the title of the defendant and in preparing to perform the agreement on his part, and has incurred expense in endeavouring to procure the performance thereof by the defendant.

The plaintiff prays judgment for rupees compensation.

No. 57.

FOR BREACH OF AGREEMENT TO PURCHASE LAND.

(*Title*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff, forty bighás of land in the village of , for rupees].

2. That on the day of 18 , at , the plaintiff being then the absolute owner of the said property [and the same being free from all incumbrances, as was made to appear to the defendant], tendered to the defendant a sufficient instrument of conveyance of the same [*or*, was ready and willing, and offered to convey the same to the defendant by a sufficient instrument,] on the payment by the defendant of the said sum.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 58.

Another Form.

FOR NOT COMPLETING A PURCHASE OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That by an agreement dated the day of 187 , it was agreed by and between the plaintiff and the defendant that the plaintiff should sell to the defendant and the defendant should purchase from the plaintiff a house and land at the price of rupees, upon the terms and conditions following (that is to say)—

(*a*) That the defendant should pay the plaintiff a deposit of rupees in part of the said purchase-money on the signing of the said agreement, and the remainder on the day of 187 , on which day the said purchase should be completed.

(*b*) That the plaintiff should deduce and make a good title to the said premises on or before the day of 187 , and on payment of the said remainder of the said purchase-money as aforesaid should execute to the defendant a proper conveyance of the said premises, to be prepared at the defendant's expense.

2. That all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part, yet the defendant did not pay the plaintiff the remainder of the said purchase-money as aforesaid on his part.

3. That the plaintiff has thereby lost the expense which he incurred in preparing to perform the said agreement on his part, and has been put to expense in endeavouring to procure the performance thereof by the defendant.

[*Demand of judgment.*]

No. 59.

FOR NOT DELIVERING GOODS SOLD.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the defendant should deliver [one hundred barrels of flour] to the plaintiff [on the day of 18 ,] and that the plaintiff should pay therefor rupees on delivery.

2. That on the [said] day, the plaintiff was ready and willing, and offered, to pay the defendant the said sum upon delivery of the said goods.

3. That the defendant has not delivered the same, whereby the plaintiff has been deprived of the profits which would have accrued to him from such delivery.

[*Demand of judgment.*]

No. 60.

FOR BREACH OF CONTRACT TO EMPLOY.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should serve the defendant as [an accountant, *or* in the capacity of foreman, *or as the case may be*], and that the defendant should employ the plaintiff as such, for the term of [one year], and pay him for his services rupees [monthly].

2. That on the day of 18 , the plaintiff entered upon the service of the defendant as aforesaid, and has ever since been, and still is, ready and willing to continue in such service during the remainder of the said year, whereof the defendant always had notice.

3. That on the day of 18 , the defendant wrongfully discharged the plaintiff, and refused to permit him to serve as aforesaid, or to pay him for his services.

[*Demand of judgment.*]

No. 61.

FOR BREACH OF CONTRACT TO EMPLOY, WHERE THE EMPLOYMENT NEVER TOOK EFFECT.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. [*As in last preceding Form.*]

2. That on the day of 18 , at , the plaintiff offered to enter upon the service of the defendant, and has ever since been ready and willing so to do.

3. That the defendant refused to permit the plaintiff to enter upon such service, or to pay him for his services.

[*Demand of judgment.*]

No. 62.

FOR BREACH OF CONTRACT TO SERVE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should employ the defendant at [an annual] compensation of rupees, and that the defendant should serve the plaintiff as [an artist] for the term of [one year.]

2. That the plaintiff has always been ready and willing to perform his part of the said agreement [and on the day of 18 offered so to do].

3. That the defendant [entered upon the service of the plaintiff on the above-mentioned day, but afterwards, on the day of 18 , he] refused to serve the plaintiff as aforesaid.

[*Demand of judgment.*]

No. 63.

AGAINST A BUILDER FOR DEFECTIVE WORKMANSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, of which a copy is hereto annexed :

[*Or state the tenor of the contract.*]

[2. That the plaintiff duly performed all the conditions of the said agreement on his part.]

3. That the defendant [built the house referred to in the said agreement in a bad and unworkmanlike manner].

[*Demand of judgment.*]

No. 64.

BY THE MASTER AGAINST THE FATHER OR GUARDIAN OF AN APPRENTICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant entered into an agreement, under his hand and seal,* a copy of which is hereto annexed :

[*Or state the tenor of these covenants.*]

2. That after the making of the said agreement the plaintiff received the said [*apprentice*] into his service as such apprentice for the term aforesaid, and has always performed and been ready and willing to perform all things in the said agreement on his part to be performed.

3. That on the day of 18 , the said [*apprentice*] wilfully absented himself from the service of the plaintiff, and continues so to do.

[*Demand of judgment.*]

* The form given in Act XIX of 1850 requires the seal of the father or guardian.

No. 65.

BY THE APPRENTICE AGAINST THE MASTER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into an agreement with the plaintiff and his father, *E. F.*, under their hands and seals, a copy of which is hereto annexed.

2. That after the making of the said agreement the plaintiff entered into the service of the defendant with him after the manner of an apprentice to serve for the term mentioned in the said agreement, and has always performed all things in the said agreement contained on his part to be performed.

3. That the defendant has not [instructed the plaintiff in the business of , *or state any other breach, such as cruelty, failure to provide sufficient food, or other ill-treatment.*]

[*Demand of judgment.*]

No. 66.

ON A BOND FOR THE FIDELITY OF A CLERK.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff employed one *E. F.* as a clerk.

2. That on the day of 18 , at , the defendant agreed with the plaintiff, that if the said *E. F.* should not faithfully perform his duties as a clerk to the plaintiff, or should fail to account to the plaintiff for all moneys, evidences of debt, or other property received by him for the use of the plaintiff, the defendant would pay to the plaintiff whatever loss he might sustain by reason thereof, not exceeding rupees.

[*Or*, 2. That at the same time and place, the defendant bound himself to the plaintiff, by a writing under his hand, in the penal sum of rupees, conditioned that if the said *E. F.* should faithfully perform his duties as clerk and cashier to the plaintiff, and should justly account to the plaintiff for all moneys, evidences of debt, or other property which should be at any time held by him in trust for the plaintiff, the same should be void, but not otherwise.]

[*Or*, 2. That at the same time and place, the defendant executed to the plaintiff a bond, a copy of which is annexed.]

3. That between the day of 18 and the day of 18 , the said *E. F.* received money and other property, amounting to the value of rupees, for the use of the plaintiff, for which he has not accounted to him, and the same still remains due and unpaid.

[*Demand of judgment.*]

No. 67.

BY TENANT AGAINST LANDLORD, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by an instrument in writing, let to the plaintiff [the house No. street,] for the term of years, covenanting with the plaintiff that he, the plaintiff, and his legal representatives should quietly enjoy possession thereof for the said term.

2. That all conditions were fulfilled and all things happened necessary to entitle the plaintiff to maintain this suit.

3. That on the day of during the said term, one *E. F.*, who was the lawful owner of the said house, lawfully evicted the plaintiff therefrom, and still withholds the possession thereof from him.

4. That the plaintiff was thereby [prevented from continuing the business of a tailor at the said place, was compelled to expend rupees in moving, and lost the custom of *G. H.* and *I. J.* by such removal.]

[*Demand of judgment.*]

No. 68.

FOR BREACH OF WARRANTY OF MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant warranted a steam-engine to be in good working order, and thereby induced the plaintiff to purchase the same of him, and to pay him rupees therefor.

2. That the said engine was not then in good working order, whereby the plaintiff incurred expense in having the said engine repaired, and lost the profits which would otherwise have accrued to him while the engine was under repair.

[*Demand of judgment.*]

No. 69.

ON AN AGREEMENT OF INDEMNITY.

(*Title.*)

A. B., the above named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, being partners in trade under the firm of *A. B.* and *C. D.*, dissolved the said partnership, and mutually agreed that the defendant should take and keep all the partnership property, pay all debts of the firm, and indemnify the plaintiff against all claims that might be made upon him on account of any indebtedness of the said firm.

2. That the plaintiff duly performed all the conditions of the said agreement on his part.

3. That on the day of 18 [a judgment was recovered against the plaintiff and defendant by one *E. F.*, in the High Court of Judicature at , upon a debt due from the said firm to the said *E. F.*, and on the day of 18] the plaintiff paid rupees [in satisfaction of the same].

4. That the defendant has not paid the same to the plaintiff.

[*Demand of judgment.*]

No. 70.

BY SHIP-OWNER AGAINST FREIGHT OR FOR NON LOADING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, a copy of which is hereto annexed.

[*Or*, 1. That on , at , the plaintiff and defendant agreed by charter party that the defendant should deliver to the plaintiff's ship at , on the day of 18 , five hundred tons of merchandise, which she should carry to , and there deliver, on payment of freight; and that the defendant should have days for loading, days for discharge, and days for demurrage, if required, at rupees per day.]

2. That at the time fixed by the said agreement the plaintiff was ready and willing and offered to receive [the said merchandise, *or*, the merchandise mentioned in the said agreement] from the defendant.

3. That the period allowed for loading and demurrage has elapsed, but the defendant has not delivered the said merchandise to the said vessel.

Wherefore, the plaintiff demands judgment for rupees for demurrage and rupees additional for compensation.

C.—PLAINTS FOR COMPENSATION UPON WRONGS.

No. 71.

FOR TRESPASS ON LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant entered upon certain land of the plaintiff, known as [and depastured the same with cattle, trod down the grass, cut the timber, and otherwise injured the same].

[*Demand of judgment.*]

No. 72.

FOR TRESPASS IN ENTERING A DWELLING-HOUSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant entered a dwelling-house of the plaintiff called , and made a noise and disturbance therein for a long time, and broke open the doors of the said dwelling-house, and removed, took and carried away the fixtures and goods of the plaintiff therein, and disposed of the same to the defendant's own use, and expelled the plaintiff and his family from the possession of the said dwelling-house, and kept them so expelled for a long time.

2. That the plaintiff was thereby prevented from carrying on his business, and incurred expense in procuring another dwelling-house for himself and family.

[*Demand of judgment.*]

No. 73.

FOR TRESPASS ON MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant broke open ten barrels of rum belonging to the plaintiff, and emptied their contents into the street [*or* seized and took the plaintiff's goods, that is to say, iron, rice and household furniture, *or as the case may be*], and carried away the same and disposed of them to his own use:

[*or*, seized and took the plaintiff's cows and bullocks, and impounded them and kept them impounded for a long time.]

2. That the plaintiff was thereby deprived of the use of the cows and bullocks during that time, and incurred expense in feeding them and in getting them restored to him; and was also prevented from selling them at fair, as he otherwise would have done, and the said cows and bullocks are diminished in value to the plaintiff [*otherwise state the injury according to the facts*].

[*Demand of judgment.*]

No. 74.

FOR THE CONVERSION OF MOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff was in possession of certain goods described in the schedule hereto annexed [*or* of one thousand barrels of flour].

2. That on that day, at , the defendant converted the same to his own use, and wrongfully deprived the plaintiff of the use and possession of the same.

[*Demand of judgment.*]

The Schedule.

No. 75.

AGAINST A WAREHOUSEMAN FOR REFUSAL TO DELIVER GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, in consideration of the payment to him of rupees [*or*, rupees per barrel, per month, &c.], agreed to keep in his godown [one hundred barrels of flour], and to deliver the same to the plaintiff on payment of the said sum.

2. That thereupon the plaintiff deposited with the defendant the said [hundred barrels of flour].

3. That on the day of 18 , the plaintiff requested the defendant to deliver the said goods, and tendered him rupees [*or*, the full amount of storage due thereon], but the defendant refused to deliver the same.

4. That the plaintiff was thereby prevented from selling the said goods to *E. F.*, and the same are lost to the plaintiff.

[*Demand of judgment.*]

No. 76.

FOR PROCURING PROPERTY BY FRAUD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he, the defendant, was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell [and deliver] to the defendant [dry goods] of the value of rupees.

3. That the said representations were false [*or, state the particular falsehoods*], and were then known by the defendant to be so.

4. That the defendant has not paid for the said goods. [*Or, if the goods were not delivered*] That the plaintiff, in preparing and shipping the said goods and procuring their restoration, expended rupees.

[*Demand of judgment.*]

No. 77.

FOR FRAUDULENTLY PROCURING CREDIT TO BE GIVEN TO ANOTHER PERSON.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant represented to the plaintiff, that one *E. F.* was solvent and in good credit, and worth rupees over all his liabilities [*or*, that *E. F.* then held a responsible situation and was in good circumstances, and might safely be trusted with goods on credit].

2. That the plaintiff was thereby induced to sell to the said *E. F.* [rice] of the value of rupees [on month's credit].

3. That the said representations were false and were then known by the defendant to be so, and were made by him with intent to deceive and defraud the plaintiff [*or*, to deceive and injure the plaintiff].

4. That the said *E. F.* [did not pay for the said goods at the expiration of the credit aforesaid, *or*,] has not paid for the said rice, and the plaintiff has wholly lost the same by reason of the premises.

[*Demand of judgment.*]

No. 78.

FOR POLLUTING THE WATER UNDER THE PLAINTIFF'S LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That he is, and at all the times hereinafter mentioned was, possessed of certain land called and situate in , and of a well therein, and of water in the said well, and was entitled to the use and benefit of the said well and of the said water therein, and to have certain springs and streams of water which flowed and ran into the said well to supply the same to flow or run without being fouled or polluted.

2. That on the day of 18 , the defendant wrongfully fouled and polluted the said well and the said water therein and the said springs and streams of water which flowed into the said well.

3. That by reason of the premises the said water in the said well became impure and unfit for domestic and other necessary purposes, and the plaintiff and his family are deprived of the use and benefit of the said well and water.

[*Demand of judgment.*]

No. 79.

FOR CARRYING ON A NOXIOUS MANUFACTURE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at all the times hereinafter mentioned was, possessed of certain lands called situate in

2. That ever since the day of 18 , the defendant has wrongfully caused to issue from certain smelting works carried on by the defendant large quantities of offensive and unwholesome smoke and other vapours and noxious matter, which spread themselves over and upon the said lands, and corrupted the air, and settled on the surface of the said lands.

3. That thereby the trees, hedges, herbage and crops of the plaintiff growing on the said lands were damaged and deteriorated in value, and the cattle and live stock of the plaintiff on the said lands became unhealthy, and divers of them were poisoned and died.

4. That by reason of the premises the plaintiff was unable to depasture the said lands with cattle and sheep, as he otherwise might have done, and was obliged to remove his cattle, sheep and farming stock therefrom, and has been prevented from having so beneficial and healthy a use and occupation of the said lands as he otherwise would have had.

[*Demand of judgment.*]

No. 80.

FOR OBSTRUCTING A WAY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at the time hereafter mentioned was, possessed of [a house in the town of].

2. That he was accustomed to pass [with vehicles, *or*, on foot] along a certain way leading from his said house to [the highway].

3. That on the day of 18 , the defendant obstructed the said way, so that the plaintiff could not pass [with vehicles, *or*, on foot, *or*, in any manner] along the said way [and has ever since obstructed the same].

4. [*State special damage, if any.*]

[*Demand of judgment.*]

Another Form.

1. That the defendant wrongfully dug a trench and heaped up earth and stones in the public highway leading from to so as to obstruct it.

2. That thereby the plaintiff, while lawfully passing along the said highway, fell over the said earth and stones [*or*, into the said trench] and broke his arm, and suffered great pain, and was prevented from attending to his business for a long time, and incurred expense for medical attendance.

[*Demand of judgment.*]

No. 81.

FOR DIVERTING A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at the time hereinafter mentioned was, possessed of a mill situated on a [stream], known as the , in the village of district of

2. That by reason of such possession the plaintiff was entitled to the flow of the said stream for working the said mill.

3. That on the day of 18 , the defendant, by cutting the bank of the said stream, diverted the water thereof, so that less water ran into the plaintiff's mill.

4. That by reason thereof, the plaintiff has been unable to grind more than sacks per day, whereas, before the said diversion of water, he was able to grind sacks per day.

[*Demand of judgment.*]

No. 82.

FOR OBSTRUCTING A RIGHT TO USE WATER FOR IRRIGATION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and was at the time hereinafter mentioned, possessed of certain lands situate, *&c.*, and entitled to take and use a portion of the water of a certain stream for irrigating the said lands.

2. That on the day of the defendant prevented the plaintiff from taking and using the said portion of the said water as aforesaid, by obstructing and diverting the said stream.

[*Demand of judgment.*]

No. 83.

FOR WASTE BY A LESSEE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant hired from him the [house No. street] for the term of

2. That the defendant occupied the same under such hiring.

3. That during the period of such occupation, the defendant greatly injured the premises [defaced the walls, tore up the floors, and broke down the doors; *or otherwise specify the injuries as far as possible*].

The plaintiff prays judgment for rupees compensation.

No. 84.

FOR ASSAULT AND BATTERY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant assaulted and beat him.

The plaintiff prays judgment for rupees compensation.

No. 85.

FOR ASSAULT AND BATTERY, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted and beat the plaintiff, until he became insensible.

2. That the plaintiff was thereby disabled from attending to his business for [six weeks thereafter], and was compelled to pay rupees for medical attendance, and has been ever since disabled [from using his right arm]. [*Or otherwise state the damage, as the case may be.*]

[*Demand of judgment.*]

No. 86.

FOR ASSAULT AND FALSE IMPRISONMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted the plaintiff and imprisoned him for days [*or* hours]; [*state special damage, if any, thus*:—]

2. That by reason thereof the plaintiff suffered great pain of body and mind and was exposed and injured in his credit and circumstances, and was prevented from carrying on his business and from providing for his family by his personal care and attention, and incurred expense in obtaining his liberation from the said imprisonment, [*or otherwise as the case may be*].

[*Demand of judgment.*]

No. 87.

FOR INJURIES CAUSED BY NEGLIGENCE ON A RAILROAD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendants were common carriers of passengers by railway between and

2. That on that day the plaintiff was a passenger in one of the carriages of the defendants on the said road.

3. That while he was such passenger, at [*or*, near the station of ; *or*, between the stations of and], a collision occurred on the said railway, caused by the negligence and unskilfulness of the defendants' servants, whereby the plaintiff was much injured [having his leg broken, his head cut, &c., *and state the special damage, if any, as*], and incurred expense for medical attendance, and is permanently disabled from carrying on his former business as a salesman.

[*Demand of judgment.*]

[*Or thus*:—2. That on that day the defendants by their servants so negligently and unskilfully drove and managed an engine and a train of carriages attached thereto upon and along the defendants' railway which the plaintiff was then lawfully crossing, that the said engine and train were driven and struck against the plaintiff, whereby, *&c., as in* § 3.]

No. 88.

FOR INJURIES CAUSED BY NEGLIGENT DRIVING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. The plaintiff is a shoe-maker, carrying on business at
The defendant is a merchant of

2. On the [23rd May 1875], the plaintiff was walking eastward along Chowringhee, in the city of Calcutta, at about three o'clock in the afternoon. He was obliged to cross Harington street, which is a street running into Chowringhee at right angles. While he was crossing this street, and just before he could reach the foot-pavement on the further side thereof, a carriage of the defendant's drawn by two horses, under the charge and control of the defendant's servants, was negligently, suddenly, and without any warning, turned at a rapid and dangerous pace out of Harington Street into Chowringhee. The pole of the carriage struck the plaintiff, and knocked him down, and he was much trampled by the horses.

3. By the blow and fall and trampling the plaintiff's left arm was broken, and he was bruised and injured on the side and back, as well as internally, and in consequence thereof the plaintiff was for four months ill and in suffering, and unable to attend to his business, and incurred heavy medical and other expenses, and sustained great loss of business and profits.

The plaintiff claims rupees damages.

No. 101.

FOR ABATEMENT OF A NUISANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all the times hereinafter mentioned was, the absolute owner of [the house No. , street, Calcutta].

2. That the defendant is, and at all the said times was, the absolute owner of [a plot of ground in the same street].

3. That on the day of 18 , the defendant erected upon his said lot a slaughter-house, and still maintains the same; and from that day until the present time has continually caused cattle to be brought and killed there [and has caused the blood and offal to be thrown into the street opposite the said house of the plaintiff].

4. That [the plaintiff has been compelled, by reason of the premises, to abandon the said house, and has been unable to rent the same].

The plaintiff prays judgment, that the said nuisance be abated.

No. 102.

FOR AN INJUNCTION AGAINST THE DIVERSION OF A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

[*As in No.* 81.]

The Plaintiff prays judgment, that the defendant be restrained by injunction from diverting the water aforesaid.

No. 103.

FOR RESTORATION OF MOVABLE PROPERTY, THREATENED WITH DESTRUCTION, AND FOR AN INJUNCTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all times hereinafter mentioned was, the owner of [a portrait of his grandfather, which was executed by an eminent painter], and of which no duplicate exists [*or state any facts showing that the property is of a kind that cannot be replaced by money*].

2. That on the day of 18 , he deposited the same for safe-keeping with the defendant.

3. That on the day of 18 , he demanded the same from the defendant, and offered to pay all reasonable charges for the storage of the same.

4. That the defendant refuses to deliver the same to the plaintiff, and threatens to conceal, dispose of, cut or injure the same if required to deliver it up.

5. That no pecuniary compensation would be an adequate compensation to the plaintiff for the loss of the said [painting].

The plaintiff prays judgment:

(1) That the defendant be restrained by injunction from disposing of, injuring, or concealing the said [painting];

(2) That he return the same to the plaintiff.

No. 104.

INTERPLEADER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That before the date of the claims hereinafter mentioned, one *G. H.* deposited with the plaintiff [*describe the property*] for [safe keeping].

2. That the defendant, *C. D.*, claims the same [under an alleged assignment thereof to him from the said *G. H.*]

3. That the defendant, *E. F.*, also claims the same [under an order of the said *G. H.* transferring the same to him].

4. That the plaintiff is ignorant of the respective rights of the defendants.

5. That he has no claim upon the said property, and is ready and willing to deliver it to such persons as the Court shall direct.

6. That this suit is not brought by collusion with either of the defendants.

The plaintiff prays judgment:

(1) That the defendants be restrained, by injunction, from taking any proceedings against the plaintiff in relation thereto;

(2) That they be required to interplead together concerning their claims to the said property;

[(3) That some person be authorized to receive the said property pending such litigation];

(4) That upon delivering the same to such [person], the plaintiff be discharged from all liability to either of the defendants in relation thereto.

No. 105.

ADMINISTRATION BY CREDITOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. *E. F.*, late of , was at the time of his death, and his estate still is, indebted to the plaintiff in the sum of [*here insert nature of debt and security, if any*].

2. The said *E. F.* made his Will, dated the day of and thereof appointed *C. D.* executor [*or*, devised his estate in trust, *&c.*, *or*, died intestate, *as the case may be*].

3. The said Will was proved by the said *C. D.* [*or*, letters of administration were granted, *&c.*].

4. The defendant has possessed himself of the moveable [and immoveable, *or*, the proceeds of the immoveable] property of the said *E. F.*, and has not paid the plaintiff his said debt.

5. The said *E. F.* died on or about the day of

6. The plaintiff prays that an account may be taken of the moveable [and immoveable] property of the said *E. F.*, deceased, and that the same may be administered under the decree of the Court.

No. 106.

ADMINISTRATION BY SPECIFIC LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—]

[*Omit paragraph* 1 *and commence paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of and thereof appointed *C. D.* executor, and by such Will bequeathed to the plaintiff [*here state the specific legacy*].

For paragraph 4, *substitute*—

The defendant is in possession of the moveable property of the said *E. F.*, and, amongst other things, of the said [*here name the subject of the specific bequest*].

For the commencement of paragraph 6 *substitute*—

The plaintiff prays that the defendant may be ordered to deliver to him the said [*here name the subject of the specific bequest*] or that, &c.

No. 107.

ADMINISTRATION BY PECUNIARY LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—].

[*Omit paragraph* 1 *and substitute for paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of , and thereof appointed *C. D.* executor, and by such Will bequeathed to the plaintiff a legacy of rupees

In paragraph 3, *substitute* "legacy" *for* "debt."

Another Form.

Between *E. F.* ... ... *Plaintiff.*

and

G. H. ... ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. *A. B.* of *K* in the duly made his last Will, dated the [first day of March 1873], whereby he appointed the defendant and *M. N.* [who died in the testator's life-time] executors thereof, and bequeathed his property, whether moveable or immoveable, to his executors in trust, to pay the rents and income thereof to the plaintiff for his life; and after his decease, and in default of his having a son who should attain twenty-one, or a daughter who should attain that age or marry, upon trust as to his immoveable property for the person who would be the testator's heir-at-law, and as to his moveable property for the persons who would be the testator's next-of-kin if he had died intestate at the time of the death of the plaintiff, and such failure of his issue as aforesaid.

2. The testator died on the [first day of July 1873], and his Will was proved by the defendant on the [fourth of October 1873]. The plaintiff has not been married.

3. The testator was at his death entitled to moveable and immoveable property; the defendant entered into the receipt of the rents of the immoveable property and got in the moveable property; he has sold some part of the immoveable property.

The plaintiff claims—

(1) To have the moveable and immoveable property of *A. B.* administered in this Court, and for that purpose to have all proper directions given and accounts taken.

(2) Such further or other relief as the nature of the case may require.

Between *E. F.* ... ... *Plaintiff,*

and

G. H. ... ... *Defendant.*

Written Statement of Defendant.

1. *A. B's* Will contained a charge of debts; he died insolvent; he was entitled at his death to some immoveable property which the defendant sold, and which produced the nett sum of rupees and the testator had some moveable property which the defendant got in, and which produced the nett sum of rupees

2. The defendant applied the whole of the said sums and the sum of rupees which the defendant received from rents of the immoveable property in the payment of the funeral and testamentary expenses and some of the debts of the testator.

3. The defendant made up his accounts and sent a copy thereof to the plaintiff on the [tenth of January 1875], and offered the plaintiff free access to the vouchers to verify such accounts, but he declined to avail himself of the defendant's offer.

4. The defendant submits that the plaintiff ought to pay the costs of this suit.

No. 108.

EXECUTION OF TRUSTS.

IN THE COURT OF AT

Civil Regular No.

A. B. of ... *Plaintiff,*

against

C. D. of the beneficiary [*or*, one of the beneficiaries], ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. That he is one of the trustees under an instrument of settlement bearing date on or about the day of made upon the marriage of the said *E. F.* and *G. H.*, the father and mother of the defendant [*or*, an instrument of assignment of the estate and effects of *E. F.* for the benefit of *C. D.*, the defendant, and other the creditors of *E. F.*].

2. The said *A. B.* has taken upon himself the burden of the said trust, and is in possession of [*or*, of the proceeds of] the moveable and immoveable property conveyed [or assigned] by the before-mentioned deed.

3. The said *C. D.* claims to be entitled to a beneficial interest under the before-mentioned deed.

4. The plaintiff is desirous to account for all the rents and profits of the said immoveable property [and the proceeds of the sale of the said, *or* of part of the said, immoveable property, *or* moveable, *or* the proceeds of the sale of, *or* of part of, the said moveable, property, *or* the profits accruing to the plaintiff as such trustee in the execution of the said trust]; and he prays that the Court will take the accounts of the said trust, and also that the whole of the said trust estate may be administered in the Court for the benefit of the said *C. D.*, the defendant, and all other persons who may be interested in such administration, in the presence of the said *C. D.* and such other persons so interested as the Court may direct, or that the said *C. D.* may shew good cause to the contrary.

N. B.—Where the suit is by a beneficiary, the plaint may be modelled, mutatis mutandis, *on the plaint by a legatee.*]

No. 109.

FORECLOSURE OR SALE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an instrument of mortgage bearing date on or about the day of 18 , a house with the garden and appurtenances, situated within the jurisdiction of this Court, were conveyed [*or* assigned] by the defendant to him the plaintiff, his heirs [*or* executors, administrators,] and assigns, for securing the principal sum of Rs. together with interest thereon after the rate of Rs. per centum per annum, subject to redemption upon payment by the said defendant of the said principal and interest at a day long since past.

2. There is now due from the defendant to the plaintiff the sum of Rs. for principal and interest on the said mortgage.

3. The plaintiff prays (*a*) that the Court will order the defendant to pay him the said sum of Rs. , with such further interest as may accrue between the filing of the plaint and the day of payment, and also the costs of this suit, on some day to be named by the Court, and in default that the equity of redemption of the said mortgaged premises may be foreclosed and the plaintiff placed in possession of the same premises; or (*b*) that the said premises may be sold, and the proceeds applied in and towards the payment of the amount of the said principal, interest and costs; and (*c*) that if such proceeds shall not be sufficient for the payment in full of such amount, the defendant do pay to the plaintiff the amount of the deficiency with interest thereon at the rate of six per cent. per annum until realization; and (*d*) that for that purpose all proper directions may be given and accounts taken by the Court.

No. 110.

REDEMPTION.

(*Title.*)

[*Alter Form* 109 *thus*:—]

Transpose parties and also the facts in paragraph 1.

or paragraph 2, *substitute*—

2. There is now due from the plaintiff to the defendant, for principal and interest on the said mortgage, the sum of Rs. which the plaintiff is ready and willing to pay to the defendant, of which the defendant, before filing this plaint, had notice.

For paragraph 3, *substitute*—

The plaintiff prays that he may redeem the said premises and that the defendant may be ordered to re-convey [*or* re-assign] the same to him upon payment of the said sum of Rs. and interest, with such costs (if any), as the Court may order upon a day to be named by the Court, and that the Court will give all proper directions for the preparation and execution of such re-conveyance [*or* assignment], and doing such other acts as may be necessary to put him into possession of the said premises, freed from the said mortgage.

No. 111.

SPECIFIC PERFORMANCE. (No. 1).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an agreement dated the day of and signed by the above-named defendant, *C. D.*, he the said *C. D.* contracted to buy of [*or* sell to] him certain immoveable property, therein described and referred to, for the sum of Rs.

2. He has applied to the said *C. D.* specifically to perform the said agreement on his part, but he has not done so.

3. The said *A. B.* has been and still is ready and willing specifically to perform the agreement on his part, of which the said *C. D.* has had notice.

4. The plaintiff prays that the Court will order the said *A. B.* specifically to perform the said agreement, and to do all acts necessary to put the said *A. B.* in full possession of the said property [*or* to accept a conveyance and possession of the said property] and to pay the costs of the suit.

[*N. B.—In suit for delivery up, to be cancelled, of any agreement, omit paragraphs* 2 *and* 3, *and substitute a paragraph stating generally the grounds for requiring the agreement to be delivered up to be cancelled, such as that the plaintiff signed it by mistake, under distress, or by the fraud of the defendant, and alter the prayer according* to the *relief sought.*]

No. 112.

SPECIFIC PERFORMANCE. (No. 2).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant was absolutely entitled to certain immoveable property described in the agreement hereto annexed.

2. That on the same day, the plaintiff and defendant entered into an agreement, under their hands, a copy of which is hereto annexed.

3. That on the day of 18 , the plaintiff tendered rupees to the defendant, and demanded a conveyance of the said property.

4. That on the day of 18 , the plaintiff again demanded such conveyance. [*Or*, that the defendant refused to convey the same to the plaintiff.]

5. That the defendant has not executed such conveyance.

6. That the plaintiff is still ready and willing to pay the purchase-money of the said property to the defendant.

The plaintiff prays judgment:

(1) That the defendant execute to the plaintiff a sufficient conveyance of the said property [*following the terms of the agreement*]

(2) For rupees compensation for withholding the same.

No. 113.

PARTNERSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. He and the said *C. D.*, the defendant, have been for the space of years [*or* months] last past carrying on business together at within the jurisdiction of this Court, under certain articles of partnership in writing, signed by them respectively, [*or*, under a certain deed sealed and executed by them respectively, *or*, under a verbal agreement between them, the said plaintiff and defendant].

2. Divers disputes and differences have arisen between the plaintiff and defendant as such partners, whereby it has become impossible to carry on the said business in partnership with advantage to the partners.

3. The plaintiff desires to have the said partnership dissolved, and he is ready and willing to bear his share of the debts and obligations of the partnership according to the terms of the said articles [*or* deed, *or* agreement].

4. The plaintiff prays the Court to decree a dissolution of the said partnership, and that the accounts of the said partnership trading may be taken by the Court, and the assets thereof realized, and that each party may be ordered to pay into Court any balance due from him upon such partnership-account, and that the debts and liabilities of the said partnership may be paid and discharged, and that the costs of the suit may be paid out of the partnership-assets, and that any balance remaining of such assets, after such payment and discharge, and the payment of the said costs, may be divided between the plaintiff and defendant, according to the terms of the said articles [*or* deed, *or* agreement], or that, if the said assets shall prove insufficient, he the plaintiff and the said defendant may be ordered to contribute in such proportions as shall be just to a fund to be raised for the payment and discharge of such debts, liabilities and costs. And to give such other relief as the Court shall think fit.

This plaint was filed by of

Pleader for the plaintiff, *or* by

[*N. B.—In suits for winding-up of any partnership, omit the prayer for dissolution, but instead thereof insert a paragraph stating the fact of the partnership having been dissolved.*]

No. 114.

FORMS OF CONCISE STATEMENTS.

[Code of Civil Procedure, section 58.]

Money lent. The plaintiff's claim is rs. for money lent [and interest].

Several demands. The plaintiff's claim is rs., whereof rs. is for the price of goods sold, and rs. for money lent, and rs. for interest.

Rent. The plaintiff's claim is rs. for arrears of rent.

Salary, &c. The plaintiff's claim is rs. for arrears of salary as a clerk [*or, as the case may be*].

Interest. The plaintiff's claim is rs. for interest upon money lent.

General average. The plaintiff's claim is rs. for a general average contribution.

Freight, &c. The plaintiff's claim is rs. for freight and demurrage.

Banker's balance. The plaintiff's claim is rs. for money deposited with the defendant as a banker.

Fees, &c., as pleader. The plaintiff's claim is rs. for fees for work done [and rs. money expended] as a pleader.

Commission. The plaintiff's claim is rs. for commission earned as [*state character, as* auctioneer, cotton-broker, *&c.*].

Medical attendance, &c. The plaintiff's claim is rs. for medical attendances.

Return of premium. The plaintiff's claim is rs. for a return of premiums paid upon policies of insurance.

Warehouse rent. The plaintiff's claim is rs. for the warehousing of goods.

Carriage of goods. The plaintiff's claim is rs. for the carriage of goods by railway.

Use and occupation of houses. The plaintiff's claim is rs. for the use and occupation of a house.

Hire of goods. The plaintiff's claim is rs. for the hire of [furniture].

Work done. The plaintiff's claim is rs. for work done as a [surveyor].

Board and lodging. The plaintiff's claim is rs. for board and lodging.

Schooling. The plaintiff's claim is rs. for the [board, lodging and] tuition of *X. Y.*

Money received. The plaintiff's claim is rs. for money received by the defendant as pleader [*or* factor, *or* collector, *or*, *&c.*] of the plaintiff.

Fees of office. The plaintiff's claim is rs. for fees received by the defendant under colour of the office of

Money overpaid. The plaintiff's claim is rs. for a return of money overcharged for the carriage of goods by railway.

The plaintiff's claim is rs. for a return of fees overcharged by the defendant as

Return of money by stake-holder. The plaintiff's claim is rs. for a return of money deposited with the defendant as stake-holder.

Money won from stake-holder. The plaintiff's claim is rs. for money entrusted to the defendant as stake-holder, and become payable to plaintiff.

Money entrusted to agent. The plaintiff's claim is rs. for a return of money entrusted to the defendant as agent of the plaintiff.

Money obtained by fraud. The plaintiff's claim is rs. for a return of money obtained from the plaintiff by fraud.

Money paid by mistake. The plaintiff's claim is rs. for a return of money paid to the defendant by mistake.

Money paid for consideration which has failed. The plaintiff's claim is rs. for a return of money paid to the defendant for [work to be done, *or* work left undone; *or*, a bill to be taken up, *or*, a bill not taken up, *or*, *&c.*]

The plaintiff's claim is rs. for a return of money paid as a deposit upon shares to be allotted.

Money paid by surety for defendant. The plaintiff's claim is rs. for money paid for the defendant as his surety.

Rent paid. The plaintiff's claim is rs. for money paid for rent due by the defendant.

Money paid on accommodation-bill. The plaintiff's claim is rs. upon a bill of exchange accepted [*or* indorsed] for the defendant's accommodation.

Contribution by surety. The plaintiff's claim is rs. for a contribution in respect of money paid by the plaintiff as surety.

By co-debtor. The plaintiff's claim is rs. for a contribution in respect of a joint debt of the plaintiff and the defendant, paid by the plaintiff.

Money paid for calls. The plaintiff's claim is rs. for money paid for calls upon shares, against which the defendant was bound to indemnify the plaintiff.

Money payable under award. The plaintiff's claim is rs. for money payable under an award.

Life-policy. The plaintiff's claim is rs. upon a policy of insurance upon the life of *X. Y.*, deceased.

Money-bond. The plaintiff's claim is rs. upon a bond to secure payment of rs. and interest.

Foreign judgment. The plaintiff's claim is rs. upon a judgment of the Court in [the Empire of Russia].

Bills of exchange, &c. The plaintiff's claim is rs. upon a cheque drawn by the defendant.

The plaintiff's claim is rs. upon a bill of exchange accepted [*or* drawn, *or* indorsed] by the defendant.

The plaintiff's claim is rs. upon a promissory note made [*or* indorsed] by the defendant.

The plaintiff's claim is rs. against the defendant, *A. B.*, as acceptor, and against the defendant, *C. D.*, as drawer [*or* indorser] of a bill of exchange.

Surety. The plaintiff's claim is rs. against the defendant as surety for the price of goods sold.

The plaintiff's claim is rs. against the defendant, *A. B.*, as principal, and against the defendant, *C. D.*, as surety, for the price of goods sold [*or* for arrears of rent, *or* for money lent, *or* for money received by the defendant, *A. B.*, as traveller for the plaintiff, *or*, *&c.*].

Calls. The plaintiff's claim is rs. for calls upon shares.

Indorsement for costs, &c.

[*Add to the above Forms*] and rs. for costs; and if the amount claimed be paid to the plaintiff or his pleader within days [*or, if the summons is to be served out of the jurisdiction, insert the time for appearance limited by the order*] from the service hereof, further proceedings will be stayed.

Damages and other claims.

Agent, &c. The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.

The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and rs. for arrears of wages].

The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.

The plaintiff's claim is for damages for breach of duty as factor [*or*, *&c.*,] of the plaintiff [and rs. for money received as factor, *or &c.*]

Apprentices. The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of *X. Y.* to the defendant [*or* plaintiff].

Arbitration. The plaintiff's claim is for damages for non-compliance with the award of *X. Y.*

Assault, &c. The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].

By husband and wife. The plaintiff's claim is for damages for assault and false imprisonment of the plaintiff, *C. D.*

Against husband and wife. The plaintiff's claim is for damages for assault by the defendant, *C. D.*

Pleader. The plaintiff's claim is for damages for injury by the defendant's negligence as pleader of the plaintiff.

Bailment. The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].

Pledge. The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].

Hire. The plaintiff's claim is for damages for negligence in the custody of furniture [*or*, a carriage] lent on hire, [and for wrongfully, *&c.*].

Banker. The plaintiff's claim is for damages for wrongfully neglecting [*or* refusing] to pay the plaintiff's cheque.

Bill. The plaintiff's claim is for damages for breach of a contract to accept the plaintiff's drafts.

Bond. The plaintiff's claim is upon a bond conditioned not to carry on the trade of a

Carrier. The plaintiff's claim is for damages for refusing to carry the plaintiff's goods by railway.

The plaintiff's claim is for damages for refusing to carry the plaintiff by railway.

The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of coals by railway.

The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.

Charter-party. The plaintiff's claim is for damages for breach of charter-party of ship [*Mary*].

Claim for return of goods; damages. The plaintiff's claim is for return of household furniture, [*or*, *&c.*,] or their value, and for damages for detaining the same.

Damages for depriving of goods. The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, &c.

Defamation. The plaintiff's claim is for damages for libel.

The plaintiff's claim is for damages for slander.

Wrongful distress. The plaintiff's claim is for damages for improperly distraining.

[*This Form shall be sufficient whether the distress complained of be wrongful or excessive, or irregular.*]

Ejectment. The plaintiff's claim is to recover possession of a house, No. in Street, or of a farm called Blackacre, situate in the of in the of

To establish title and recover rents. The plaintiff's claim is to establish his title to [*here describe property*] and to recover the rents thereof.

[*The two previous Forms may be combined*].

Fishery. The plaintiff's claim is for damages for infringement of the plaintiff's right of fishing.

Fraud. The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [*or* a business, *or* shares, *or*, *&c.*].

The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of *A. B.*

Guarantee. The plaintiff's claim is for damages for breach of a contract of guarantee for *A. B.*

The plaintiff's claim is for damages for breach of a contract to indemnify the plaintiff as the defendant's agent to distrain.

Insurance. The plaintiff's claim is for a loss under a policy upon the ship [*Royal Charter*], and freight of cargo [*or* for return of premiums].

[*This Form shall be sufficient whether the loss claimed be total or partial.*]

The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.

Fire insurance The plaintiff's claim is for damages for breach of a contract to insure a house.

The plaintiff's claim is for damages for breach of a contract to keep a house in repair.

Landlord and tenant. The plaintiff's claim is for damages for breaches of covenants contained in a lease of a farm.

Medical man. The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

Mischievous animal. The plaintiff's claim is for damages for injury by the defendant's dog.

Negligence. The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.

The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.

Act XIII of 1855. The plaintiff's claim is for damages for injury to the plaintiff at the defendant's railway-station from the defective condition of the station.

The plaintiff's claim is as executor of *A. B.* deceased, for damages for the death of the said *A. B.*, from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

Promise of marriage. The plaintiff's claim is for damages for breach of promise of marriage.

Sale of goods. The plaintiff's claim is for damages for breach of contract to accept and pay for goods.

Sale of goods. The plaintiff's claim is for damages for non-delivery [*or* short delivery, *or* defective quality, *or other breach of contract of sale*] of cotton [*or, &c.*].

Sale of land. The plaintiff's claim is for damages for breach of warranty of a horse.

The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] land.

The plaintiff's claim is for damages for breach of a contract to let [*or* take] a house.

The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] the lease, with good-will, fixtures, and stock-in-trade of a public-house.

The plaintiff's claim is for damages for breach of covenant for title [*or* for quiet enjoyment, *or, &c.*] in a conveyance of land.

Trespass on land. The plaintiff's claim is for damages for wrongfully entering the plaintiff's land and drawing water from his well [*or* cutting his grass, *or* felling his timber, *or* pulling down his fences, *or* removing his gate, *or* using his road or path, *or* crossing his field, *or* depositing sand there, *or* carrying away gravel from thence, *or* carrying away stones from his river].

Support. The plaintiff's claim is for damages for wrongfully taking away the support of plaintiff's land [*or* house, *or* mine].

Way. The plaintiff's claim is for damages for wrongfully obstructing a way [public highway, *or* private, way].

Water-course, &c. The plaintiff's claim is for damages for wrongfully diverting [*or* obstructing, *or* polluting, *or* diverting water from] a water-course.

The plaintiff's claim is for damages for wrongfully discharging water upon the plaintiff's land [*or* into the plaintiff's mine].

Pasture. The plaintiff's claim is for damages for wrongfully obstructing the plaintiff's use of a well.

The plaintiff's claim is for damages for the infringement of the plaintiff's right of pasture.

[*This Form shall be sufficient whatever the nature of the right to pasture be.*]

Patent. The plaintiff's claim is for damages for obstructing the access of light to plaintiff's house.

Copy-right. The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

Trade-mark. The plaintiff's claim is for damages for the infringement of the plaintiff's copy-right.

Work. The plaintiff's claim is for damages for wrongfully using [*or* imitating] the plaintiff's trade-mark.

The plaintiff's claim is for damages for breach of a contract to build a ship [*or* to repair a house, *&c.*].

Nuisance. The plaintiff's claim is for damages for breach of a contract to employ the plaintiff to build a ship, &c.

The plaintiff's claim is for damages to his house, trees, crops, &c., caused by noxious vapours from the defendant's factory [*or, &c.*].

The plaintiff's claim is for damages from nuisance by noise from the defendant's works [*or* stables, *or, &c.*].

Injunction. [*Add to indorsement*]:—and for an injunction.

Mesne profits. [*Add to indorsement where claim is to land, or to establish title, or both*]:—and for mesne profits.

Arrears of rent. and for an account of rents or arrears of rent.

Breach of covenant. and for breach of covenant for [repairs].

1. *Creditor to administer Estate.*

The plaintiff's claim is as a creditor of *X.Y.*, of deceased, to have the moveable and immoveable property of the said *X.Y.* administered. The defendant, *C. D.*, is sued as the administrator of the said *X.Y.*, [and the defendants, *E. F.* and *G. H.*, as his coheirs at law.]

2. *Legatee to administer Estate.*

The plaintiff's claim is as a legatee under the will dated the day of 18 , of *X. Y.*, deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the executor of the said *X. Y.* [and the defendants, *E. F.* and *G. H.*, as his devisees].

3. *Partnership.*

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership dated the day of], and to have the affairs of the partnership wound up.

4. *By mortgagee.*

The plaintiff's claim is to have an account taken of what is due to him for principal, interest and costs on a mortgage dated the day of , made between [*parties*] [*or*, by deposit of title-deeds], and that the mortgage may be enforced by foreclosure or sale.

5. *By mortgagor.*

The plaintiff's claim is to have an account taken of what, if anything, is due on a mortgage dated and made between [*parties*], and to redeem the property comprised therein.

6. *Raising Portions.*

The plaintiff's claim is that the sum of rs. which by an indenture of settlement, dated , was provided for the portions of the younger children of may be raised.

7. *Execution of Trusts.*

The plaintiff's claim is to have the trusts of an indenture dated and made between [*parties*] carried into execution.

8. *Cancellation, or Rectification.*

The plaintiff's claim is to have a deed dated and made between [*parties*] set aside or rectified.

9. *Specific Performance.*

The plaintiff's claim is for specific performance of an agreement dated the day of for the sale by the plaintiff to the defendant of certain [freehold] hereditaments at

No. 115.

PROBATE.

1. *By an executor or legatee propounding a will in solemn form.*

The plaintiff claims to be executor of the last will dated the day of of *C. W.* late of deceased, who died on the day of and to have the said will established. This summons is issued against you as one of the next-of-kin of the said deceased [*or, as the case may be*].

2. *By an executor or legatee of a former will, or a next-of-kin, &c., of the deceased seeking to obtain the revocation of a probate granted in common form.*

The plaintiff claims to be executor of the last will dated the day of of *C.D.*, late of deceased, who died on the day of and to have the probate of a pretended will of the said deceased, dated the day of , revoked. This summons is issued against you as the executor of the said pretended will [*or, as the case may be*].

3. *By an executor or legatee of a will when letters of administration have been granted as in an intestacy.*

The plaintiff claims to be executor of the last will of *C. D.*, late of deceased, who died on the day of dated the day of

The plaintiff claims that the grant of letters of administration of the estate of the said deceased obtained by you should be revoked, and probate of the said will granted to him.

4. *By a person claiming a grant of administration as a next-of-kin of the deceased, but whose interest as next-of-kin is disputed.*

The plaintiff claims to be the brother and sole next-of-kin of *C.D.* of deceased, who died on the day of intestate, and to have as such a grant of administration to the personal estate of the said intestate. This writ is issued against you because you have entered a caveat, and have alleged that you are the sole next-of-kin of the deceased [*or, as the case may be*].

Indorsements of character of Parties.

The plaintiff's claim is as executor [*or* administrator] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A. B.*, as executor [*or*, *&c.*] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A.B.*, as executor of *X. Y.* deceased, and against the defendant, *C.D.*, in his personal capacity, for, *&c.*

By husband and wife-executrix. The claim of the plaintiff, *C D.*, is as executrix of *X. Y.*, deceased, and the claim of the plaintiff, *A.B.*, as her husband, for

Trustees. The plaintiff's claim is as [*or*, the plaintiff's claim is against the defendant as] trustee under the will of *A.B.* [*or* under the settlement upon the marriage of *A.B.* and *X. Y.* his wife].

Public officer. The plaintiff's claim is as public officer of the Bank, for

The plaintiff's claim is against the defendant as public officer of the Bank, for

The plaintiff's claim is against the defendant, *A.B.*, as principal, and against the defendant, *C.D.*, as public officer, of the Bank, as surety, for

Heir and devisee. The plaintiff's claim is against the defendant as heir-at-law of *A.B.*, deceased.

The plaintiff's claim is against the defendant, *C.D.*, as heir-at-law, and against the defendant, *E.F.*, as devisee, of lands under the will of *A.B.*

F.—MISCELLANEOUS.

No. 116.

Section 58 of the Code of Civil Procedure.

COURT of the of holden at

REGISTER OF CIVIL SUITS in the year 18

Date of presentation of plaint.	No. of Suit.	PLAINTIFF.			DEFENDANT.			CLAIM.			APPEARANCE.			JUDGMENT.			APPEAL.		EXECUTION.					RETURN OF EXECUTION.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Particulars.	Amount or value.	When the Cause of Action accrued.	Day for parties to appear.	Plaintiff.	Defendant.	Date.	For whom.	For what, or for amount.	Date of Appeal.	Judgment in Appeal.	Date of application.	Date of Order.	Against whom.	For what, and amount if money.	Amount of Costs.	Amount paid into Court.	Arrested.	Minute of other Return than payment of Arrest, and date of every Return.

No. 117.

SUMMONS FOR DISPOSAL OF SUIT.

Sections 64 and 68 of the Code of Civil Procedure.

(Title.)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any documents on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18 .

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 118.

SUMMONS FOR SETTLEMENT OF ISSUES.

Sections 64 and 68 of the Code of Civil Procedure.

(Title.)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the issues will be settled in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18 .

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of your witnesses, and the production of any document you have a right to call on the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 119.

SUMMONS TO APPEAR.

Section 68 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.

To Defendant.

(*Name, description and address.*)

WHEREAS [*here enter the name, description and address of the plaintiff*] has instituted a suit in this Court against you [*here state the particulars of the claim as in the register*]: you are hereby summoned to appear in this Court in person on the day of at in the forenoon [*If not specially required to appear in person, state*—"in person or by a pleader of the Court duly instructed and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions"] to answer the above-named plaintiff. [*If the summons be for the final disposal of the suit, this further direction shall be added here;* "and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day"]: and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you (or send by your agent) [*here mention any document the production of which may be required by the plaintiff*] which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

No. 120.

ORDER FOR TRANSMISSION OF SUMMONS FOR SERVICE IN THE JURISDICTION OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

The day of 18 .

WHEREAS it is stated in the plaint that , the defendant in the above suit is at present residing in , but that the right to sue accrued within the jurisdiction of this Court: it is ordered that a summons returnable on the day of 18 be forwarded for service on the said defendant, to the Court of with a duplicate of this proceeding.

L. S.

Judge.

No. 121.

TO ACCOMPANY RETURN OF SUMMONS OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil suit No. of 18 .

The day of 18 .

A. B. of

against

C. D. of

Read proceeding from the forwarding for service on in Civil No. of that Court.

Read bailiff's endorsement on the back of the process stating that the and proof of the above having been duly taken by me on the [oath *or*] affirmation of and it is ordered that the be returned to the with a copy of this proceeding.

L. S.

Judge.

NOTE.—This form will be applicable to process other than summons, the service of which may have to be effected in the same manner.

No. 122.

DEFENDANT'S STATEMENT.

Section 110 of the Code of Civil Procedure.

(*Title.*)

I, the undersigned defendant [*or* one *of the defendants*], disclaim all interest under the will of the said *E. F.* in the plaint named [*or*, as heir-at-law of, *or*, as next-of-kin, *or* one of the next-of-kin, of *E. F.*, deceased, in the said plaint named].

Or, I the undersigned defendant state, that I admit [*or* deny] [*here repeat in the language of the plaint the statements admitted or denied*].

Or, I the undersigned defendant submit that, upon the facts stated in the plaint, it does not appear that there is any agreement which can be legally enforced [*or, that it appears upon the said plaint that* I *am* jointly liable with one *E. F.*, who is not a party to the suit, and not severally liable as by the plaint appears, *or*, that it appears by the said plaint that *G. H.* should have been a joint plaintiff with the said *A. B.* in the said suit, *or, as the case may be*].

Or, that the plaintiff has conveyed [*or* assigned] his interest in the said mortgage [*or* equity of redemption] to one *I. J.* [*or*, that I have conveyed or assigned to *H. L.* by way of further charge for securing the sum of Rs. , the equity of redemption in the property sought by the suit to be foreclosed].

Or, that since the dissolution of the partnership the plaintiff has executed an instrument, whereby the plaintiff covenants to discharge all debts and liabilities of the partnership, and generally to release me from all claims and liabilities either by or to himself and others in respect of the said partnership trading [*or, as the case may be*].

(*Signed*) *C. D.*,

Defendant.

No. 123.

INTERROGATORIES.

Section 121 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B.

against

C. D., E. F. and *G. H.*

Interrogatories on behalf of the above-named *A. B.* [*or C. D.*] for the examination of the above-named [*E. F.* and *G. H.*, *or A. B.*].

1. Did not &c.

2. Has not &c.

The defendant *E. F.* is required to answer the interrogatories numbered

The defendant *G. H.* is required to answer the interrogatories numbered

No. 124.

FORM OF NOTICE TO PRODUCE DOCUMENTS.

Section 131 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B.

against

C. D.

Take notice that the plaintiff [*or* defendant] requires you to produce for his inspection the following documents referred to in your plaint [*or* written statement, *or* affidavit], dated the day of 18 .

Describe documents required.

X. Y. Pleader for the plaintiff [*or* the defendant].

To *Z.*

Pleader for the defendant [*or* plaintiff].

No. 125.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Sections 159 and 163 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS your attendance is required to
on behalf of the in the above cause, you are hereby required [personally to appear before this Court] on the day of 18 , at the hour of A. M. [and] to bring with you or to send to this Court

A sum of Rs. , being your travelling and other expenses and subsistence-allowance for one day, is herewith sent. If you do not comply with this order, you will be subject to the consequence of non-attendance laid down in the Code of Civil Procedure, section 170.

Notice—(1). If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

(2). If you are to be detained beyond the day aforesaid, a sum of Rs. will be tendered to you for each day's attendance beyond the day specified.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 126.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Sections 159 and 163 of the Code of Civil Procedure.

Another Form.

No. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To (*Name, description and address.*)

You are hereby summoned to appear in this Court in person on the day of at in the forenoon, to give evidence on behalf of the plaintiff [*or* the defendant] in the above-mentioned suit, and to produce [*here describe with convenient certainty any document the production of which may be required. If the summons be only to give evidence, or if it be only to produce a document, it must be expressed accordingly*] and you are not to depart thence until you have been examined [*or* have produced the document] and the Court has risen, or unless you have obtained the leave of the Court.

FORMS OF DECREES.

No. 127.

SIMPLE. MONEY-DECREE.

(*Title.*)

Claim for

THIS cause coming on for final disposal before in the presence of , on the part of the plaintiff, and on the part of the defendant, it is ordered that the do pay to the the sum of Rs. , with interest thereon at the rate of per cent. per from to the date of realization of the said sum, and do also pay to the the costs of this suit as taxed by the officer of the Court, with interest thereon at the rate aforesaid from the date of taxation to the date of realization.

Costs of suit.

PLAINTIFF.	Rs.	A.	P.	DEFENDANT.	Rs.	A.	P.
1. Stamp for plaint ...				Stamp for power ...			
2. Do. for power ...				Do. petition ...			
3. Do. exhibits ...				Pleader's fee			
4. Pleader's fees on Rs. ...				Subsistence for witnesses ...			
5. Translation fee ...				Service of process ...			
6. Subsistence for witness for attendance ...				Translation fee ...			
7. Commissioner's fee ...				Commissioner's fee ...			
8. Service of process ...							
9. &c.							
TOTAL ...				TOTAL ...			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 128.

DECREE FOR SALE IN A SUIT BY A MORTGAGEE OR PERSON ENTITLED TO A LIEN.

(*Title.*)

It is ordered that it be referred to the Registrar [*or* Taxing Officer] to take an account of what is due to the plaintiff for principal and interest on the mortgage [*or* lien] mentioned in the plaint, and to tax the plaintiff's costs of this suit, and that the Registrar do certify to the Court on the day of what he shall find to be due for principal and interest as aforesaid, and for costs; And upon the defendant paying into Court what shall be certified to be due to the plaintiff for principal and interest as aforesaid, together with the said costs, within six months after the Registrar [*or* Taxing Officer] shall have presented his certificate; it is ordered that the plaintiff do reconvey the said mortgaged premises free and clear from all incumbrances done by him, or any claiming by, from, or under him, and do deliver up to the Registrar [*or* Taxing Officer] all deeds and writings in his custody or power relating thereto, and that upon such reconveyance being made, and deeds and writings being delivered up, the Registrar [*or* Taxing Officer] shall pay out to the plaintiff the said sum so paid in as aforesaid for principal, interest and costs; but in default of the defendant paying into Court such principal, interest and costs as aforesaid by the time aforesaid, then it is ordered that the said mortgaged premises [*or* the premises subject to the said lien] be sold with the approbation of the Registrar [*or* Taxing Officer]. And it is ordered that the money to arise by such sale be paid into Court, to the end that the same may be duly applied in payment of what shall be found due to the plaintiff for principal, interest and costs as aforesaid, and that the balance (if any) shall be paid to the defendant.

No. 129.

FINAL DECREE FOR FORECLOSURE.

(*Title.*)

Whereas it appears to the Court that the defendant has not paid into Court the sum which was on the day of last certified by the Registrar to be due to the Plaintiff for principal and interest upon the mortgage in the plaint mentioned, and for costs, pursuant to the order made in this suit on the day of last, and that the period of six months has elapsed since the said day of

It is ordered that the Defendant do stand absolutely debarred and foreclosed of and from all equity of redemption of, in, and to, the said mortgaged premises.

No. 130.

PRELIMINARY ORDER—ADMINISTRATION SUIT.

Section 213 of the Code of Civil Procedure.

(*Title.*)

It is ordered that the following accounts and inquiries be taken and made; that is to say:—

In creditor's suit—

1. That an account be taken of what is due to the Plaintiff and all other the creditors of the deceased.

In suits by legatees—

2. An account be taken of the legacies given by the testator's will.

In suits by next-of-kin—

An inquiry be made and account taken of what, or of what share, if any, the plaintiff is entitled to as next-of-kin [*or* one of the next-of-kin] of the intestate.

[*After the first paragraph, the Order will, where necessary, order, in a creditor's suit, inquiry and accounts for legatees, heirs-at-law, and next-of-kin. In suits by claimants other than creditors, after the first paragraph, in all cases, an order to inquire and take an account of creditors, will follow the first paragraph, and such of the others as may be necessary will follow, omitting the first formal words. The form is continued as in a creditor's suit.*]

3. An account of the funeral and testamentary expenses.

4. An account of the moveable property of the deceased come to the hands of the Defendant, or to the hands of any other person by his order or for his use.

5. An inquiry what part (if any) of the moveable property of the deceased is outstanding and undisposed of.

6. And it is further ordered, that the Defendant do, on or before the day of next, pay into Court all sums of money which shall be found to have come to his hands, or to the hands of any person by his order or to his use.

7. And that if the *Registrar* shall find it necessary for carrying out the objects of the suit to sell any part of the moveable property of the deceased, that the same be sold accordingly, and the proceeds paid into Court.

8. And that Mr. *E. F.* be Receiver in the suit [*or* proceeding], and receive and get in all outstanding debts and outstanding moveable property of the deceased, and pay the same into the hands of the Registrar [and shall give security by bond for the due performance of his duties to the amount of rupees].

9. And it is further ordered, that if the moveable property of the deceased be found insufficient for carrying out the objects of the suit, then the following further inquiries be made, and accounts taken, that is to say,—

(*a*) an inquiry what immoveable property the deceased was seised of or entitled to at the time of his death;

(*b*) an inquiry what are the incumbrances (if any) affecting the immoveable property of the deceased, or any part thereof;

(*c*) an account, so far as possible, of what is due to the several incumbrancers, and to include a statement of the priorities of such of the incumbrancers as shall consent to the sale hereinafter directed.

10. And that the immoveable property of the deceased, or so much thereof as shall be necessary to make up the fund in Court sufficient to carry out the object of the suit, be sold with the approbation of the Judge, free from incumbrances (if any) of such incumbrancers as shall consent to the sale, and subject to the incumbrances of such of them as shall not consent.

11. And it is ordered, that *G. H.* shall have the conduct of the sale of the immoveable property, and shall prepare the conditions and contracts of sale subject to the approval of the Registrar, and that in case any doubt or difficulty shall arise the papers shall be submitted to the Judge to settle.

12. And it is further ordered, that, for the purpose of the inquiries hereinbefore directed, the Registrar shall advertise in the newspapers according to the practice of the Court, or shall make such inquiries in any other way which shall appear to the Registrar to give the most useful publicity to such inquiries.

13. And it is ordered, that the above inquiries and accounts be made and taken, and that all other acts ordered to be done be completed, before the day of and that the Registrar do certify the result of the inquiries, and the accounts, and that all other acts ordered are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

14. And, lastly, it is ordered, that this suit [*or* matter] stand adjourned for making final decree to the day of

[*Such part only of this order is to be used as is applicable to the particular case.*]

No. 131.

FINAL DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE.

Section 213 of the Code of Civil Procedure.

1. It is ordered that the defendant do on or before the day of pay into Court the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the estate of , the testator, and also the sum of Rs. for interest, at the rate of Rs. per centum per annum, from the day of . to the day of amounting together to the sum of Rs.

2. Let the Registrar [*or* Taxing Officer] of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said costs, when so taxed, be paid out of the said sum of Rs. ordered to be paid into Court as aforesaid, as follows:—

(*a.*)—The costs of the plaintiff to Mr. , his attorney [*or* pleader], and the costs of the defendant to Mr. , his attorney [*or* pleader].

(*b.*)—And (*if any debts are due*), with the residue of the said sum of Rs. after payment of the plaintiff's and defendant's costs as aforesaid, let the sums found to be owing to the several creditors mentioned in the schedule to the Registrar's certificate, together with subsequent interest on such of the debts as bear interest, be paid; and after making such payments, let the amount coming to the several legatees mentioned in the schedule, together with subsequent interest (to be verified as aforesaid), be paid to them.

3. And if there should then be any residue, let the same be paid to the residuary legatee.

DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE, WHERE AN EXECUTOR IS HELD PERSONALLY LIABLE FOR THE PAYMENT OF LEGACIES.

Section 213 of the Code of Civil Procedure.

1. Declare that the defendant is personally liable to pay the legacy of Rs. bequeathed to the plaintiff;

2. And it is ordered, that an account be taken of what is due for principal and interest on the said legacy;

3. And it is also ordered, that the defendant do within weeks after the date of the Registrar's certificate, pay to the plaintiff the amount of what the Registrar shall certify to be due for principal and interest;

4. And it is ordered, that the defendant do pay the plaintiff his costs of suit, the same to be taxed in case the parties differ.

FINAL DECREE IN AN ADMINISTRATION SUIT BY NEXT-OF-KIN.

Section 213 of the Code of Civil Procedure.

1. Let the Registrar of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said plaintiff's costs, when so taxed, be paid by the defendant to the plaintiff out of the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the personal estate of *E. F.*, the intestate, within one week after the taxation of the said costs by the said Registrar, and let the defendant retain for her own use out of such sum her costs, when taxed.

2. And it is ordered, that the residue of the said sum of Rs. , after payment of the plaintiffs' and defendant's costs as aforesaid, be paid and applied by defendant as follows:—

(*a.*)—Let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay one-third share of the said residue to the plaintiffs, *A. B.*, and *C.*, his wife, in her right, as the sister and one of the next-of-kin of the said *E. F.*, the intestate.

(*b.*)—Let the defendant retain for her own use one other third share of the said residue, as the mother, and one other of the next-of-kin of the said *E. F.*, the intestate.

(*c.*)—And let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay the ramaining one-third share of the said residue to *G. H.*, as the brother and the other next-of-kin of the said *E. F.*, the intestate.

No. 132.

ORDER—DISSOLUTION OF PARTNERSHIP.

Section 215 of the Code of Civil Procedure.

(*Title.*)

It is declared that the partnership in the plaint mentioned between the plaintiff and defendant ought to stand dissolved as from the day of , and it is ordered that the dissolution thereof as from that day be advertised in the *Gazette, &c.*

And it is ordered that be the Receiver of the partnership-estate and effects in this suit, and do get in all the outstanding book-debts and claims of the partnership.

And it is ordered that the following accounts be taken:—

1. An account of the credits, property and effects now belonging to the said partnership;

2. An account of the debts and liabilities of the said partnership;

3. An account of all dealings and transactions between the plaintiff and defendant, from the foot of the settled account exhibited in this suit and marked (A), and not disturbing any subsequent settled accounts.

And it is ordered that the goodwill of the business heretofore carried on by the plaintiff and defendant as in the plaint mentioned, and the stock-in-trade, be sold on the premises, and that the Registrar may, on the application of any of the parties, fix a reserved bidding for all or any of the lots at such sale, and that either of the parties is to be at liberty to bid at the sale.

And it is ordered that the above accounts be taken and all the other acts required to be done be completed before the day of , and that the Registrar do certify the result of the accounts, and that all other acts are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

And, lastly, it is ordered that this suit stand adjourned for making a final decree to the day of

No. 133.

PARTNERSHIP. FINAL DECREE.

Section 215 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

It is ordered that the fund now in Court, amounting to the sum of Rs. be applied as follows:—

1. In payment of the debts due by the partnership set forth in the Registrar's certificate amounting in the whole to Rs.

2. In payment of the costs of all parties in this suit, amounting to Rs.
[*These costs must be ascertained before the decree is drawn up*].

3. In payment of the sum of Rs. to the plaintiff as his share of the partnership-assets, of the sum of Rs. , being the residue of the said sum of Rs. now in Court to the defendant as his share of the partnership-assets.

[*Or*, And that the remainder of the said sum of Rs. be paid to the said plaintiff (*or* defendant) in part payment of the sum of Rs. certified to be due to him in respect of the partnership-accounts.

And that the defendant (*or* plaintiff) do on or before the day of pay to the plaintiff (*or* defendant) the sum of Rs. being the balance of the said sum of Rs. due to him, which will then remain due].

No. 134.

CERTIFICATE OF NON-SATISFACTION OF DECREE.

Section 224 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D of

CERTIFIED that no [*or* partial, *as the case may be, and if partial, state to what extent*] satisfaction of the decree of this Court, in Civil Suit No. of 18 a copy of which is hereunto attached, has been obtained by execution within the jurisdiction of this Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 135.

NOTICE TO SHOW CAUSE WHY EXECUTION SHOULD NOT ISSUE.

Section 248 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for execution of decree in Civil Suit No. 18 , this is to give you notice that you are to appear before this Court on the day of 18 , either in person or by a Pleader of this Court, or agent duly authorized and instructed to show cause, if any, why execution should not be granted.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 136.

WARRANT OF ATTACHMENT OF MOVEABLE PROPERTY IN DEFENDANT'S POSSESSION IN EXECUTION OF A DECREE FOR MONEY.

Section 254 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS on the day of 18 was ordered, by decree of this Court, passed of 18 , to pay to the plaintiff the sum of Rs. as noted in the margin; and whereas the said sum of Rs. has not been paid

DECREE.			
Principal			
Interest			
Costs	—	—	—
Costs of decree . .			
Interest thereon . .			
Total of attachment	—	—	—
TOTAL . .			

THESE ARE TO COMMAND YOU to attach the moveable property of the said as set forth in the list hereunto annexed, or which shall be pointed out to you by the said , and unless the said shall pay to you the said sum of Rs. together with Rs. , the costs of this attachment, to hold the same until further orders from this Court.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 , with an endorsement certifying the date and manner in which it has been executed, or why it has not been executed.

GIVEN under my hand and the seal of the Court, this . day of 18

SCHEDULE.

L. S.

Judge.

No. 137.

WARRANT TO THE BAILIFF TO GIVE POSSESSION OF LAND, &c.

Section 263 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS , in the occupancy of has been decreed to , the plaintiff in this suit: you are hereby directed to put the said in possession of the same, and you are hereby authorized to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 138.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSON TO THE IMMEDIATE POSSESSION THEREOF.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 in favour of for Rs. it is ordered that the defendant be, and is hereby, prohibited and restrained, until the further order of this Court, from

receiving from the following property in the possession of the said that is to say, to which the defendant is entitled, subject to any claim of the said , and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any person or persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 139.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF DEBTS NOT SECURED BY NEGOTIABLE INSTRUMENTS

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Suit No. of 18 , in favour of for Rs. : it is ordered that the defendant be, and hereby, prohibited and restrained, until the further order of this Court, from receiving from you a certain debt alleged now to be due from you to the said defendant, namely, and that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from making payment of the said debt, or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 140.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &c.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

Defendant, and to , Manager of Company

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Suit No. of 18 in favour of for Rs. it is ordered that you, the defendant, be, and you are hereby, prohibited and restrained, until the further order of this Court, from making any transfer of shares in the aforesaid Company, namely, or from receiving payment of any dividends thereof; and you , the Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 141.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 274 of the Code of Civil Procedure.

(*Title.*)

To

Defendant.

WHEREAS you have failed to satisfy a decree passed against you on the day of 18 , in Civil Suit No. of 18 , in favour of for Rs. : it is ordered that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 142.

ATTACHMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY OR OF ANY SECURITY IN THE HANDS OF A COURT OF JUSTICE OR OFFICER OF GOVERNMENT.

Sections 272 and 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

SIR,

THE plaintiff having applied, under section of the Code of Civil Procedure, for an attachment of certain money now in your hands (*here state how the money is supposed to be in the hands of the person addressed, on what account, &c.*), I request that you will hold the said money subject to the further order of this Court.

I have the honour to be,
SIR,
Your most obedient Servant,

L. S.

Dated the day of 18 . *Judge.*

No. 143.

ORDER FOR PAYMENT TO THE PLAINTIFF, &C., OF MONEY, &C., IN THE HANDS OF A THIRD PARTY.

Section 277 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

Miscellaneous No. of 18 .

A. B. of

against

C. D. of

TO THE BAILIFF OF THE COURT AND TO

WHEREAS the following property has been attached in execution of a decree in Civil Suit No. of 18 , passed on the day of 18 , in favour of for Rs. : it is ordered

that the property so attached, consisting of Rs. in money, and Rs. in Bank Notes, or a sufficient part thereof to satisfy the said decree, shall be paid over by you to the said , and that the said property, so far as may be necessary for the satisfaction of the said decree, shall be sold by you, the Bailiff of the Court, by public auction in the manner prescribed for sale in execution of decrees, and that the money which may be realized by such sale, or a sufficient part thereof to satisfy the said decree, shall be paid over to the said , and the remainder, if any, shall be paid to you, the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 144.

NOTICE TO ATTACHING CREDITOR.

Section 278 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for the removal of attachment on placed at your instance in execution of the decree in Civil Suit No. of 18 this is to give you notice to appear before this Court on , the day of , 18 , either in person or by a Pleader of the Court duly instructed, to support your claim as attaching creditor.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 145.

WARRANT OF SALE OF PROPERTY IN EXECUTION OF A DECREE FOR MONEY.

Section 287 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

THESE ARE TO COMMAND YOU to sell by auction, after giving days' previous notice, by affixing the same in this Court-house, and after making due proclamation,* the property attached under a Warrant from this Court dated the of 18 in execution of a decree in favour of in suit No. of 18 or so much of the said property as shall realize the sum of Rs. , being the of the said decree and costs still remaining unsatisfied.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* This proclamation shall specify the time, the place of sale, the property to be sold, the revenue assessed, should the property consist of land paying revenue to Government, and the amount for the recovery of which the sale is ordered.

No. 146.

NOTICE TO PERSON IN POSSESSION OF MOVEABLE PROPERTY SOLD IN EXECUTION.

Section 300 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has been the purchaser at a sale by auction in execution of the decree in the above suit of now in your possession, you are hereby prohibited from delivering possession of the said to any persons except the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 147.

PROHIBITORY ORDER AGAINST PAYMENT OF DEBTS SOLD IN EXECUTION TO ANY OTHER THAN THE PURCHASER.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

and to

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain debt due from you to you , that is to say , it is ordered that you be and you are hereby prohibited from receiving, and you from making payment of, the said debt to any person or persons except the said

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 148.

PROHIBITORY ORDER AGAINST THE TRANSFER OF SHARES SOLD IN EXECUTION.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

Manager of Company.

and

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain shares in the above Company, that is to say of standing in the name of you it is ordered

that you be, and you are hereby, prohibited from making, any transfer of the said shares to any person except the said the purchaser aforesaid, or from receiving any dividends thereon: and you , Manager of the said Company, from permitting any such transfer or making any such payment to any person except the said , the purchaser aforesaid.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 149.

ORDER CONFIRMING SALE OF LAND, &c.

Section 312 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

WHEREAS the following land (or immoveable property) was on the day of 18 sold by the Bailiff of this Court in execution of the decree in this suit; and whereas thirty days have elapsed and no application has been made (*or* objection allowed) to the said sale, it is ordered that the said sale be, and the said sale is hereby, confirmed.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 150.

CERTIFICATE OF SALE OF LAND.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

THIS is to certify that at a sale by public auction on the day of 18 has been declared the purchaser of the in execution of decree in this suit, and that the said sale has been duly confirmed by the Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

No. 151.

ORDER FOR DELIVERY TO CERTIFIED PURCHASER OF LAND AT A SALE IN EXECUTION.

Section 318 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has become the certified purchaser of at a sale in execution of decree in Civil Regular No. of 18 , and whereas such land is in the possession of you are hereby ordered to put the said , the certified purchaser, as aforesaid, into possession of the said and if need be, to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 152.

AUTHORITY TO THE COLLECTOR TO STAY PUBLIC SALE OF LAND ON SECURITIES BEING GIVEN.

Section 326 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

Collector of

SIR,

In answer to your communication No. , dated representing that the sale in execution of decree in this suit of land, lying within your district, paying revenue to Government, is objectionable, I have the honour to inform you that you are authorized, on security to the amount of Rs. decreed to the in the above suit, being given to your satisfaction, to make provision for the satisfaction of the said decree in the manner recommended by you instead of proceeding to a public sale of

I have the honour to be,
SIR,
Your obedient Servant,

L. S.

Judge.

No. 153.

ORDER FOR COMMITTAL FOR RESISTING, &c., EXECUTION OF DECREE FOR LAND.

Section 329 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS it appears to the Court that has without just cause resisted (*or* obstructed) the execution of the decree of the Court

passed against
in Civil Suit, No. of 18 , whereby certain land or immoveable property was adjudged to , it is ordered that the said be committed to custody for a period of days.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 154.

WARRANT OF ARREST IN EXECUTION.

Section 337 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .
A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS was adjudged by a decree of the Court, in No. of 18 , dated 18 , to pay to the plaintiff the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said plaintiff in satisfaction of the said decree, these are to command you to arrest the said defendant, and unless the said defendant shall pay to you the said sum of Rs. , together with Rs. for the costs of executing this process, to bring the said defendant before the Court with all convenient speed. You are further commanded to return this warrant on or before the day of 18 , with an endorsement certifying the day and manner in which it has been executed, or the reason why it has not been executed.

Principal			
Interest			
Costs			
Execution			
TOTAL .			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 155.

NOTICE OF PAYMENT INTO COURT.

Section 377 of the Code of Civil Procedure.

IN THE 187 .
B. No.
A. B. v. *C. D.*

TAKE notice that the defendant has paid into Court Rs. and says that that sum is enough to satisfy the plaintiff's claim [*or* the plaintiff's claim for, *&c.*].

To Mr. *X. Z.*,
the Plaintiff's Pleader,
Z.,
Defendant's Pleader.

No. 156.

COMMISSION TO EXAMINE ABSENT WITNESSES.

Section 386 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS the evidence o is required by the in the above suit; and whereas you are requested to take the

examination on interrogatories [*or* vivâ voce] of such witnesses and you are hereby appointed a Commissioner for that purpose, and you are further requested to make return of such examination so soon as it may be taken [Process to require the attendance of the witness will be issued by this Court on your application.]*

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 157.

COMMISSION FOR A LOCAL INVESTIGATION, OR TO EXAMINE ACCOUNTS.

Sections 392 and 395 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS it is deemed requisite, for the purposes of this suit, that a commission for should be issued; you are hereby appointed Commissioner for the purpose of [process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on your application.]†

A sum of Rs. , being your fee in the above, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of . 18 .

L. S.

Judge.

† Not necessary where the commission goes to another Court.

No. 158.

WARRANT OF ARREST BEFORE JUDGMENT.

Section 478 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the plaintiff in the above suit, has proved to the satisfaction of the Court that there is probable cause for believing that the defendant is about to these are to command you to take the said into custody, and to bring before the Court, in order that he may show cause why he should not furnish security to the amount of rupees for personal appearance before the Court, until such time as the said suit shall be fully and finally disposed of, and until execution or satisfaction of any decree that may be passed against in the suit.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 159.

ORDER FOR COMMITTAL.

Section 481 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS , Plaintiff in this suit, has made application to the Court that security be taken for the appearance of the Defendant to answer any judgment that may be passed against in the suit; and whereas the Court has called upon the Defendant to furnish such security, or to offer a sufficient deposit in lieu of security, which has failed to do; it is ordered that the said Defendant be committed to custody until the decision of the suit; or if judgment be given against until the execution of the decree.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 160.

ATTACHMENT BEFORE JUDGMENT, WITH ORDER TO CALL FOR SECURITY FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has proved to the satisfaction of the Court that the Defendant in the above suit these are to command you to call upon the said Defendant on or before the day of either to furnish security for the sum of rupees to produce and place at the disposal of this Court when required or the value thereof, or such portion of the value as may be sufficient to fulfil any decree that may be passed against or to appear and show cause why should not furnish security; and you are further ordered to attach the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to the Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 161.

ATTACHMENT BEFORE JUDGMENT, ON PROOF OF FAILURE TO FURNISH SECURITY.

Section 485 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the Plaintiff in this suit, has applied to the Court to call upon , the Defendant, to furnish security to fulfil any decree that may be passed against in the suit, and whereas the Court has called upon

the said to furnish such security which has failed to do ; these are to command you to attach the property of the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to this Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 162.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED, SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSONS TO THE IMMEDIATE POSSESSION THEREOF.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

Defendant.

IT is ordered that you the said be, and you are hereby, prohibited and restrained until the further order of this Court from receiving from the following property in the possession of the said that is to say to which the defendant is entitled, subject to any claim of the said and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 163.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

Defendant.

IT is ordered that you the said be, and you are hereby prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby, prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 164.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY IN THE HANDS OF OTHER PERSONS, OR OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

IT is ordered that the defendant be, and he is hereby, prohibited and restrained, until the further order of this Court, from receiving from the [money now in hands belonging to the said defendant *or* debts, *as the case may be, describing them*] and that the said be and hereby prohibited and restrained, until the further order of this Court, from making payment of the said [money, *&c.*], or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 165.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &C.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To Defendant and

to

Manager of Company.

It is ordered that , the defendant, be and hereby prohibited and restrained, until the further order of the Court, from making any transfer of shares being in the aforesaid Company, or from receiving payment of any dividends thereof, and you Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer, or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 166.

TEMPORARY INJUNCTIONS.

Section 492 of the Code of Civil Procedure.

Upon motion made unto this Court by Pleader of (*or* Counsel for) the plaintiff *A. B.*, and upon reading the petition of the said plaintiff in this matter filed (this day) [*or* the plaint filed in this cause on the day of , *or* the written statement of the said plaintiff filed on the day of] and upon hearing the evidence of and in support thereof, [*if after notice and defendant not appearing, add,* and also the evidence of as to service of notice of this motion upon the defendant *C.D.*] This Court doth order that an injunction be awarded to restrain the defendant *C. D.*, his servants, workmen and agents from pulling down, or suffering to be pulled down the house in the plaint in the said suit of the plaintiff mentioned [*or* in the written statement *or* petition of the plaintiff and evidence at the hearing of this motion mentioned] being No. 9, Oilmongers Street, Hindúpur, in the Taluq of and from selling the materials whereof the said house is composed, until the hearing of this cause or until the further order of this Court.

Dated this day of 187 .

Civil Judge.

[*Where the injunction is sought to restrain the negotiation of a bill, note or security, the ordering part of the order may run thus :—*] to restrain the defendants and from parting with out of the custody of them or any of them, or endorsing, assigning or negotiating the promissory note in question, dated on or about the *&c.*, mentioned in the plaintiff's plaint [*or* petition] and the evidence heard at this motion, until the hearing of this cause, or until the further order of this Court.

[*In copyright cases*] to restrain the defendant, *C. D.*, his servants, agents, or workmen from printing, publishing, or vending a book, called , or any part thereof, until the, *&c.*

[*Where part only of a book is to be restrained*] to restrain the defendant, *C. D.*, his servants, agents, or workmen, from printing, publishing, selling, or otherwise disposing of such parts of the book in the plaint [*or* petition and evidence, *&c.*,] mentioned to have been published by the defendant as hereinafter specified, namely, that part of the said book which is entitled and also that part which is entitled (*or* which is contained in p. to p. both inclusive) until the *&c.*

[*In patent cases*] to restrain the defendant, *C. D.*, his agents, servants and workmen, from making or vending any perforated bricks (*or, as the case may be*) upon the principle of the inventions in the plaintiff's plaint [*or* petition, *&c.*, *or* written statement, *&c.*,] mentioned, belonging to the plaintiffs, or either of them, during the remainder of the respective terms of the patents in the plaintiff's plaint (*or, as the case may be*) mentioned, and from counterfeiting, imitating or resembling the same inventions, or either of them, or making any addition thereto, or subtraction therefrom, until the hearing, &c.

[*In cases of trade-marks*] to restrain the defendant, *C. D.*, his servants, agents or workmen, from selling, or exposing for sale, or procuring to be sold, any composition or blacking (*or, as the case may be*) described as or purporting to be blacking manufactured by the plaintiff, *A. B.*, in bottles having affixed thereto such labels as in the plaintiff's plaint [*or* petition, *&c.*] mentioned, or any other labels so contrived or expressed as, by colorable imitation or otherwise, to represent the composition or blacking sold by the defendant to be the same as the composition or blacking manufactured and sold by the plaintiff, *A. B.*, and from using trade-cards so contrived or expressed as to represent that any composition or blacking sold or proposed to be sold by the defendant is the same as the composition or blacking manufactured or sold by the plaintiff, *A. B.*, until the, &c.

[*To restrain a partner from in any way, interfering in the business*] to restrain the defendant, *C. D.*, his agents and servants, from entering into any contract, and from accepting, drawing, endorsing or negotiating any bill of exchange, note or written security, in the name of the partnership firm of *B. & D.*, and from contracting any debt, buying and selling any goods, and from making or entering into any verbal or written promise, agreement or undertaking, and from doing or causing to be done, any act, in the name or on the credit of the said partnership firm of *B. & D.*, or whereby the said partnership firm can or may in any manner become or be made liable to or for the payment of any sum of money, or for the performance of any contract, promise or undertaking, until the, &c.

No. 167.

NOTICE OF APPLICATION FOR INJUNCTION.

Section 494 of the Code of Civil Procedure.

IN THE COURT OF AT

A. B. of

against

C. D. of

Take notice that I, *A. B.*, intend to apply at the sitting of the Court at aforesaid, on the day of for an injunction to restrain *C. D.* from further prosecuting a suit which he has commenced against me in to recover damages for the breach of the contract for the specific performance of which this suit was commenced [*or* to restrain him from receiving and giving discharges for any of the debts due to the partnership in the matter of the partnership between us for the winding up of which the suit was commenced, *or* from digging the turf from the land which was agreed to be sold by him to me by the agreement, the specific performance of which this suit is commenced to enforce, *or, as the case may be*].

Dated this day of 18 .

A. B.

To *C.D.*

[*N. B.—Where the injunction is to be applied for against a party whose name and address does not appear upon any proceeding already filed in the suit, it must be stated in full to enable the proper officer to serve the notice.*]

No. 168.

APPOINTMENT OF A RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has been attached in execution of a decree passed in the above suit on the day of 18 , in favour of ; you are hereby (subject to your giving security to the satisfaction of the Registrar) appointed Receiver of the said property under section 503 of the Code of Civil Procedure, with full powers under the provisions of that section.

YOU are required to render a due and proper account of your receipts and disbursements in respect of the said property on . You will be entitled to remuneration at the rate of per cent. upon your receipts under the authority of this appointment.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 169.

BOND TO BE GIVEN BY RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of

A. B. of
against
C. D. of

KNOW all men by these presents, that we, *A. B.* of, &c., and *C. D.* of, &c., and *E. F.* of, &c., are jointly and severally bound to *G. H.*, Registrar of the Court of in Rs. , to be paid to the said *G. H.* or his attorney, executors, administrators or assigns. For which payment to be made we bind ourselves, and each of us, in the whole, our and each of our heirs, executors and administrators, jointly and severally, by these presents.

Dated this day of 18 .

And whereas a plaint has been filed in this Court by *A. B.* against *C. D.* for the purpose of (*here insert object of suit*).

And whereas the said *A. B.* has been appointed, by order of the above-mentioned Court, to receive the rents and profits of the immoveable property, and to get in the outstanding moveable property of *C. D.*, the testator in the said plaint named.

Now the condition of this obligation is such, that if the above-bounden *A. B.* shall duly account for all and every the sum and sums of money which he shall so receive on account of the rents and profits of the immoveable property, and in respect of the moveable property of the said *C. D.* [*or, as may be*] at such periods as the said Court shall appoint, and shall duly pay the balances which shall from time to time be certified to be due from him as the said Court hath directed or shall hereafter direct, then this obligation shall be void, otherwise it shall remain in full force.

A. B.
C. D.

Signed and delivered by the above-bounden in the presence of

NOTE.—*If deposit of money be made, the memorandum thereof should follow the terms of the condition of the bond.*

No. 170.

ORDER OF REFERENCE TO ARBITRATION UNDER AGREEMENT OF PARTIES.

Section 508 of the Code of Civil Procedure.

(Title.)

To

WHEREAS the above-mentioned plaintiff and defendant have agreed to refer the matters in difference between them in the above suit to your arbitration and award, you are hereby appointed accordingly to determine all the said matters in difference between the parties, and with power, by consent of the parties, to determine which party shall pay the costs of this reference.

You are required to deliver your award in writing to this Court on or before the day of 18 , or such other day as this Court may further fix.

Process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on our application, and you are empowered to administer to such witnesses oath or affirmation.

A sum of Rs. , being your fee in the above suit, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 171.

ORDER OF REFERENCE TO ARBITRATION BY COURT, WITH CONSENT.

Section 508 of the Code of Civil Procedure.

(Title.)

UPON reading a petition of the plaintiff, filed this day, and on the consent of for the defendant, and upon hearing for the plaintiff and for the defendant, it is ordered, by and with the consent of all the parties, that all matters in difference in this suit, including all dealings and transactions between all parties, be referred to the final determination of , who is to make his award in writing and submit the same to this Court, together with all proceedings, depositions, and exhibits in this suit, within one month from the date hereof. And it is ordered further, by and with the like consent, that the said arbitrator is to be at liberty to examine the parties and their witnesses upon oath or affirmation, which he is empowered to administer, and that the said arbitrator shall have all such powers or authorities as are vested in arbitrators under the Code of Civil Procedure, including therein power to call for all books of account that he may consider necessary. And it is further ordered, by and with the like consent, that the costs of this suit, together with the costs of reference to arbitration, up to and including the award of the said arbitrator, and the enforcement thereof, do abide the result of the finding of the said arbitrator. And it is further ordered, by and with the like consent, that the said arbitrator be at liberty to appoint a competent accountant to assist him in the investigation of the several matters referred to him as aforesaid, and that the remuneration of such accountant and other charges attending thereto be in the discretion of the said arbitrator.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 172.

SUMMONS IN SUMMARY SUIT ON NEGOTIABLE INSTRUMENT.

Section 532 of the Code of Civil Procedure.

No. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To [*Here enter the defendant's name, description and address.*]

Whereas [*here enter the plaintiff's name, description and address*] has instituted a suit in this Court against you under Chapter XXXIX of the Code of Civil Procedure for Rs. principal and interest [*or* Rs. balance of principal and interest] due to him as the payee [*or* indorsee] of a bill of exchange [*or* hundí *or* promissory note], of which a copy is hereto annexed, you are hereby summoned to obtain leave from the Court within seven days from the service hereof, inclusive of the day of such service, to appear and defend the suit, and within such time to cause an appearance to be entered for you. In default whereof the plaintiff will be entitled at any time after the expiration of such seven days to obtain a decree for any sum not exceeding the sum of Rs. [*here state the sum claimed*] and the sum of Rs. for costs.

Leave to appear may be obtained on an application to the Court supported by affidavit or declaration showing that there is a defence to the suit on the merits, or that it is reasonable that you should be allowed to appear in the suit.

[*Here copy the bill of exchange, hundí or promissory note, and all endorsements upon it.*]

No. 173.

MEMORANDUM OF APPEAL.

Section 540 of the Code of Civil Procedure.

MEMORANDUM OF APPEAL.

(*Name, &c., as in Register.*) Plaintiff—Appellant.
(*Name, &c., as in Register.*) Defendant—Respondent.

[*Name of Appellant*] [plaintiff *or* defendant] above-named appeals to the High Court at [*or* District Court at , *as the case may be*] against the decree of in the above suit, dated the day of , for the following reasons, namely [*here state the grounds of objection*].

No. 174.

REGISTER OF APPEALS.

Section 550 of the Code of Civil Procedure.

COURT (*OR* HIGH COURT) AT

REGISTER OF APPEALS FROM DECREES in the year 18 .

No. of appeal	Date of Memorandum.	Appellant.			Respondent.			Decree appealed from.				Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Of what Court.	No. of Original Suit.	Particulars.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 175.

NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL.

Section 553 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

APPEAL from the of the Court of dated the day of 18 .

Respondent.

To .

Take notice that an appeal from the decree of in this case has been presented by and registered in this Court, and that the day of 18 has been fixed by this Court for the hearing of this appeal.

IF no appearance is made on your behalf by yourself, your pleader, or by some one by law authorized to act for you in this appeal, it will be heard and decided *ex parte* in your absence.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

NOTE.—If a stay of execution has been ordered, intimation should be given of the fact on this notice.]

No. 176.

DECREE ON APPEAL.

Section 579 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

Appeal from the of the Court of dated the day of 18 .

Memorandum of Appeal.

, *Plaintiff*.
, *Defendant*.

Plaintiff [*or* defendant] above-named appeals to the Court at against the decree of in the above suit, dated the day of 18 , for the following reasons, namely;

[*here state the reasons*]

This appeal coming on for hearing on the day of 18 , before , in the presence of for the Appellant, and of for the Respondent, it is ordered—

[*here state the relief granted*]

The costs of this appeal, amounting to , are to be paid by
The costs of the original suit are to be paid by

GIVEN under my hand, this day of 18 .

Judge.

No. 177.

REGISTER OF APPEALS FROM APPELLATE DECREES.

Section 587 of the Code of Civil Procedure.

HIGH COURT AT

REGISTER OF APPEALS FROM APPELLATE DECREES.

Date of Memorandum.	No. of Appeal.	Appellant.			Respondent.			Decree Appealed from.					Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Of what Court.	No. of Original suit and of Appeal.	Particulars.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 178.

NOTICE TO SHOW CAUSE WHY A REVIEW SHOULD NOT BE GRANTED.

Section 626 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Plaintiff*, v. , *Defendant*.

To

TAKE notice that . has applied to this Court for a review of its judgment passed on the day of 18 in the above case. The day of 18 is fixed for you to show cause why the Court should not grant a review of its judgment in this case.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 179.

NOTICE OF CHANGE OF PLEADER.

IN THE COURT OF AT

A. B. of
against
C. D. of

TO THE REGISTRAR OF THE COURT.

TAKE notice that I, *A. B.* [*or C. D.*], have hitherto employed as my pleader *G. H.* of in the above-mentioned cause, but that I have ceased to employ him, and that my present pleader is *J. K.* of

A. B. [*or C. D.*]

No. 180.

MEMORANDUM TO BE PLACED AT FOOT OF EVERY SUMMONS, NOTICE, DECREE, OR ORDER OF COURT, OR ANY OTHER PROCESS OF THE COURT.

Hours of attendance at the office of the Registrar [*place of office*] from *ten* till *four*, except on [*here insert the day on which the office will be closed*], when the office will be closed at *one*.

WHITLEY STOKES,

Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 14, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information :—

ACT No. VII OF 1877.

An Act to amend the law relating to assignments from the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871.

Preamble.

WHEREAS it is expedient to authorise the Local Government of the North-Western Provinces to provide out of the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871, for payment of certain charges incurred or to be incurred on account of canals and railways in the North-Western Provinces; It is hereby enacted as follows :—

Substitution of new section for section 10 of Act XVIII, 1871.

1. Section 10 of the said Act shall be repealed, and in lieu thereof the following shall be substituted :—

Assignments from general fund.

"10. The Lieutenant-Governor may from time to time assign from such Fund such amount as he thinks fit, to be applied in payment of charges incurred or to be incurred on account of such canals and railways as he, with the previous sanction of the Governor General in Council, may declare to be works of general provincial utility, and he shall from time to time allot from such Fund an amount to be applied in each district for expenditure on all or any of the following purposes :—

(*a*) the construction, repair and maintenance of roads and communications;

(*b*) the maintenance of the rural police and district post;

(*c*) the construction and repair of school-houses, the maintenance and inspection of schools, the training of teachers, and the establishment of scholarships;

(*d*) the construction and repair of hospitals, dispensaries, lunatic asylums, markets, wells and tanks; the payment of all charges connected with the purposes for which such buildings or works have been constructed, and any other local works likely to promote the public health, comfort or convenience :

Proviso.

Provided that the amount assigned in respect of such canals and railways shall not exceed ten per cent. of the total sum levied under this Act in the year in which the assignment was made, and that the amount allotted to be applied in each district for expenditure on all or any of the purposes mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of this section shall be at least ninety per cent. of the total sum levied under this Act in such district in the year in which the allotment was made."

Amendment of Act of 1871, ss. 12, 13 and 14.

2. In Section 12 of the said Act, for the word "assignment" in each of the places where it occurs, the word "allotment" shall be substituted, and for the word "re-allotted" the word "re-assigned" shall be substituted.

And in section 13 of the said Act, for the word "assignment" the word "allotment" shall be substituted,

And in Section 14 of the same Act, for the word "amount," in each of the places where it occurs, the word "allotment" shall be substituted.

WHITLEY STOKES,

Secy. to the Govt. of India.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information :—

ACT No. VIII OF 1877.

An Act for the licensing of certain trades and dealings in the North-Western Provinces.

Preamble.

WHEREAS it is expedient that persons carrying on certain trades and dealings in the North-Western Provinces should take out licenses and pay for the same; It is hereby enacted as follows :—

Short title.

1. This Act shall be called "The North-Western Provinces License Act, 1877:"

Local extent.

It extends to the provinces under the government of the Lieutenant-Governor of the North-Western Provinces; but nothing herein contained applies to persons earning their livelihood solely by agriculture.

Commencement.

And it shall come into force at once.

"Collector" defined.

2. In this Act "Collector" means the Chief Officer in charge of the revenue-administration of a District.

Annual licenses to be taken out.

3. Every person who, on and after the first day of April 1877, falls under any of the heads specified in the schedule hereto annexed, and carries on (whether on behalf of himself or any other person) his trade or dealing, shall take out a license under this Act, and shall pay for the same the annual fee mentioned in the same schedule as payable by persons of the class to which he belongs.

Officer to grant license.

4. Every license under this Act shall be granted by the Collector of the district in which the person requiring such license carries on his trade or dealing: provided that, if such person carries on his trade or dealing in more than one district in the North-Western Provinces, the license shall be granted by the Collector of the district in which his principal place of business is situate.

Every such license shall be signed by the Collector granting it, or by such officer as he may appoint in this behalf.

Particulars to be specified in the license.

5. Every such license shall specify—

(*a*) the date of the grant thereof:

(*b*) the name, father's name, caste, and trade or dealing of the licensee:

(*c*) the fee paid for the license:

(*d*) the place or places where the licensee intends to carry on his trade or dealing for the ensuing year; and

(*e*) the term for which the license shall remain in force,

and shall be received in evidence as *primâ facie* proof of all matters contained therein.

Commencement and expiration of license.

6. Every such license shall have effect and continue in force from the day of the date thereof till the first day of January next after the day of the granting thereof.

Renewal of license.

7. Every person to whom any such license has been granted and who desires to continue to carry on his trade or dealing after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding section, and shall renew the same so long as he desires to continue to carry on such trade or dealing.

List of Licensees.

Collector to prepare annual list of licensees.

8. As soon as may be after the first day of April 1877 and the first day of January in every subsequent year, the Collector shall prepare a list of the persons to be licensed under this Act in the district or place aforesaid. Such list shall state—

(*a*) the trade or calling of each of the persons therein named;

(*b*) the class under which he is charged; and

(*c*) the fee to be paid for his license.

Such list shall be in the language of the district, shall be filed in the office of the Collector, and shall be open to public inspection at all reasonable times, without any payment.

Collector to determine class under which licensee is to be charged.

9. The Collector shall from time to time determine under which of the classes mentioned in the said schedule every person to whom a license may be granted by him as aforesaid shall be charged, and shall amend the said list accordingly.

Publication of list and notification.

The list or such part or parts thereof as the Collector thinks fit shall be published in the principal muhallas or ganjes of all towns, and in the chaupál, or other public place, in all villages concerned, together with a notification that if any person mentioned in such list continues his trade or dealing, payment of the amount specified in the list as payable by him must be made in the year 1877 within thirty days of such publication in that year and within thirty days next after the first day of January in each succeeding year.

Petition of objector.

10. Any person mentioned in such list and objecting to the class under which he is charged may, within thirty days after such publication or within such further time as the Collector may in each case think fit, apply by petition to the Collector in order to establish his right to have his name transferred to another class or altogether removed from the list.

Hearing of petition. Appeal from order on petition.

11. The Collector shall fix a day for the hearing of the petition, and on the day so fixed, or on such subsequent day as he may from time to time direct, shall hear the same and pass such order thereon as he thinks fit:

Provided that if in the judgment of the Collector the nett annual earnings of the petitioner are less than two hundred rupees, the petitioner's name shall be removed from the list, and the fee, if any, paid by him shall be returned.

There shall be no appeal from an order under this section.

Power to remit fee.

12. The Collector may in his discretion remit the whole or any part of the fee payable under this Act by any person who has carried on his trade or dealing for a portion of the year only.

Persons carrying on several trades.

13. A person or firm carrying on several trades or businesses and coming under more than one of the designations in the said schedule shall be chargeable only under one of the said designations at the discretion of the Collector; and in the case of a firm, payment by any one of the partners shall for the purposes of this Act be considered payment by the firm.

Penalty for carrying on business without a license.

14. If after expiry of the period mentioned in the notification published under section ten, for payment of the amount specified therein, any person (whether he is or is not mentioned in the said list) carries on his trade or calling without having taken out a license as required by this Act, he shall be liable, by order of the Collector, to pay twice the fee with which he would otherwise have been chargeable under this Act, and on receipt of such payment, the Collector shall grant him a license.

All sums due under this section and all fees payable under this Act shall be recoverable as if they were arrears of land-revenue.

License to be produced on demand.

15. Every person required by this Act to take out a license, who without reasonable excuse neglects or refuses to produce and show his license when required so to do by an officer generally or specially empowered in writing by the Collector to make such requisition, shall, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees.

Prosecution to be at instance of Collector.

No person shall be proceeded against for any such offence except at the instance of the Collector, and there shall be no appeal from any sentence under this section.

Receivers and managers chargeable.

16. Courts of Wards and receivers and managers appointed by any Court in British India, shall be chargeable under this Act in respect of any trade or dealing of which the income is officially in their possession or under their control.

Power to retain assessment paid by trustee, &c.

17. When any trustee, guardian, curator, committee or agent is charged under this Act in such capacity, or when any Court of Wards or receiver or manager appointed by any Court is charged under this Act, every Court and person so charged may, from time to time, out of the money coming to its or his possession as such trustee, guardian, curator, committee or agent, or as such Court of Wards, receiver or manager retain so much as is sufficient to pay the fee charged.

Every such person or Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Municipalities.

Power to require returns from Municipalities.

18. The Collector may require any Municipal Committee constituted under Act No. XV of 1873 to furnish, within a period to be specified under the orders of the Local Government, returns showing the names and numbers of persons chargeable under this Act resident within the limits of such Municipality, together with the class under which they respectively fall and the fees payable by them respectively.

If the Municipal Committee fails within the period prescribed to make such returns, or if it make such returns, and the Collector has reason to doubt their accuracy, he may at any time cause a return showing the names, numbers, and classes aforesaid to be prepared in such manner as may be prescribed by the Local Government.

Notice to Municipalities.

19. When the return mentioned in section 18 has been furnished or prepared, notice shall be served on the Municipality, calling on it to pay to the Collector within a period to be specified in the notice, a sum calculated on such return in accordance with the provisions of this Act.

Any Municipality may appropriate any part of its revenues to the payment of the sum leviable from it under this section, or raise such further sums in addition to its existing revenue as may be needful for such payment: provided that such further sums be raised in accordance with the said Act No. XV of 1873.

Miscellaneous.

Payment of taxes raised and penalties recovered under Act.

20. All taxes raised and penalties recovered under this Act shall be paid to the credit of the Local Government, or as such Government from time to time directs.

Powers of Collector under Act may be exercised by other officers.

21. All or any of the powers and duties conferred and imposed by this Act on a Collector may, subject to the orders of the Collector of the District, be exercised and performed by an Assistant Collector or such other officer as the Local Government from time to time appoints in this behalf.

22. Every person shall be legally bound to furnish information to any officer or person exercising any of the powers of a Collector under this Act when required by him to do so.

Obligation to furnish information to Collector.

23. The Local Government may, from time to time, with the previous sanction of the Governor General in Council,

Power to exempt and make rules.

(*a*) exempt from the operation of this Act any portion of the territories subject to such Government, or any class of trade or dealings falling under the said schedule;

(*b*) make rules consistent with this Act, (1) for regulating the time and manner of collecting the fees charged under this Act, (2) for providing in any case or class of cases for serving notices on persons charged under this Act, and (3) generally for the guidance of officers in matters connected with the enforcement of this Act.

THE SCHEDULE ABOVE REFERRED TO.

CLASS I.

	Fee payable by licensee.
Bankers	Rs. 16.
Professional money-lenders ...	
Companies registered under the Indian Companies Act, 1866 ...	
Owners of cotton-screws ...	
Persons keeping shops for the sale of European goods	
Hotel-keepers	
Wholesale-dealers	
Dealers in precious stones ...	

CLASS II.

Cloth-sellers	Rs. 8.
Metal-vessel-sellers	
Fuel-sellers (talwálas)	
Chaudhrís	
Letters-out of conveyances and cattle	
Contractors (thíkadárs)	
Printers and publishers... ...	
Manufacturers of lac	
Commission Agents	
Brokers	
Bill-brokers	
Pawn-brokers	
Money-changers	
Dealers in gold and silver lace ...	
Druggists	
Harness-makers	
Dealers in metals, not being merely artisans	

CLASS III.

Persons carrying on any trades or dealings not above specified ...	Rs. 2.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th March 1877, and is hereby promulgated for general information:—

ACT No. IX OF 1877.

An Act to revive and amend Act No. XXIII of 1867.

WHEREAS Act No. XXIII of 1867 (*for the suppression of murderous outrages in certain districts of the Panjáb*) received the assent of the Governor General on the 18th day of March 1867, and by section 17 of the said Act was limited to expire in ten years from the date of passing it; And whereas it is expedient to revive the same Act and to amend it in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

1. The said Act shall be revived and shall remain in force until the Governor General in Council otherwise directs.

Act XXIII of 1867 to be revived.

2. For the word "Commissioner" wherever it occurs in the said Act, the words "Sessions Judge or Commissioner" shall be substituted.

Amendment of Act XXIII of 1867.

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

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th March 1877, and is hereby promulgated for General information:—

ACT No. X OF 1877.

THE CODE OF CIVIL PROCEDURE.

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3. Enactments repealed.
   References in previous Acts.
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4. Saving of certain Acts affecting Oudh, Panjáb, Central Provinces and Burma.
5. Sections extending to Mufassal Small Cause Courts.

SECTIONS.

6. Saving of jurisdiction and procedure—
   (*a*) of Military Courts of Request;
   (*b*) of officers appointed to try small suits in Bombay;
   (*c*) of village Munsifs and village Panchâyats in Madras;
   (*d*) of Recorder of Rangoon sitting as an Insolvent Court.
7. Saving of certain Bombay laws.
8. Presidency Small Cause Courts.
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PART I.

OF SUITS IN GENERAL.

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THE FIRST SCHEDULE.—*A.*—Statute repealed.
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An Act to Consolidate and amend the Laws relating to the Procedure of the Courts of Civil Judicature.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature; It is hereby enacted as follows:—

PRELIMINARY.

Short title.
Commencement.

1. This Act may be cited as "The Code of Civil Procedure:" and it shall come into force on the first day of October 1877.

Local extent.

This section and section 3 extend to the whole of British India. The other sections extend to the whole of British India except the Scheduled Districts as defined in Act No. XIV of 1874.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context—

"chapter." "chapter" means a chapter of this Code:

"district." "District Court." "district" means the local limits of the jurisdiction of a principal civil Court of original jurisdiction (hereinafter called a 'District Court'), and includes the local limits of the ordinary original civil jurisdiction of a High Court: every Court of a grade inferior to that of a District Court and every Court of Small Causes shall, for the purposes of this Code, be deemed to be subordinate to the High Court and the District Court:

"pleader." "pleader" means every person entitled to appear and plead for another in Court, and includes an advocate, a vakil and an attorney of a High Court:

"Government Pleader." "Government Pleader" includes also any officer appointed by the Local Government to perform all or any of the functions expressly imposed by this Code on the Government Pleader.

"Collector." "Collector" means every officer performing the duties of a Collector of land-revenue:

"judgment." "judgment" means the statement given by the Judge as the grounds of the order or decree by which a suit or other judicial proceeding is determined:

"decree." "decree" means the formal order of the Court in which the result of the decision of the suit or other judicial proceeding is embodied. An order on appeal, remanding a suit for re-trial, is not within this definition:

"Judge." "Judge" means the presiding officer of a Court:

"judgment-debtor." "judgment-debtor" means any person against whom a decree or order has been made:

"decree-holder." "decree-holder" means any person in whose favour a decree or any order capable of execution has been made, and includes any person to whom such decree or order is transferred:

"written." "written" includes printed and lithographed, and "writing" includes print and lithography:

"signed." "signed" includes "marked" when the person making the mark is unable to write his name:

"foreign Court." "foreign Court" means a court situate beyond the limits of British India and not having authority in British India nor established by the Governor General in Council:

"foreign judgment." "foreign judgment" means the judgment of a foreign Court:

"public officer." "public officer" means a person falling under any of the following descriptions (namely):—

Every Judge;

Every covenanted servant of Her Majesty;

Every commissioned officer in the military or naval forces of Her Majesty while serving under Government;

Every officer of a Court of Justice whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorized by a Court of Justice to perform any of such duties;

Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;

Every officer of Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;

Every officer whose duty it is, as such officer, to take, receive, keep or expend any property on behalf of Government, or to make any survey, assessment or contract on behalf of Government, or to execute any revenue process, or to investigate, or to report on any matter affecting the pecuniary interests of Government, or to make, authenticate or keep any document relating to the pecuniary interests of Government, or to prevent the infraction of any law for the protection of the pecuniary interests of Government, and every officer in the service or pay of Government, or remunerated by fees or commission for the performance of any public duty.

"Government." And in any part of British India in which this Code operates, "Government" includes the Government of India as well as the Local Government.

Enactments repealed. 3. The enactments specified in the first schedule hereto annexed are hereby repealed to the extent specified in the third column of the same schedule.

References in previous Acts. But when in any Act, Regulation or Notification passed or issued prior to the day on which this Code comes into force, reference is made to Act VIII of 1859, Act XXIII of 1861, or the 'Code of Civil Procedure,' or to any other Act hereby repealed, such reference shall, so far as may be practicable, be read as applying to this Code or the corresponding part thereof;

Saving of procedure in suits instituted before 1st October 1877. Nothing herein contained shall affect the procedure prior to decree in any suit instituted or appeal presented before this Code comes into force.

Saving of certain Acts affecting Oudh, Panjáb, Central Provinces and Burma. 4. Save as provided in the second paragraph of section 3, nothing herein contained shall be deemed to affect the following enactments (namely):—

The Central Provinces Courts Act, 1865:
The Panjáb Courts Act, 1865:
Act No. XXVII of 1867:
The Oudh Civil Courts Act, 1871:
The Panjáb Appeals Act, 1873:
The Burma Courts Act, 1875:
or any local law prescribing a special procedure for suits between landlord and tenant,
or any local law providing for the partition of immoveable property.

And where under any of the said Acts concurrent civil jurisdiction is given to the Commissioner and the Deputy Commissioner, the Local Government may declare which of such officers shall for the purposes of this Code be deemed to be the District Court.

Sections extending to Mufassal Small Cause Courts. 5. The chapters and sections of this Code specified in the second schedule hereto annexed extend, so far as they are applicable, to Courts of Small Causes constituted under Act No. XI of 1865. The other chapters and sections of this Code do not extend to such Courts. And nothing herein contained shall be deemed to enlarge the powers which such Courts now possess for the purposes of effecting attachments or executing decrees.

Saving of jurisdiction and procedure— 6. Nothing in this Code affects the jurisdiction or procedure—

(*a*) of Military Courts of Request; (*a*) of Military Courts of Request;

(*b*) of officers appointed to try small suits in Bombay; (*b*) of a single officer duly appointed in the Presidency of Bombay to try small suits in military bazárs at cantonments and stations occupied by the troops of that Presidency; or

(*c*) of Village Munsifs and Village Panchâyats in Madras (*c*) of Village Munsifs and Village Panchâyats [illegible] the provisions of the [illegible] Code;

(*d*) of Recorder of Rangoon sitting as an Insolvent Court. (*d*) of the Recorder of Rangoon sitting as [illegible] vent Court in [illegible], Maulmain, Akyab or Bassein,

or shall operate to give any Court jurisdiction over suits of which the amount or value of the subject-matter exceeds the pecuniary limits (if any) of its ordinary jurisdiction.

7. With respect to—

Saving of certain Bombay laws.

(*a*) the jurisdiction exercised by certain jágírdárs and other authorities invested with powers under the provisions of Bombay Regulation XIII of 1830 and Act XV of 1840 in the cases therein mentioned; and

(*b*) cases of the nature defined in the enactments specified in the third schedule hereto annexed,

the procedure in such cases and in the appeals to the Civil Courts allowed therein, shall be according to the rules laid down in this Code, except where those rules are inconsistent with any specific provisions contained in the enactments mentioned or referred to in this section.

8. Save as provided in sections 3, 25, 86, 223, 225, 386 and chapter XXXIX, this Code shall not extend to any suit or proceeding in any Court of Small Causes established in the towns of Calcutta, Madras and Bombay.

Presidency Small Cause Courts.

But the Local Government may, by notification published in the official Gazette, extend to any such Court this Code or any part thereof, except so far as relates to appeals and reviews of judgment.

Division of Code.

9. This Code is divided into ten Parts as follows:—

The first Part: Suits in General.
The second Part: Incidental Proceedings.
The third Part: Suits in particular Cases.
The fourth Part: Provisional Remedies.
The fifth Part: Special Proceedings.
The sixth Part: Appeals.
The seventh Part: Reference to and Revision by the High Court.
The eighth Part: Review of Judgment.
The ninth Part: Special Rules relating to the Chartered High Courts.
The tenth Part: Certain Miscellaneous Matters.

PART I.

OF SUITS IN GENERAL.

CHAPTER I.

OF THE JURISDICTION OF THE COURTS AND RES JUDICATA.

No person exempt from jurisdiction by reason of descent or place of birth.

10. No person shall, by reason of his descent or place of birth, be in any civil proceeding exempted from the jurisdiction of any of the Courts.

Courts to try all civil suits unless specially barred.

11. The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is barred by any enactment for the time being in force.

Explanation.—A suit in which the right to property or to an office is contested is a suit of a civil nature, notwithstanding that such right may depend entirely on the decision of questions as to religious rites or ceremonies.

Pending suits.

12. Except where a suit has been stayed under section 20, the Court shall not try any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit for the same relief between the same parties, or between parties under whom they or any of them claim, pending in the same or any other Court, whether superior or inferior, in British India having jurisdiction to grant such relief, or in any Court beyond the limits of British India established by the Governor General in Council and having like jurisdiction, or before Her Majesty in Council.

Explanation.—The pendency of a suit in a foreign Court does not preclude the Courts in British India from trying a suit founded on the same cause of action.

Res judicata.

13. No Court shall try any suit or issue, in which the matter directly and substantially in issue has been heard and finally decided by a Court of competent jurisdiction, in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title.

Explanation I.—The matter above referred to must in the former suit have been alleged by one party and either denied or confessed, expressly or impliedly, by the other.

Explanation II.—Any matter which might and ought to have been made ground of defence or attack in such former suit shall be deemed to have been a matter directly and substantially in issue in such suit.

Explanation III.—Any relief claimed in the plaint, which is not expressly granted by the decree, shall, for the purpose of this section, be deemed to have been refused.

Explanation IV.—A decision is final within the meaning of this section when it is such as the Court making it could not alter (except on review) on the application of either party or reconsider of its own motion. A decision liable to appeal may be final within the meaning of this section until the appeal is made.

Explanation V.—Where persons litigate *bonâ fide* in respect of a private right claimed in common for themselves and others, all persons interested in such right shall, for the purpose of this section, be deemed to claim under the persons so litigating.

Explanation VI.—Where a foreign judgment is relied on, the production of the judgment duly authenticated is presumptive evidence that the Court which made it had competent jurisdiction, unless the contrary appear on the record; but such presumption may be removed by proving the want of jurisdiction.

When foreign judgment no bar to suit in British India.

14. No foreign judgment shall operate as a bar to a suit in British India—

(*a*) if it has not been given on the merits of the case:

(*b*) if it appears on the face of the proceedings to be founded on an incorrect view of international law or of any law in force in British India:

(*c*) if it is in the opinion of the Court before which it is produced contrary to natural justice:

(*d*) if it has been obtained by fraud:

(*e*) if it sustains a claim founded on a breach of any law in force in British India.

CHAPTER II.

OF THE PLACE OF SUING.

Court in which suit to be instituted.

15. Every suit shall be instituted in the Court of the lowest grade competent to try it.

Suits to be instituted where subject-matter situate.

16. Subject to the pecuniary or other limitations prescribed by any law, suits

(*a*) for the recovery of immoveable property,

(*b*) for the partition of immoveable property,

(*c*) for the foreclosure or redemption of a mortgage of immoveable property,

(*d*) for the determination of any other right to or interest to or in immoveable property,

(*e*) for compensation for wrong to immoveable property,

(*f*) for the recovery of moveable property actually under distraint or attachment,

shall be instituted in the Court within the local limits of whose jurisdiction the property is situate:

Provided that suits to obtain relief respecting, or compensation for wrong to, immoveable property held by or on behalf of the defendant may, when the relief sought can be entirely obtained through his personal obedience, be instituted either in the Court within the local limits of whose jurisdiction the property is situate, or in the Court within the local limits of whose jurisdiction he actually and voluntarily resides, or carries on business, or personally works for gain.

Explanation.—In this section 'property' means property situate in British India.

Suits to be instituted where defendants reside or cause of action arose.

17. Subject to the limitations aforesaid, all other suits shall be instituted in a Court within the local limits of whose jurisdiction—

(*a*) the cause of action arises, or

(*b*) all the defendants, at the time of the commencement of the suit, actually and voluntarily reside, or carry on business, or personally work for gain; or

(*c*) any of the defendants, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain: provided that either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally work for gain as aforesaid acquiesce in such institution.

Explanation I.—Where a person has a permanent dwelling at one place and also a lodging at another place for a temporary purpose only, he shall be deemed to reside at both places in respect of any cause of action arising at the place where he has such temporary lodging.

Explanation II.—A Corporation or Company shall be deemed to carry on business at its sole or principal office in British India or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

Illustrations.

(*a.*) A is a tradesman in Calcutta. B carries on business in Dehli. B, by his agent in Calcutta, buys goods of A, and requests A to deliver them to the East Indian Railway Company. A delivers the goods accordingly in Calcutta. A may sue B for the price of the goods either in Calcutta, where the cause of action has arisen, or in Dehli, where B carries on business.

(*b.*) A resides at Simla, B at Calcutta, and Cat Dehli. A, B and C being together at Benares, B and C make a joint promissory note payable on demand, and deliver it to A. A may sue B and C at Benares, where the cause of action arose. He may also sue them at Calcutta, where B resides, or at Dehli, where C resides; but in each of these cases, if the non-resident defendant objects, the suit cannot be maintained without the leave of the Court.

Suits for compensation for wrongs to person or moveables.

18. In suits for compensation for wrong done to person or moveable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain within the local limits of the jurisdiction of another Court, the plaintiff may at his option sue in either of the said Courts.

Illustrations.

(*a.*) A, residing in Dehli, beats B in Calcutta. B may sue A either in Calcutta or in Dehli.

(*b.*) A, residing in Dehli, publishes in Calcutta statements defamatory of B. B may sue A either in Calcutta or in Dehli.

(*c.*) A, travelling on the line of a Railway Company whose principal office is at Howrah, is upset and injured at Allahabad by negligence imputable to the Company. He may sue the Company either at Howrah or at Allahabad.

Suits for immoveable property situate in single districts, but within jurisdictions of different Courts.

19. If the suit be to obtain relief respecting, or compensation for wrong to, immoveable property situate within the limits of a single district, but within the jurisdiction of different Courts, the suit may be instituted in the Court within whose jurisdiction any portion of the property is situate; provided that, in respect of the value of the subject-matter of the suit, the entire claim be cognizable by such Court.

Suits for immoveable property situate in different districts.

If the immoveable property be situate within the limits of different districts, the suit may be instituted in any Court, otherwise competent to try it, within whose jurisdiction any portion of the property is situate.

Power to stay proceedings where all defendants do not reside within jurisdiction.

20. If a suit which may be instituted in more than one Court is instituted in a Court within the local limits of whose jurisdiction the defendant or all the defendants does not or do not actually and voluntarily reside, or carry on business, or personally work for gain, the defendant or any defendant may, after giving notice in writing to the other parties of his intention to apply to the Court to stay proceedings, apply to the Court accordingly;

and if the Court, after hearing such of the parties as desire to be heard, is satisfied that justice is more likely to be done by the suit being instituted in some other Court, it may stay proceedings either finally or till further order, and make such order as it thinks fit as to the costs already incurred by the parties or any of them.

In such case, if the plaintiff so requires, the Court shall return the plaint with an endorsement thereon of the order staying proceedings.

Application when to be made.

Every such application shall be made at the earliest possible opportunity, and in all cases before the issues are settled; and any defendant not so applying shall be deemed to have acquiesced in the institution of the suit.

21. Where the Court, under section 20, stays proceedings, and the plaintiff re-institutes his suit in another Court, the plaint shall not be chargeable with any court-fee; provided that the proper fee has been levied on the institution of the suit in the former Court, and that the plaint has been returned by such Court.

Remission of court-fee where suit instituted in another Court.

22. Where a suit may be instituted in more Courts than one, and such Courts are subordinate to the same appellate Court, any defendant, after giving notice in writing to the other parties of his intention to apply to such Court to transfer the suit to another Court, may apply accordingly; and the appellate Court, after hearing the other parties, if they desire to be heard, shall determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where Courts in which suit may be instituted are subordinate to the same appellate Court.

23. Where such Courts are subordinate to different appellate Courts, but are subordinate to the same High Court, any defendant, after giving notice in writing to the other parties of his intention to apply to the High Court to transfer the suit to another Court having jurisdiction, may apply accordingly. If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate. The High Court may, after considering the objections, if any, of the other parties, determine in which of the Courts having jurisdiction the suit shall proceed.

Procedure where they are not so subordinate.

24. Where such Courts are subordinate to different High Courts, any defendant may, after giving notice in writing to the other parties of his intention to apply to the High Court within whose jurisdiction the Court in which the suit is brought is situate, apply accordingly.

Procedure where they are subordinate to different High Courts.

If the suit is brought in any Court subordinate to a District Court, the application, together with the objections, if any, filed by the other parties, shall be submitted through the District Court to which such Court is subordinate,

and such High Court shall, after considering the objections, if any, of the other parties, determine in which of the several Courts having jurisdiction the suit shall proceed.

25. The High Court or District Court may, on the application of any of the parties, after giving notice to the parties and hearing such of them as desire to be heard, or of its own motion, without giving such notice, withdraw any suit whether pending in a Court of first instance or in a Court of appeal subordinate to such High Court or District Court, as the case may be, and try the suit itself, or transfer it for trial to any other such subordinate Court competent to try the same in respect of its nature and the amount or value of its subject-matter.

Transfer of suits.

For the purposes of this section, the Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court.

The Court trying any suit withdrawn under this section from a Court of Small Causes shall, for the purposes of such suit, be deemed to be a Court of Small Causes.

CHAPTER III.

OF PARTIES AND THEIR APPEARANCES, APPLICATIONS AND ACTS.

26. All persons may be joined as plaintiffs in whom the right to any relief claimed is alleged to exist, whether jointly, severally, or in the alternative, in respect of the same cause of action. And judgment may be given for such one or more of the plaintiffs as may be found to be entitled to relief, for such relief as he or they may be entitled to, without any amendment. But the defendant, though unsuccessful, shall be entitled to his costs occasioned by so joining any person who is not found entitled to relief, unless the Court in disposing of the costs of the suit otherwise directs.

Persons who may be joined as plaintiffs.

27. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether it has been instituted in the name of the right plaintiff, the Court may, if satisfied that the suit has been so commenced through a *bonâ fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person or persons to be substituted or added as plaintiff or plaintiffs upon such terms as the Court thinks just.

Court may substitute or add plaintiff for or to plaintiff suing.

28. All persons may be joined as defendants against whom the right to any relief is alleged to exist, whether jointly, severally or in the alternative, in respect of the same matter. And judgment may be given against such one or more of the defendants as may be found to be liable, according to their respective liabilities, without any amendment.

Persons who may be joined as defendants.

29. The plaintiff may, at his option, join as parties to the same suit all or any of the persons severally, or jointly and severally, liable on any one contract, including parties to bills of exchange, hundís and promissory notes.

Joinder of parties liable on same contract.

30. Where there are numerous parties having the same interest in one suit, one or more of such parties may, with the permission of the Court, sue or be sued, or may defend in such suit, on behalf of all parties so interested. But the Court shall in such case give, at the plaintiff's expense, notice of the institution of the suit to all such parties either by personal service or (if from the number of parties or any other cause such service is not reasonably practicable), then by public advertisement, as the Court in each case may direct.

One party may sue or defend on behalf of all in same interest.

31. No suit shall be defeated by reason of the misjoinder of parties, and the Court may in every suit deal with the matter in controversy so far as regards the rights and interests of the parties actually before it.

Suit not to fail by reason of misjoinder.

Nothing in this section shall be deemed to enable plaintiffs to join in respect of distinct causes of action.

32. The Court may, on or before the first hearing, upon the application of either party, and on such terms as the Court thinks just, order that the name of any party, whether as plaintiff or as defendant, improperly joined, be struck out; and the Court may at any time, either upon or without such application, and on such terms as the Court thinks just, order that any plaintiff be made a defendant or that any defendant be made a plaintiff, and that the name of any person who ought to have been joined whether as plaintiff or defendant or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Court may dismiss or add parties.

No person shall be added as a plaintiff, or as the next friend of a plaintiff, without his own consent thereto.

No one to be added as plaintiff or as next friend without his consent.

Any person on whose behalf a suit is instituted or defended under section 30 may apply to the Court to be made a party to such suit.

Parties to suits instituted or defended under section 30.

All parties whose names are so added as defendants shall be served with a summons in manner hereinafter mentioned, and (subject to the provisions of the Indian Limitation Act, section 22) the proceedings as against them shall be deemed to have begun only on the service of such summons.

Defendants added to be served.

The Court may give the conduct of the suit to such plaintiff as it deems proper.

Conduct of suit.

33. Where a defendant is added, the plaint, if previously filed, shall, unless the Court direct otherwise, be amended in such manner as may be necessary, and an amended copy of the summons shall be served on the new defendant and the original defendants.

Where defendant added, plaintiff to amend.

34. All objections for want of parties, or for joinder of parties who have no interest in the suit, or for misjoinder as co-plaintiffs or co-defendants, shall be taken at the earliest possible opportunity, and in all cases before the first hearing; and any such objection not so taken shall be deemed to have been waived by the defendant.

Time for taking objections as to non-joinder or misjoinder of parties.

35. When there are more plaintiffs than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any proceeding under this Code: and in like manner when there are more defendants than one, any one or more of them may be authorized by any other of them to appear, plead or act for such other in any such proceeding.

Each of several plaintiffs or defendants may authorize any other to appear, &c., for him.

The authority shall be in writing, signed by the party giving it, and shall be filed in Court.

Authority to be in writing signed and filed.

Recognized Agents and Pleaders.

36. Any appearance, application or act in or to any Court, required or authorized by law to be made or done by a party to a suit or appeal in such Court, may, except when otherwise expressly provided by any law for the time being in force, be made or done by the party in person, or by his recognized agent, or by a pleader duly appointed to act on his behalf:

Appearances, &c., may be in person, by recognized agent or by pleader.

Provided that any such appearance shall be made by the party in person if the Court so direct.

37. The recognized agents of parties by whom such appearances, applications and acts may be made or done are—

Recognized agents.

(*a*) persons holding general powers-of-attorney from parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, authorizing them to make and do such appearances, applications and acts on behalf of such parties;

Persons holding powers-of-attorney from parties out of jurisdiction.

(*b*) mukhtárs duly certificated under any law, for the time being in force and holding special powers-of-attorney authorizing them to do, on behalf of their principals, such acts as may legally be done by mukhtárs;

Certificated mukhtárs.

(*c*) persons carrying on trade or business for and in the names of parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application or act is made or done, in matters connected with such trade or business only, where no other agent is expressly authorized to make and do such appearances, applications and acts.

Persons carrying on trade or business for parties out of jurisdiction.

Nothing in the former part of this section applies to the territories now administered respectively by the Lieutenant Governor of the Panjáb, and the Chief Commissioners of Oudh and the Central Provinces; but in those territories the recognized agents of parties by whom such appearances, applications and acts may be made and done shall be such persons as the Local Government may from time to time, by notification in the official Gazette, declare in this behalf.

Recognized agents in Panjáb, Oudh and Central Provinces.

38. Processes served on the recognized agent of a party to a suit or appeal shall be as effectual as if the same had been served on the party in person, unless the Court otherwise directs.

Service of process on recognized agent.

The provisions of this Code for the service of process on a party to a suit shall apply to the service of process on his recognized agent.

39. The appointment of a pleader to make or do any appearance, application or act as aforesaid shall be in writing, and such appointment shall be filed in court.

Appointment of pleader.

When so filed, it shall be considered to be in force until revoked with the leave of the Court, by a writing signed by the client and filed in Court, or until the client or the pleader dies, or all proceedings in the suit are ended so far as regards the client.

No advocate of any High Court established by Royal Charter shall be required to present any document empowering him to act.

40. Processes served on the pleader of any party or left at the office or ordinary residence of such pleader, relative to a suit or appeal, and whether the same be for the personal appearance of the party or not, shall be presumed to be duly communicated and made known to the party whom the pleader represents; and, unless the Court otherwise directs, shall be as effectual for all purposes in relation to the suit or appeal as if the same had been given to or served on the party in person.

Service of process on pleader.

41. Besides the recognized agents described in section 37, any person residing within the jurisdiction of the Court may be appointed an agent to accept service of process.

Agent to receive process.

Such appointment may be special or general and shall be made by an instrument in writing signed by the principal, and such instrument, or, if the appointment be general, a duly attested copy thereof, shall be filed in Court.

His appointment to be in writing and to be filed in Court.

CHAPTER IV.

OF THE FRAME OF THE SUIT.

42. Every suit shall, as far as practicable, be so framed as to afford ground for a final decision upon the subjects in dispute, and so to prevent further litigation concerning them.

Suit how to be framed.

43. Every suit shall include the whole of the claim arising out of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court.

Suit to include the whole claim.

If a plaintiff omit to sue for, or intentionally relinquish, any portion of his claim, he shall not afterwards sue for the portion so omitted or relinquished.

Relinquishment of part of claim.

A person entitled to more than one remedy in respect of the same claim may sue for all or any of his remedies; but if he omits (except with the leave of the Court obtained before the first hearing) to sue for any of such remedies, he shall not afterwards sue for the remedy so omitted.

Omission to sue for one of several remedies.

Illustration.

A lets a house to B at a yearly rent of Rs. 1,200. The rent for the whole of the years 1874 and 1875 is due and unpaid. A sues B only for the rent due for 1875. A shall not afterwards sue B for the rent due for 1876.

44. *Rule a.*—No cause of action shall, unless with the leave of the Court, be joined with a suit for the recovery of immoveable property, or to obtain a declaration of title to immoveable property, except—

Only certain claims to be joined with suit for recovery of land.

(*a*) claims in respect of mesne profits or arrears of rent in respect of the property claimed,

(*b*) damages for breach of any contract under which the property or any part thereof are or is held, and

(*c*) claims by a mortgagee to enforce any of his remedies under the mortgage.

Rule b.—No claim by or against an executor, administrator or heir as such, shall be joined with claims by or against him personally, unless the last mentioned claims are alleged to arise with reference to the estate in respect of which the plaintiff or defendant sues or is sued as executor, administrator or heir.

Claims by or against executor, administrator, or heir.

45. Subject to the rules contained in section 44, the plaintiff may unite in the same suit several causes of action, and any plaintiffs having causes of action against the same defendant or defendants, may unite such causes of action in the same suit.

Plaintiff may join several causes of action.

But if it appear to the Court that any such causes of action cannot be conveniently tried or disposed of together, the Court may, at any time before the first hearing, of its own motion or on the application of the defendant, order separate trials of any such causes of action to be had, or make such other order as may be necessary or expedient for the separate disposal thereof.

Court may order separation.

When causes of action are united, the jurisdiction of the Court as regards the suit shall depend on the amount or value of the aggregate subject-matters at the date of instituting the suit, whether or not an order has been made under the second paragraph of this section.

46. Any defendant alleging that the plaintiff has united in the same suit several causes of action which cannot be conveniently disposed of in one suit may at any time before the first hearing, or, where issues are settled, before any evidence is recorded, apply to the Court for an order confining the suit to such of the causes of action as may be conveniently disposed of in one suit.

Defendant may apply to confine suit.

47. If, on the hearing of such application, it appears to the Court that the causes of action are such as cannot all be conveniently disposed of in one suit, the Court may order any of such causes of action to be excluded, and may direct the plaint to be amended accordingly, and may make such order as to costs as may be just.

Court on hearing application may exclude some causes and order amendment.

Every amendment made under this section shall be attested by the signature of the Judge.

CHAPTER V.

OF THE INSTITUTION OF SUITS.

48. Every suit shall be instituted by presenting a plaint to the Court or such officer as it appoints in this behalf.

Suits to be commenced by plaint.

49. The plaint must be distinctly written in the language of the Court; provided that if such language is not English, the plaint may (with the permission of the Court) be written in English; but in such case, if the defendant so require, a translation of the plaint into the language of the Court shall be filed in court.

Language of plaint.

50. The plaint must contain the following particulars:—

Particulars to be contained in plaint.

(*a*) the name of the Court in which the suit is brought;

(*b*) the name, description and place of abode of the plaintiff;

(*c*) the name, description and place of abode of the defendant, so far as they can be ascertained:

(*d*) a plain and concise statement of the circumstances constituting the cause of action, and where and when it arose;

(*e*) a demand of the relief which the plaintiff claims; and

(*f*) if the plaintiff has allowed a set-off or relinquished a portion of his claim, the amount so allowed or relinquished.

If the plaintiff seek the recovery of money, the plaint must state the precise amount, so far as the case admits.

In money-suits.

In a suit for mesne profits: and in a suit for the amount which will be found due to the plaintiff on taking unsettled accounts between him and the defendant the plaint need only state approximately the amount sued for.

When the plaintiff sues in a representative character, the plaint should shew, not only that he has an actual existing interest in the subject-matter, but that he has taken the steps necessary to enable him to institute a suit concerning it.

Where plaintiff sues as a representative.

Illustrations.

(*a*) A sues as B's executor. The plaint must state that A has proved B's will.

(*b*) A sues as C's administrator. The plaint must state that A has taken out administration to C's estate.

(*c*) A sues as guardian of D, a Muhammadan minor. A is not D's guardian according to Muhammadan law and usage. The plaint must state that A has been specially appointed D's guardian.

The plaint must shew that the defendant is or claims to be interested in the subject-matter, and that he is liable to be called upon to answer the plaintiff's demand.

Defendant's interest and liability to be shewn.

Illustration.

A dies leaving B his executor, C his legatee, and D a debtor to A's estate. C sues D to compel him to pay his debt in satisfaction of C's legacy. The plaint must shew that B has causelessly refused to sue D, or that B and D have colluded for the purpose of defrauding C, or other such circumstances rendering D liable to C.

If the cause of action arose beyond the period ordinarily allowed by any law for instituting the suit, the plaint must shew the ground upon which exemption from such law is claimed.

Grounds of exemption from limitation law.

51. The plaint shall be subscribed by the plaintiff and his pleader (if any), and shall be verified at the foot by the plaintiff or, with the permission of the Court, by some other person proved to the satisfaction of the Court to be acquainted with the facts of the case.

Plaint to be subscribed and verified.

52. The verification must be to the effect that the same is true to the knowledge of the person making it, except as to matters stated on information and belief, and that as to those matters he believes it to be true.

Contents of verification.

The verification shall be signed by the person making it, and when he makes it out of court he shall sign it in the presence of a witness, who shall also sign it.

Verification to be signed and attested.

The Court shall examine such witness as to the fact of the signature, unless the person making the verification is present.

53. The plaint may, at the discretion of the Court, and at or before the first hearing, be rejected, returned for amendment within a time to be fixed by the Court, or amended then and there, upon such terms as to the payment of costs occasioned by the amendment as the Court thinks fit,

When the plaint may be rejected, returned for amendment, or amended.

(*a*) if it do not state correctly and without prolixity the several particulars hereinbefore required to be specified therein; or

(*b*) if it contain any particulars other than those so required; or

(*c*) if it be not subscribed and verified as hereinbefore required; or

(*d*) if it do not disclose a cause of action; or

(*e*) if it is not framed in accordance with section 42; or

(*f*) if it is wrongly framed by reason of non-joinder or misjoinder of parties, or because the plaintiff has joined causes of action which ought not to be joined in the same suit.

Provided that a plaint cannot be altered so as to convert a suit of one character into a suit of another and inconsistent character.

Proviso.

When a plaint is amended, the amendment shall be attested by the signature of the Judge.

Attestation of amendment.

54. The plaint shall be rejected in the following cases:—

When the plaint shall be rejected.

(*a*) if the relief sought is undervalued, and the plaintiff, on being required by the Court to correct the valuation within a time to be fixed by the Court, fails to do so:

(*b*) if the relief sought is properly valued, but the plaint is written upon paper insufficiently stamped, and the plaintiff, on being required by the Court to supply the requisite stamp-paper within a time to be fixed by the Court, fails to do so:

(*c*) if the suit appear from the statement in the plaint to be barred by any positive rule of law:

(*d*) if the plaint having been returned for amendment within a time fixed by the Court is not amended within such time.

55. When a plaint is rejected, the Judge shall record with his own hand an order to that effect with the reason for such order.

Procedure on rejecting a plaint.

56. The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

When rejection of plaint does not preclude presentation of fresh plaint.

57. The plaint shall be returned to be presented to the proper Court in the following cases:

When the plaint shall be returned to be presented to the proper Court.

(*a*) If a suit has been instituted in a Court whose grade is lower or higher than that of the Court competent to try it, where such Court exists, or where no option as to the selection of the Court is allowed by law:

(*b*) If, in a suit relating to immoveable property, but not coming under the proviso to section 16, it appear that no part of such property is situate within the local limits of the jurisdiction of the Court to which the plaint is presented:

(*c*) If, in any other case, it appear that the cause of action did not arise, and that none of the defendants are dwelling or carrying on business, or personally working for gain, within such local limits.

On returning a plaint, the Judge shall, with his own hand, endorse thereon the date of its presentation and return, the name of the party presenting it, and a brief statement of the reason for returning it.

Procedure on returning plaint.

58. The plaintiff shall endorse on the plaint, or annex thereto, a memorandum of the documents (if any) which he has filed along with it; and if the plaint be admitted, shall present as many copies on plain paper of the plaint as there are defendants, unless the Court by reason of the length of the plaint or the number of the defendants, or for any other sufficient reason, permit him to present a like number of concise statements of the nature of the claim made, or of the relief or remedy required in the suit, in which case he shall present such statements.

Procedure on admitting plaint.

Concise statements.

If the plaintiff sues, or the defendant or any of the defendants is sued, in a representative capacity, such statements shall show in what capacity the plaintiff or defendant sues or is sued.

The plaintiff may, by leave of the Court, amend such statements so as to make them correspond with the plaint.

The chief ministerial officer of the Court shall sign such memorandum and copies or statements if, on examination, he finds them to be correct.

The Court shall also cause the particulars mentioned in section 50 to be entered in a book to be kept for the purpose and called the Register of civil suits. Such entries shall be numbered in every year according to the order in which the plaint is admitted.

Register of suits.

59. If a plaintiff sue upon a document in his possession or power, he shall produce it in Court when the plaint is presented, and shall at the same time deliver the document or a copy thereof to be filed with the plaint.

Production of document on which plaintiff sues.

Delivery of document or copy.

If he rely on any other documents (whether in his possession or power or not) as evidence in support of his claim, he shall enter such documents in a list to be added or annexed to the plaint.

List of other documents.

60. In the case of any such document not in his possession or power, he shall, if possible, state in whose possession or power it is.

Statement in case of documents not in his possession or power.

61. In case of any suit founded upon a bill of exchange or other negotiable instrument, if it be proved that the instrument is lost, and if an indemnity be given by the plaintiff, to the satisfaction of the Court, against the claims of any other person upon such instrument, the Court may make such decree as it would have made if the plaintiff had produced the instrument in Court when the plaint was presented, and had at the same time delivered a copy of the instrument to be filed with the plaint.

Suits on lost negotiable instruments.

62. If the document on which the plaintiff sues be an entry in a shop-book or other book in his possession or power, the plaintiff shall produce the book at the time of filing the plaint, together with a copy of the entry on which he relies.

Production of shop-book.

The Court, or such officer as it appoints in this behalf, shall forthwith mark the document for the purpose of identification; and after examining and comparing the copy with the original and attesting the copy if found correct, shall return the book to the plaintiff and cause the copy to be filed.

Original entry to be marked and returned.

63. A document which ought to be produced in Court by the plaintiff when the plaint is presented, or to be entered in the list to be added or annexed to the plaint, and which is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit.

Inadmissibility of document not produced when plaint filed.

Nothing in this section applies to documents produced for cross-examination of the defendant's witnesses, or in answer to any case set up by the defendant, or handed to a witness merely to refresh his memory.

CHAPTER VI.

OF THE ISSUE AND SERVICE OF SUMMONS.

Issue of Summons.

64. When the plaint has been registered, and the copies or concise statements required by section 58 have been filed, a summons may be issued to each defendant to appear and answer the claim on a day to be therein specified, or as soon thereafter as may be practicable,

Summons.

(*a*) in person, or

(*b*) by a pleader duly instructed and able to answer all material questions relating to the suit, or

(*c*) by a pleader accompanied by some other person able to answer all such questions.

Every such summons shall be signed by the Judge or such officer as he appoints, and shall be sealed with the seal of the Court:

Provided that no such summons shall be issued when the defendant has appeared at the presentation of the plaint and admitted the plaintiff's claim.

65. Every such summons shall be accompanied with one of the copies or concise statements mentioned in section 58.

Copy or statement annexed to summons.

66. If the Court see reason to require the personal appearance of the defendant, the summons shall order him to appear in person in Court on the day therein specified.

Court may order defendant or plaintiff to appear in person.

If the Court see reason to require the personal appearance of the plaintiff on the same day, it may make an order for such appearance.

67. No party shall be ordered to appear in person unless he resides

(*a*) within the local limit of the Court's ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty, or, where there is railway-communication for five-sixths of the distance between the place where he resides and the place where the Court is situate, two hundred miles from the Court-house.

No party to be ordered to appear in person unless resident within 50 or, where there is a railway, 200 miles.

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

Summons to be either to settle issues or for final disposal.

Provided that, in every suit cognizable by Courts of Small Causes, the summons shall be for the final disposal of the suit.

69. The day for the appearance of the defendant shall be fixed by the Court with reference to its current business, the place of residence of the defendant and the time necessary for the service of the summons; and the day shall be so fixed as to allow the defendant sufficient time to enable him to appear and answer on such day.

Fixing day for appearance of defendant.

What shall be deemed 'sufficient time' must be determined with reference to the circumstances of the case.

70. The summons to appear and answer shall order the defendant to produce any document in his possession or power, containing evidence relating to the merits of the plaintiff's case, or upon which the defendant intends to rely in support of his case.

Summons to order defendant to produce documents required by plaintiff or relied on by defendant.

71. When the summons is for the final disposal of the suit, it shall direct the defendant to produce, on the day fixed for his appearance, the witnesses upon whose evidence he intends to rely in support of his case.

On issue of summons for final disposal, parties to be directed to produce their witnesses.

Service of Summons.

72. The summons shall be delivered to the proper officer of the Court, to be served by him or one of his subordinates.

Delivery of summons for service.

73. Service of the summons shall be made by delivering or tendering a copy thereof signed by the Judge or such officer as he appoints in this behalf, and sealed with the seal of the Court.

Mode of service.

74. When there are more defendants than one, service of the summons shall be made on each defendant:

Service on several defendants.

Provided that, if the defendants are partners, and the suit relates to a partnership-transaction or to an actionable wrong in respect of which relief is claimable from the firm, the service may be made, unless the Court directs otherwise, either (*a*) on one defendant for himself and for the other defendants, or (*b*) on any person having the management of the business of the partnership at the principal place, within the local limits of the Court's ordinary original civil jurisdiction, of such business.

75. Whenever it may be practicable, the service shall be made on the defendant in person, unless he have an agent empowered to accept the service, in which case service on such agent shall be sufficient.

Service to be on defendant in person, when practicable, or on his agent.

76. In a suit relating to any business or work against a person who does not reside within the local limits of the jurisdiction of the Court from which the summons issues, service on any manager or agent, who, at the time of service, personally carries on such business or work for such person within such limits, shall be deemed good service.

Service on agent by whom defendant carries on business.

For the purpose of this section, the master of a ship is the agent of his owner or charterer.

77. In a suit to obtain relief respecting, or compensation for wrong to, immoveable property, if the service cannot be made on the defendant in person, and the defendant have no agent empowered to accept the service, it may be made on any agent of the defendant in charge of the property.

Service on agent in charge, in suits for immoveable property.

78. If in any suit the defendant cannot be found and if he have no agent empowered to accept the service of the summons on his behalf, the service may be made on any adult male member of the family of the defendant who is residing with him.

When service may be on male member of defendant's family.

Explanation.—A servant is not a member of the family within the meaning of this section.

79. When the serving-officer delivers or tenders a copy of the summons to the defendant personally, or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgment of service endorsed on the original summons.

Person served to sign acknowledgment.

80. If the defendant or other person refuse to sign the acknowledgment or to receive the copy of the summons,

Procedure when defendant refuses to accept service,

or if the serving-officer cannot find the defendant,

or cannot be found.

and there is no agent empowered to accept the service of the summons on his behalf, nor any other person on whom the service can be made,

the serving-officer shall affix a copy of the summons on the outer door of the house in which the defendant ordinarily resides and then return the original to the Court from which it issued, with an endorsement thereon stating that he has so affixed the copy and the circumstances under which he did so.

81. The serving-officer shall, in all cases in which the summons has been served under section 79, endorse or cause to be endorsed on the original summons, the time when and the manner in which the summons was served.

Endorsement of time and manner of service.

82. When a summons is returned under section 80, the Court shall examine the serving-officer on oath touching his proceedings and may make such further enquiry in the matter as it thinks fit; and shall either declare that the summons has been duly served or order such service as it thinks fit.

Examination of serving officer.

Where the Court is satisfied that there is reason to believe that the defendant is keeping out of the way for the purpose of avoiding the service, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in the Court-house, and also upon some conspicuous part of the house, if any, in which the defendant is known to have last resided, or in such other manner as the Court thinks fit.

Substituted service.

83. The service substituted by order of the Court, shall be as effectual as if it had been made on the defendant personally.

Effect of substituted service.

84. Whenever service is substituted by order of the Court, the Court shall fix such time for the appearance of the defendant as the case may require.

When service is substituted, time for appearance to be fixed.

85. If the defendant resides within the jurisdiction of any Court other than the Court in which the suit is instituted, and has no agent resident within the local limits of the jurisdiction of the latter Court empowered to accept the service of the summons, such Court shall send the summons, either by one of its officers or by post, to any Court, not being a High Court, having jurisdiction at the place where the defendant resides, by which it can be conveniently served, and shall fix such time for the appearance of the defendant as the case may require.

Service of summons when defendant resides within jurisdiction of another Court and has no agent to accept service.

The Court to which the summons is sent shall, upon receipt thereof, proceed as if it had been issued by such Court and shall then return the summons to the Court from which it originally issued, together with the record (if any) made under this paragraph.

86. Whenever any process issued by any Court established beyond the limits of the towns of Calcutta, Madras, Bombay and Rangoon is to be served within any such town, it shall be sent to the Court of Small Causes within whose jurisdiction the process is to be served,

Service within Presidency towns and Rangoon of process issued by Mufassal Courts.

and such Court of Small Causes shall deal with such process in the same manner as if the process had been issued by itself,

and shall then return the process to the Court from which it issued.

87. If the defendant be in jail, the summons shall be delivered to the officer in charge of the jail in which the defendant is confined, and such officer shall cause the summons to be served upon the defendant.

Service on defendant in jail.

The summons shall be returned to the Court from which it issued, with a statement of the service endorsed thereon and signed by the officer in charge of the jail and by the defendant.

88. If the jail in which the defendant is confined is not in the district in which the suit is instituted, the summons may be sent by post or otherwise to the officer in charge of such jail, and such officer shall cause the summons to be served upon the defendant, and shall return the summons to the Court from which it issued, with a statement of the service endorsed thereon, and signed as provided in section 87.

Procedure if jail be in a different district.

89. If the defendant resides out of British India, and has no agent in British India empowered to accept the service, the summons shall be addressed to the defendant at the place where he is residing, and forwarded to him by post if there be postal communication between such place and the place where the Court is situate.

Service when defendant resides out of British India and has no agent to accept service.

90. If there be a British Resident or Agent of Government in or for the territory in which the defendant resides, the summons may be sent to such Resident or Agent, by post or otherwise, for the purpose of being served upon the defendant; and if the Resident or Agent return the summons with an endorsement under his hand that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be conclusive evidence of the service.

Service through British Resident or Agent of Government.

91. The Court may, notwithstanding anything hereinbefore contained, substitute for the summons a letter signed by the Judge or such officer as he appoints in this behalf, when the defendant is, in the opinion of the Court, of a rank which entitles him to such mark of consideration.

Substitution of letter for summons.

The letter shall contain all the particulars required to be stated in the summons, and, subject to the provisions contained in section 92, shall be treated in all respects as a summons.

92. When a letter is so substituted for a summons, it may be sent to the defendant by post or by a special messenger selected by the Court, or in any other manner which the Court thinks fit; unless the defendant has an agent empowered to accept service of summons, in which case the letter may be delivered or sent to such agent.

Mode of sending such letter.

Service of Process.

93. Every process issued under this Code shall be served at the expense of the party on whose behalf it is issued, unless the Court otherwise directs.

Process to be served at expense of party issuing it.

The court-fee leviable for such service shall be levied before the process is issued.

Costs of service.

94. All notices and orders required by this Code to be given to or served on any person shall be in writing, and shall be served in the manner hereinbefore provided for the service of summons.

Notices and orders in writing how served.

Postage.

95. Postage, where chargeable on any notice, summons or letter issued under this Code and forwarded by post, and the fee for registering the same, shall be paid before the communication is forwarded.

Postage.

CHAPTER VII.

OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

96. On the day fixed in the summons for the defendant to appear and answer, the parties shall be in attendance at the Court-house in person or by their respective pleaders, and the suit shall then be heard, unless the hearing be adjourned to a future day fixed by the Court.

Parties to appear on day fixed in summons for defendant to appear and answer.

97. If on the day so fixed for the defendant to appear and answer, it be found that the summons has not been served upon him in consequence of the failure of the plaintiff to pay the court-fee leviable for such service, the Court may order that the suit be dismissed:

Dismissal of suit where summons not served in consequence of plaintiff's failure to pay fee for issuing it.

Provided that no such order shall be passed, although the summons has not been served upon the defendant, if, on the day fixed for him to appear and answer, he attends in person or by a duly authorized agent, when he is allowed to appear by agent.

Proviso.

98. If on the day fixed for the defendant to appear and answer, or on any other subsequent day to which the hearing of the suit is adjourned, neither party appears, the suit shall be dismissed, unless the Judge, for reasons to be recorded under his hand, otherwise directs.

If neither party appear, suit to be dismissed.

99. Whenever a suit is dismissed under section 97 or section 98, the plaintiff may (subject to the law of limitation) bring a fresh suit; or if, within the period of thirty days from the date of the order dismissing the suit, he satisfies the Court that there was a sufficient excuse for his not paying the court-fee required within the time allowed for the service of the summons or for his non-appearance, as the case may be, the Court shall pass an order to set aside the dismissal and appoint a day for proceeding with the suit.

In such case plaintiff may bring fresh suit;

or Court may restore the suit to its file.

100. If the plaintiff appears and the defendant does not appear, the procedure shall be as follows:

Procedure if only plaintiff appear.

(*a*) if it is proved that the summons was duly served, the Court may proceed *ex parte*:

when summons was duly served.

(*b*). If it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served on the defendant:

when summons not duly served.

(*c*) If it is proved that the summons was served on the defendant, but not in sufficient time to enable him to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to be given to the defendant.

when summons served, but not in due time.

If it is owing to the plaintiff's default that the summons was not served in sufficient time, the Court shall order him to pay the costs occasioned by such postponement.

101. If the Court has adjourned the hearing of the suit *ex parte*, and the defendant, at or before such hearing, appears and assigns good cause for his previous non-appearance, he may, upon such terms as the Court directs as to costs or otherwise, be heard in answer to the suit, as if he had appeared on the day fixed for his appearance.

Procedure where defendant appears on day of adjourned hearing, and assigns good cause for previous non-appearance.

102. If the defendant appears and the plaintiff does not appear, the Court shall dismiss the suit, unless the defendant admits the claim, or part thereof, in which case the Court shall pass a decree against the defendant upon such admission, and where part only of the claim has been admitted, shall dismiss the suit so far as it relates to the remainder.

Procedure where defendant only appears.

103. When a suit is wholly or partially dismissed under this section, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action. But he may apply for an order to set the dismissal aside; and if it be proved that he was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall set aside the dismissal upon such terms as

Decree against plaintiff by default bars fresh suit.

to costs or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit.

No order shall be made under the second paragraph of this section unless the plaintiff has served the defendant with notice in writing of his application.

Procedure where defendant residing out of British India does not appear.

104. If, on the day fixed for the hearing of a suit against a defendant residing out of British India, who has no agent empowered to accept service of summons, or on any day to which the hearing has been adjourned, the defendant does not appear, the plaintiff may apply to the Court for permission to proceed with his suit, and the Court may direct that the plaintiff be at liberty to proceed with his suit in such manner and subject to such conditions as the Court thinks fit.

Procedure in case of non-attendance of one or more of several plaintiffs.

105. If there be more plaintiffs than one, and one or more of them appear, and the others do not appear, the Court may, at the instance of the plaintiff or plaintiffs appearing, permit the suit to proceed in the same way as if all the plaintiffs had appeared, and pass such order as it thinks fit.

Procedure in case of non-attendance of one or more of several defendants.

106. If there be more defendants than one, and one or more of them appear, and the others do not appear, the suit shall proceed, and the Court shall, at the time of passing judgment, make such order as it thinks fit with respect to the defendants who do not appear.

Consequence of non-attendance, without sufficient cause shewn, of party ordered to appear in person.

107. If a plaintiff or defendant, who has been ordered to appear in person under the provisions of section 66 or section 436, does not appear in person, or shew sufficient cause to the satisfaction of the Court for failing so to appear, he shall be subject to all the provisions of the foregoing sections applicable to plaintiffs and defendants, respectively, who do not appear.

Of setting aside Decrees ex parte.

Setting aside decree ex parte against defendant.

108. In any case in which a decree is passed *ex parte* against a defendant under section 100, he may apply to the Court by which the decree was made for an order to set it aside;

and if it be proved to the satisfaction of the Court that the defendant was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order to set aside the decree upon such terms as to costs, payment into Court, or otherwise, as it thinks fit, and shall appoint a day for proceeding with the suit.

No decree to be set aside, without notice to opposite party.

109. No decree shall be set aside on any such application as aforesaid, unless notice thereof in writing has been served on the opposite party.

CHAPTER VIII.

OF WRITTEN STATEMENTS AND SET-OFF.

Written statements.

110. The parties may, at any time before or at the first hearing of the suit, tender written statements of their respective cases, and the Court shall receive such statements and place them on the record.

Particulars of set-off to be given in written statement.

111. If in a suit for the recovery of money the defendant claims to set-off against the plaintiff's demand any ascertained sum of money legally recoverable by him from the plaintiff, and if in such claim of the defendant against the plaintiff both parties fill the same character as they fill in the plaintiff's suit, the defendant may, at the first hearing of the suit, but not afterwards, unless permitted by the Court, tender a written statement containing the particulars of the debt sought to be set-off.

Inquiry.

The Court shall thereupon inquire into the same, and if it find that the case fulfils the requirements of the former part of this section, and that the amount claimed to be set-off does not exceed the pecuniary limits of its jurisdiction, the Court shall set-off the one debt against the other.

Effect of set-off.

Such set-off shall have the same effect as a plaint in a cross-suit, so as to enable the Court to pronounce a final judgment in the same suit, both on the original and on the cross-claim; but it shall not affect the lien upon the amount decreed of any pleader in respect of the costs payable to him under the decree.

Illustrations.

(*a*) A bequeaths Rs. 2,000 to B, and appoints C his executor and residuary legatee. B dies and D takes out administration to B's effects. C pays Rs. 1,000 as surety for D. Then D sues C for the legacy. C cannot set-off the debt of Rs. 1,000 against the legacy, for neither C nor D fills the same character with respect to the legacy as they fill with respect to the payment of the Rs. 1,000.

(*b*) A dies intestate and in debt to B. C takes out administration to A's effects, and B buys part of the effects from C. In a suit for the purchase-money by C against B, the latter cannot set-off the debt against the price, for C fills two different characters, one as the vendor to B, in which he sues B, and the other as representative to A.

(*c*) A sues B on a bill of exchange. B alleges that A has wrongfully neglected to insure B's goods and is liable to him in compensation which he claims to set-off. The amount not being ascertained cannot be set-off.

(*d*) A sues B on a bill of exchange for Rs. 500. B holds a judgment against A for Rs. 1,000. The two claims being both definite pecuniary demands may be set-off.

(*e*) A sues B for compensation on account of a trespass. B holds a promissory note for Rs. 1,000 from A and claims to set-off that amount against any sum that A may recover in the suit. B may do so, for as soon as A recovers, both sums are definite pecuniary demands.

(*f*) A and B sue C for Rs. 1,000. C cannot set-off a debt due to him by A alone.

(*g*) A sues B and C for Rs. 1,000. B cannot set-off a debt due to him alone by A.

(*h*) A owes the partnership firm of B and C Rs. 1,000. B dies leaving C surviving. A sues C for a debt of Rs. 1,500 due in his separate character. C may set-off the debt of Rs. 1,000.

No written statement to be received after first hearing unless called for by Court.

112. Except as provided in the last preceding section, no written statement shall be received after the first hearing of the suit:

Court may at any time call for written statement.

Provided that the Court may at any time require a written statement, or additional written statement, from any of the parties, and fix a time for presenting the same:

Provided also that a written statement, or an additional written statement, may, with the permission of the Court, be received at any time for the purpose of answering written statements so required and presented.

Procedure when party fails to present written statement called for by Court.

113. If any party from whom a written statement is so required fails to present the same within the time fixed by the Court, the Court may pass a decree against him, or make such other order in relation to the suit as it thinks fit.

Frame of written statements.

114. Written statements shall be as brief as the nature of the case admits, and shall not be argumentative, but shall be confined as much as possible to a simple narrative of the facts which the party by whom or on whose behalf the written statement is made believes to be material to the case, and which he either admits or believes he will be able to prove.

Every such statement shall be divided into paragraphs, numbered consecutively, and each paragraph containing as nearly as may be a separate allegation.

Written statements to be subscribed and verified.

115. Written statements shall be subscribed and verified in the manner hereinbefore provided for subscribing and verifying plaints, and no written statement shall be received unless it be so subscribed and verified.

The provisions of section 52 as to examining witnesses as to the fact of signature shall apply in the case of written statements.

Rejection of argumentative, prolix or irrelevant written statements.

116. If it appear to the Court that any written statement, whether called for by the Court or spontaneously tendered, is argumentative or prolix, or contains matter irrelevant to the suit, the Court may amend it then and there, or may, by an order to be endorsed thereon, reject the same, or return it to the party by whom it was made for amendment within a time to be fixed by the Court, imposing such terms as to costs or otherwise as the Court thinks fit.

Attestation of amendments.

When any amendment is made under this section, the Judge shall attest it by his signature.

Effect of rejection.

When a statement has been rejected under this section, the party making it shall not present another written statement, unless it be expressly called for or allowed by the Court.

CHAPTER IX.

OF THE EXAMINATION OF THE PARTIES BY THE COURT.

Ascertainment from each party whether allegations in written statements are admitted or denied.

117. At the first hearing of the suit, the Court shall ascertain from the defendant or his pleader whether he admits or denies the allegations of fact made in the plaint and shall ascertain from each party or his pleader whether he admits or denies such allegations of fact as are made in the written statement (if any) of the opposite party, and as are not expressly or by necessary implication admitted or denied by the party against whom they are made. The Court shall record such admissions and denials.

Oral examination of party, or companion of himself or his pleader.

118. At the first hearing of the suit, or at any subsequent hearing, any party appearing in person or present in Court, or any person able to answer any material questions relating to the suit by whom such party or his pleader is accompanied, may be examined orally by the Court; and the Court may, if it thinks fit, put in the course of such examination questions suggested by either party.

Substance of examination to be written.

119. The substance of the examination shall be reduced to writing by the Judge, and shall form part of the record.

Consequence of refusal or inability of pleader to answer.

120. If the pleader of any party who appears by a pleader refuses or is unable to answer any material question relating to the suit which the Court is of opinion that the party whom he represents ought to answer, and is likely to be able to answer if interrogated in person, the Court may postpone the hearing of the suit to a future day, and direct that such party shall appear in person on such day.

If such party fails without lawful excuse to appear in person on the day so appointed, the Court may pass a decree against him, or make such order in relation to the suit as it thinks fit.

CHAPTER X.

OF DISCOVERY AND OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

Power to deliver interrogatories.

121. Any party may at any time by leave of the Court, deliver through the Court interrogatories in writing for the examination of the opposite party, or where there are more opposite parties than one, any one or more of such parties, with a note at the foot thereof stating which of such interrogatories each of such persons is required to answer:

Provided that no party shall deliver more than one set of interrogatories to the same person without the permission of the Court, and that no defendant shall deliver interrogatories for the examination of the plaintiff unless such defendant has previously tendered a written statement and such statement has been received and placed on the record.

122. Interrogatories delivered under section 121 shall be served on the pleader (if any) of the party interrogated or in the manner hereinbefore provided for the service of summons, and the provisions of sections 79, 80, 81 and 82 shall, in the latter case, apply so far as may be practicable.

Service of interrogatories.

123. The Court, in adjusting the costs of the suit, shall, at the instance of any party, inquire or cause inquiry to be made into the propriety of delivering such interrogatories; and if it thinks that such interrogatories have been delivered unreasonably, vexatiously or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be borne by the party in fault.

Inquiry into propriety of exhibiting interrogatories.

124. If any party to a suit be a body corporate or a joint stock company, whether incorporated or not, or any other body of persons empowered by law to sue or be sued, whether in his own name or in the name of any officer or other person, any opposite party may apply to the Court for an order allowing him to deliver interrogatories to any member or officer of such corporation, company or body, and an order may be made accordingly.

Service of interrogatories on officer of corporation or company.

125. Any party called upon to answer interrogatories, whether by himself or by any such member or officer, may refuse to answer any interrogatory on the ground that it is irrelevant, or is not put *bonâ fide* for the purposes of the suit, or that the matter inquired after is not sufficiently material at that stage of the suit, or on any other like ground.

Power to strike out interrogatories as irrelevant, &c.

126. Interrogatories shall be answered by affidavit to be filed in Court within ten days from the service thereof or within such further time as the Judge may allow.

Time for filing affidavit in answer.

127. If any person interrogated omits or refuses to answer, or answers insufficiently, any interrogatory, the party interrogating may apply to the Court for an order requiring him to answer or to answer further, as the case may be. And an order may be made requiring him to answer or to answer further either by affidavit or by *viva voce* examination as the Judge may direct: Provided that the Judge shall not require an answer to any interrogatory which in his opinion need not have been answered under section 125.

Procedure where a party omits to answer sufficiently.

128. Either party may, by a notice through the Court, within a reasonable time not less than ten days before the hearing, require the other party to admit (saving all just exceptions to the admissibility of such document in evidence) the genuineness of any document material to the suit.

Power to demand admission of genuineness of documents.

The admission shall also be made in writing, signed by the other party or his pleader and filed in Court.

If such notice be not given, no costs of proving such document shall be allowed, unless the Judge otherwise orders.

If such notice is not complied with within four days after its being served, and the Judge thinks it reasonable that the admission should have been made, the party refusing shall bear the expense of proving such document, whatever may be the result of the suit.

129. The Court may, at any time during the pendency therein of any suit, order any party to the suit to declare by affidavit all the documents which are or have been in his possession or power relating to any matter in question in the suit, and any party to the suit may, at any time before the first hearing, apply to the Court for a like order.

Application for order for discovery of document.

Every affidavit made under this section shall specify which, if any, of the documents therein mentioned the declarant objects to produce, together with the grounds of such objection.

Affidavit in answer to such order.

130. The Court may, at any time during the pendency therein of any suit, order the production by any party thereto of such of the documents in his possession or power relating to any matter in question in such suit or proceeding as the Court thinks right; and the Court may deal with such documents when produced in such manner as appears just.

Power to order production of documents during suit.

131. Every party to a suit may at any time before or at the hearing thereof give notice through the Court to any other party in whose plaint, written statement or affidavits reference is made to any document, to produce such document in the presence of such officer as the Court appoints in this behalf, for the inspection of the party giving such notice or of his pleader, and to permit such party or pleader to take copies thereof.

Notice to produce for inspection documents referred to in plaint, &c.

No party failing to comply with such notice shall afterwards be at liberty to put any such document in evidence on his behalf in such suit, unless he satisfies the Court that such document relates only to his own title, or that he had some other and sufficient cause for not complying with such notice.

Consequence of non-compliance with such notice.

132. The party to whom such notice is given shall, within ten days from the receipt thereof, deliver through the Court to the party giving the same a notice stating a time within three days from such delivery at which the documents or such of them as he does not object to produce, may be inspected at his pleader's office or some other convenient place, and stating which, if any, of the documents he objects to produce, and on what grounds.

Party receiving such notice to deliver notice when and where inspection may be had.

133. If any party served with notice under section 131 omits to give notice under section 132 of the time for inspection, or objects to give inspection, or names an inconvenient place for inspection, the party desiring it may apply to the Court for an order of inspection.

Application for order of inspection.

134. Except in the case of documents referred to in the plaint, written statement, or affidavit of the party against whom the application is made, or disclosed in his affidavit of documents, such application shall be founded upon an affidavit shewing (*a*) of what documents inspection is sought, (*b*) that the party applying is entitled to inspect them, and (*c*) that they are in the possession or power of the party against whom the application is made.

Application to be founded on affidavit.

135. If the party from whom discovery of any kind or inspection is sought, objects to the same or any part thereof, and if the Court is satisfied that the right to such discovery or inspection depends on the determination of any issue or question in dispute in the suit, or that for any other reason it is desirable that any such issue or question should be determined before deciding upon the right to the discovery or inspection, the Court may order that the issue or question be determined first and reserve the question as to the discovery or inspection.

Power to order issue or question on which right to discovery depends to be first determined.

136. If any party fail to comply with any order under this chapter to answer interrogatories or for discovery or inspection, which has been duly served, he shall, if a plaintiff, be liable to have his suit dismissed for want of prosecution, and if a defendant, to have his defence, if any, struck out, and to be placed in the same position as if he had not appeared and answered;

Consequences of failure to answer or give inspection.

and the party interrogating or seeking discovery or inspection may apply to the Court for an order to that effect, and the Court may make such order accordingly.

Any party failing to comply with any order under this chapter to answer interrogatories or for discovery or inspection which has been served personally upon him, shall also be deemed guilty of an offence under section 188 of the Indian Penal Code.

137. The Court may, of its own accord, and may, in its discretion, upon the application of any of the parties to a suit, send for, either from its own records or from any other Court, the record of any other suit or proceeding, and inspect the same.

Court may send for papers from its own records or from other Courts.

Every application made under this section shall (unless the Court otherwise directs) be supported by an affidavit of the applicant or his pleader, shewing how the record is material to the suit in which the application is made, and that the applicant cannot without unreasonable delay or expense obtain a duly authenticated copy of the record or of such portion thereof as the applicant requires, or that the production of the original is necessary for the purposes of justice.

Nothing contained in this section shall be deemed to enable the Court to use in evidence any document which under the Indian Evidence Act would be inadmissible in the suit.

138. The parties or their pleaders shall bring with them and have in readiness at the first hearing of the suit, to be produced when called for by the Court, all the documentary evidence of every description in their possession or power, on which they intend to rely, and which has not already been filed in Court, and all documents which the Court at any time before such hearing has ordered to be produced.

Documentary evidence to be in readiness at first hearing.

139. No documentary evidence in the possession or power of any party the production of which has been called for under section 138, and which has not been produced, shall be received at any subsequent stage of the proceedings unless good cause be shewn to the satisfaction of the Court for the non-production thereof. And the Judge receiving any such evidence shall record his reasons for so doing.

Effect of non-production of documents.

140. The Court shall receive the documents respectively produced by the parties at the first hearing, provided that the documents produced by each party be accompanied by an accurate list thereof prepared in such form as the High Court may from time to time direct.

Documents to be received by Court.

The Court may at any stage of the suit reject any document which it considers irrelevant or otherwise inadmissible, recording the grounds of such rejection.

Rejection of irrelevant or inadmissible documents.

141. No document shall be placed on the record unless it has been proved or admitted in accordance with the law of evidence for the time being in force. Every document so proved or admitted shall be endorsed with the number and title of the suit, the name of the person producing it, and the date on which it was produced. The Judge shall then endorse with his own hand a statement that it was proved against or admitted by (as the case may be) the person against whom it is used. The document shall then be filed as part of the record:

No documents to be placed on record unless proved.

Proved documents to be marked and filed.

Provided that, if the document be an entry in a shop-book or other book, the party on whose behalf such book is produced may furnish a copy of the entry, which may be endorsed as aforesaid, and shall be filed as part of the record, and the Court shall mark the entry and shall then return the book to the person producing it.

Entries in shop-books.

All documents produced at the first hearing and not so proved or admitted shall be returned to the parties respectively producing them.

142. When a document so proved or admitted is relied on as evidence by either party, but the Court considers it inadmissible, it shall be further endorsed with the addition of the word "rejected," and the endorsement shall be signed by the Judge.

Rejected documents to be marked, and returned, unless detained by Court.

The documents shall then be returned to the party who produced it.

Court may order any document to be impounded.

143. Notwithstanding anything contained in sections 62, 141 and 142, the Court may, if it see sufficient cause, direct any document or book produced before it in any suit to be impounded and kept in the custody of an officer of the Court, for such period and subject to such conditions as the Court thinks fit.

After lapse of time for appeal, document admitted in evidence may be returned.

144. In suits in which an appeal is not allowed, when the suit has been disposed of, and in suits in which an appeal is allowed, when the time for preferring an appeal from the decree has elapsed, or, if an appeal has been preferred, then after the appeal has been disposed of, any person, whether a party to the suit or not, desirous of receiving back any document produced by him in the suit, and placed on the record, shall, unless the document is impounded under section 143, be entitled to receive back the same:

When document may be returned before time limited.

Provided that a document may be returned at any time before either of such events, if the person applying for such return delivers to the proper officer a certified copy of such document to be substituted for the original:

Document not to be returned in certain cases.

Provided also that no document shall be returned which, by force of the decree, has become void or useless.

Receipt to be given for returned document.

On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving it, in a receipt-book to be kept for the purpose.

Provisions as to documents applied to material objects.

145. The provisions herein contained as to documents shall, so far as may be, apply to all other material objects producible as evidence.

CHAPTER XI.

OF THE SETTLEMENT OF ISSUES.

Framing of issues.

146. Issues arise when a material proposition of fact or law is affirmed by the one party and denied by the other.

Material propositions are those propositions of law or fact which a plaintiff must allege in order to shew a right to sue.

Each material proposition affirmed by one party and denied by the other must form the subject of a distinct issue.

Issues are of two kinds: (*a*) issues of fact, (*b*) issues of law.

At the first hearing of the suit, the Court shall, after reading the plaint and the written statements, if any, and after such examination of the parties as may appear necessary, ascertain upon what material propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to the Court to depend.

When issues both of law and of fact arise in the same suit, and the Court is of opinion that the case may be disposed of on the issues of law only, it shall try those issues first, and for that purpose may, if it thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

Nothing in this section requires the Court to frame and record issues when the defendant at the first hearing of the suit makes no defence.

Allegations from which issues may be framed.

147. The Court may frame the issues from all or any of the following materials:—

(*a*) allegations made on oath by the parties, or by any persons present on their behalf, or made by the pleaders of such parties or persons;

(*b*) allegations made in the plaint or in the written statements (if any) tendered in the suit, or in answer to interrogatories delivered in the suit;

(*c*) the contents of documents produced by either party.

Court may examine witnesses or documents before framing issues.

148. If the Court be of opinion that the issues cannot be correctly framed without the examination of some person not before the Court, or without the inspection of some document not produced in the suit, it may adjourn the framing of the issues to a future day, to be fixed by the Court, and may (subject to the rules contained in the Indian Evidence Act) compel the attendance of any person or the production of any document by the person in whose hands it may be, by summons or other process.

Power to amend, add and strike out issues.

149. The Court may at any time before passing a decree amend the issues or frame additional issues on such terms as it thinks fit, and all such amendments or additional issues as may be necessary for determining the controversy between the parties shall be so made or framed.

The Court may also, at any time before passing a decree, strike out any issues that appear to it to be wrongly framed or introduced.

Questions of fact or law may by agreement be stated in the form of an issue.

150. When the parties to a suit are agreed as to the question of fact or of law to be decided between them, they may state the same in the form of an issue, and enter into an agreement in writing

(*a*) that upon the finding of the Court in the affirmative or the negative of such issue, a sum of money specified in the agreement, or to be ascertained by the Court, or in such manner as the Court may direct, shall be paid by one of the parties to the other of them, or that one of them be declared entitled to some right or subject to some liability specified in the agreement,

(*b*) that upon such finding some property specified in the agreement and in dispute in the suit shall be delivered by one of the parties to the other of them, or as that other may direct, or

(*c*) that upon such finding one or more of the parties shall do or abstain from doing some particular act, specified in the agreement, and relating to the matter in dispute.

Court if satisfied that the agreement was executed in good faith may pronounce judgment.

151. If the Court be satisfied, after making such inquiry as it deems proper,

(*a*) that the agreement was duly executed by the parties,

(*b*) that they have a substantial interest in the decision of such question as aforesaid, and

(*c*) that the same is fit to be tried and decided,

it may proceed to record and try the issue, and state its finding or opinion thereon in the same manner as if the issue had been framed by the Court;

and may, upon the finding or decision on such issue, pronounce judgment according to the terms of the agreement;

and upon the judgment so given, decree shall follow and may be executed in the same way as if the judgment had been pronounced in a contested suit.

CHAPTER XII.

DISPOSAL OF THE SUIT AT THE FIRST HEARING.

If parties are not at issue on any question of law or fact.

152. If at the first hearing of a suit it appears that the parties are not at issue on any question of law or of fact, the Court may at once pronounce judgment.

If one of several defendants be not at issue with the plaintiff.

153. Where there are more defendants than one, and any one of the defendants is not at issue with the plaintiff on any question of law or fact, the Court may at once pronounce judgment for or against such defendant, and the suit shall proceed only against the other defendants.

If parties are at issue on questions of law or fact.

154. When the parties are at issue on some question of law or of fact, and issues have been framed by the Court as hereinbefore provided, if the Court be satisfied that no further argument or evidence than the parties can at once supply is required upon such of the issues as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forthwith, the Court may proceed to determine such issues,

Court may determine issue and pronounce judgment.

and if the finding thereon is sufficient for the decision, may pronounce judgment accordingly, whether the summons has been issued for the settlement of issues only or for the final disposal of the suit:

Provided that, where the summons has been issued for the settlement of issues only, the parties or their pleaders are present and none of them object.

If the finding is not sufficient for the decision, the Court shall postpone the further hearing of the suit, and shall fix a day for the production of such further evidence, or for such further argument as the case requires.

If either party fails to produce his evidence, Court may pronounce judgment.

155. If the summons has been issued for the final disposal of the suit, and either party fails without sufficient cause to produce the evidence on which he relies, the Court may at once pronounce judgment,

Procedure where Court cannot pronounce judgment at first hearing.

or may if it thinks fit, after framing and recording issues under section 146, adjourn the suit for the production of such evidence as may be necessary to its decision upon such issues.

CHAPTER XIII.

OF ADJOURNMENTS.

Court may grant time, or adjourn hearing.

156. The Court may, if sufficient cause be shewn, at any stage of the suit, grant time to the parties, or to any of them, and may from time to time adjourn the hearing of the suit.

Costs of adjournment.

In all such cases the Court shall fix a day for the further hearing of the suit, and may make such order as it thinks fit with respect to the costs occasioned by the adjournment:

Provided that, when the hearing of evidence has once begun, the hearing of the suit shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the hearing to be necessary for reasons to be recorded by the Judge with his own hand.

Procedure if parties fail to appear on day fixed.

157. If, on any day to which the hearing of the suit is adjourned, the parties or any of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by chapter VII, or make such other order as it thinks fit.

Court may proceed notwithstanding either party fails to produce his evidence.

158. If any party to a suit to whom time has been granted fails to produce his evidence, or to cause the attendance of his witnesses, or to perform any other act necessary to the further progress of the suit, for which time has been allowed, the Court may, notwithstanding such default, proceed to decide the suit forthwith.

CHAPTER XIV.

OF THE SUMMONING AND ATTENDANCE OF WITNESSES.

Summons to attend to give evidence or produce documents.

159. The parties may, after the summons has been delivered for service on the defendant, whether it be for the settlement of issues only, or for the final disposal of the suit, obtain, on application to the Court or to such officer as it appoints in this behalf, before the day fixed for such settlement or disposal, as the case may be, summonses to persons whose attendance is required either to give evidence or to produce documents.

160. The party applying for a summons shall before the summons is granted and within a period to be fixed by the Court, pay into court such a sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned, in passing to and from the Court in which he is required to attend, and for one day's attendance.

Expenses of witnesses to be paid into court on applying for summons.

If the Court be subordinate to a High Court, regard shall be had, in fixing the scale of such expenses, to the rules (if any) laid down by competent authority.

Scale of expenses.

161. The sum so paid into court shall be tendered to the person summoned, at the time of serving the summons if it can be served personally.

Tender of expenses to witness.

162. If it appear to the Court or to such officer as it appoints in this behalf that the sum paid into court is not sufficient to cover such expenses, the Court may direct such further sum to be paid to the person summoned as appears to be necessary on that account; and, in case of default in payment, may order such sum to be levied by attachment and sale of the moveable property of the party obtaining the summons; or the Court may discharge the person summoned without requiring him to give evidence; or may both order such levy and discharge such person as aforesaid.

Procedure where insufficient sum paid in.

163. If it be necessary to detain the person summoned for a longer period than one day, the Court may from time to time order the party at whose instance he was summoned, to pay into Court such sum as is sufficient to defray the expenses of his detention for such further period, and in default of such deposit being made, may order such sum to be levied by attachment and sale of the moveable property of the party at whose instance he was summoned; or the Court may discharge the person summoned without requiring him to give evidence; or may both order such levy and discharge such person as aforesaid.

Expenses if witness detained more than one day.

164. Every summons for the attendance of a person to give evidence or produce a document shall specify the time and place at which he is required to attend, and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document which the person summoned is called on to produce, shall be described in the summons with reasonable accuracy.

Time, place, and purpose of attendance to be specified in summons.

165. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons, if he cause such document to be produced instead of attending personally to produce the same.

Summons to produce document.

Any person present in court may be required by the Court to give evidence or to produce any document then and there in his actual possession or power.

Power to require persons present in Court to give evidence or produce document.

166. Every summons to a person to give evidence or produce a document shall be served as nearly as may be in manner hereinbefore prescribed for the service of summons on the defendant; and the rules contained in chapter VI as to proof of service shall apply in the case of all summonses served under this section.

Summons how served.

167. The service shall in all cases be made a sufficient time before the time specified in the summons for the attendance of the person summoned, to allow him a reasonable time for preparation and for travelling to the place at which his attendance is required.

Time for serving summons.

168. If the serving-officer certify to the Court that the summons for the attendance of a person, either to give evidence or to produce a document, cannot be served, the Court shall examine the serving-officer on oath touching the non-service:

Attachment of property of absconding witness.

and upon being satisfied that such evidence or production is material, and that the person for whose attendance the summons has been issued is absconding or keeping out of the way for the purpose of avoiding the service of the summons, may issue a proclamation requiring him to attend to give evidence, or produce the document, at a time and place to be named therein; and a copy of such proclamation shall be affixed on the outer door of the house in which he ordinarily resides.

If he does not attend at the time and place named in such proclamation, the Court may in its discretion, at the instance of the party on whose application the summons was issued, make an order for the attachment of the property of the person whose attendance is required, to such amount as the Court thinks fit, not exceeding the amount of the costs of attachment and of the fine which may be imposed under section 170:

Provided that no Court of Small Causes shall make an order for the attachment of immoveable property.

169. If, on the attachment of his property, such person appears and satisfies the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property be released from attachment, and shall make such order as to the costs of the attachment as it thinks fit.

If witness appears, attachment may be withdrawn.

170. If such person does not appear, or appearing, fails to satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court may impose upon him such fine not exceeding five hundred rupees as the Court thinks fit, having regard to his condition in life and all the circumstances of the case, and may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of the said fine, if any:

Procedure if witness fails to appear.

Provided that if the person whose attendance is required pays into court the costs and fine as aforesaid, the Court shall order the property to be released from attachment.

171. Subject to the rules of this Code as to attendance and appearance and to the provisions of the Indian Evidence Act, if the Court at any time thinks it necessary to examine any person other than a party to the suit, and not named as a witness by a party to the suit, the Court may, of its own motion, cause such person to be summoned as a witness to give evidence, or to produce any document in his possession, on a day to be appointed, and may examine him as a witness or require him to produce such document.

Court may of its own accord summon as witnesses strangers to suit.

172. Subject as last aforesaid, whoever is summoned to appear and give evidence in a suit must attend at the time and place named in the summons for that purpose, and whoever is summoned to produce a document must either attend to produce it, or cause it to be produced, at such time and place.

Persons summoned to give evidence must attend.

173. No person so summoned and attending shall depart unless and until (*a*) he has been examined or has produced the document and the Court has risen, or (*b*) he has obtained the Court's leave to depart.

When they may depart.

174. If any person on whom a summons to give evidence or produce a document has been served fails to comply with the summons, or if any person so summoned and attending departs in contravention of section 173, the Court may order him to be arrested and brought before the Court:

Consequences of non-attendance.

Provided that no such order shall be made when the Court has reason to believe that the person so failing had a lawful excuse for such failure.

When any person so brought before the Court fails to satisfy it that he had a lawful excuse for not complying with the summons, the Court may sentence him to fine not exceeding five hundred rupees.

Explanation.—Non-payment or non-tender of a sum sufficient to defray the expenses mentioned in section 160 shall be deemed a lawful excuse within the meaning of this section.

If any person so apprehended and brought before the Court cannot, owing to the absence of the parties or any of them, give the evidence or produce the document which he has been summoned to give or produce, the Court may require him to give reasonable bail or other security for his appearance at such time and place as it thinks fit, and on such bail or security being given, may release him.

Consequences of refusal to give evidence or produce documents.

175. If any person so failing to comply with a summons absconds or keeps out of the way, so that he cannot be apprehended and brought before the Court, the provisions of sections 168, 169 and 170 shall, *mutatis mutandis*, apply.

Procedure when witness absconds.

176. No one shall be bound to attend in person to give evidence or to be examined in Court unless he resides—

Person summoned to attend in person if so required.

(*a*) within the local limits of its ordinary original jurisdiction, or

(*b*) without such limits and at a place less than fifty or (where there is railway communication for five-sixths of the distance between the place where he resides and the place where the Court is situate) two hundred miles distant from the Court-house.

177. If any party to a suit present in Court refuses, without lawful excuse, when required by the Court, to give evidence, or to produce any document then and there in his actual possession or power, the Court may in its discretion either pass a decree against him, or make such other order in relation to the suit as the Court thinks fit.

Consequence of refusal of party to give evidence when called on by the Court.

178. Whenever any party to a suit is required to give evidence or to produce a document, the rules as to witnesses contained in this Code shall apply to him so far as they are applicable.

Rules as to witnesses to apply to parties summoned.

CHAPTER XV.

OF THE HEARING OF THE SUIT AND EXAMINATION OF WITNESSES.

179. On the day fixed for the hearing of the suit, or on any other day to which the hearing is adjourned, the party having the right to begin shall state his case and produce his evidence in support of the issues which he is bound to prove.

Statement and production of evidence by party having right to begin.

Explanation.—The plaintiff has the right to begin unless where the defendant admits the facts alleged by the plaintiff and contends that either in point of law or on some additional facts alleged by the defendant the plaintiff is not entitled to any part of the relief which he seeks, in which case the defendant has the right to begin.

Rules as to right to begin.

180. The other party shall then state his case and produce his evidence (if any). The party beginning is then entitled to reply.

Statement and production of evidence by other party.

Reply by party beginning.

Where there are several issues, the burden of proving some of which lies on the other party, the party beginning may, at his option, either produce his evidence on those issues or reserve it by way of answer to the evidence produced by the other

party. In the latter case the party beginning may produce evidence on those issues after the other party has produced all his evidence, and the other party may then reply specially on the evidence so produced by the party beginning; but the party beginning will then be entitled to reply generally on the whole case.

181. The evidence of the witnesses in attendance shall be taken orally in open Court in the presence and under the personal direction and superintendence, of the Judge.

Witnesses to be examined in open Court.

182. In cases in which an appeal is allowed, the evidence of each witness shall be taken down in writing, in the language of the Court, by or in the presence and under the personal direction and superintendence of the Judge, not ordinarily in the form of question and answer, but in that of a narrative, and, when completed, shall be read over in the presence of the Judge and of the witness, and also in the presence of the parties or their pleaders, and the Judge shall, if necessary, correct the same and shall sign it.

How evidence shall be taken in appealable cases.

183. If the evidence is taken down under section 182 in a language different from that in which it was given, and the witness does not understand the language in which it is taken down, the evidence as taken down in writing shall be interpreted to him in the language in which it was given.

When witness may require his deposition be interpreted.

184. In cases in which the evidence is not taken down in writing by the Judge, he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum when evidence is not taken down by Judge.

185. Where English is not the language of the Court, but all the parties to the suit who appear in person, and the pleaders of such as appear by pleaders, do not object to have such evidence as is given in English taken down in English, the Judge may so take it down with his own hand.

When evidence may be taken in English.

186. The Court may of its own motion or on the application of any party or his pleader take down, or cause to be taken down, any particular question and answer, or any objection to any question, if there appear any special reason for so doing.

Any particular question and answer may be taken down.

187. If any question put to a witness be objected to by a party or his pleader, and the Court allows the same to be put, the Judge shall take down the question, the answer, the objection and the name of the person making it, together with the decision of the Court thereon.

Questions objected to.

188. The Court may record such remarks as it thinks material respecting the demeanour of any witness while under examination.

Remarks on demeanour of witnesses.

189. In cases in which an appeal is not allowed, it shall not be necessary to take down the evidence of the witnesses in writing at length; but the Judge, as the examination of each witness proceeds, shall make a memorandum of the substance of what he deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record.

Memorandum of evidence in unappealable cases.

190. If the Judge be rendered unable to make a memorandum as above required by this chapter, he shall cause the reason of such inability to be recorded, and shall cause the memorandum to be made in writing from his dictation in open Court.

Every memorandum so made shall form part of the record.

Judge unable to make such memorandum to record reason of his inability.

191. Where the Judge taking down any evidence, or causing any memorandum to be made under this chapter, dies or is removed from the Court before the conclusion of the suit, his successor may, if he thinks fit, deal with such evidence or memorandum as if he himself had taken it down or caused it to be made.

Power to deal with evidence taken down by Judge removed before conclusion of suit.

192. If a witness be about to leave the jurisdiction of the Court, or if other sufficient cause be shewn to the satisfaction of the Court why his evidence should be taken immediately, the Court may, upon the application of either party or of the witness, at any time after the institution of the suit, take the evidence of such witness in manner hereinbefore provided.

Power to examine witness immediately.

Where such evidence is not taken forthwith and in the presence of the parties, such notice as the Court thinks sufficient of the day fixed for the examination shall be given to the parties.

The evidence so taken shall be read over to the witness, and, if he admits it to be correct, shall be signed by him, and may then be read at any hearing of the suit.

193. The Court may at any stage of the suit recall any witness who has been examined and who has not departed in accordance with section 173, and may (subject to the provisions of the Indian Evidence Act) put such questions to him as the Court thinks fit.

Court may recall and examine witness.

CHAPTER XVI.

OF AFFIDAVITS.

194. Any Court of first instance and any Appellate Court may at any time for sufficient reason order that any particular fact or facts may be proved by affidavit, or that the affidavit of any witness may be read at the hearing, on such conditions as the Court thinks reasonable:

Power to order any point to be proved by affidavit.

Provided that where it appears to the Court that either party *bonâ fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not

be made authorizing the evidence of such witness to be given by affidavit.

195. Upon any application evidence may be given by affidavit, but the Court may at the instance of either party order the attendance for cross-examination of the declarant.

When evidence may be given by affidavit.

Such attendance shall be in Court unless the declarant is exempted under this Code from personal appearance in Court, or the Court otherwise directs.

196. Affidavits shall be confined to such facts as the declarant is able of his own knowledge to prove, except on interlocutory applications, on which statements of his belief may be admitted, provided that reasonable grounds thereof be set forth.

Matters to which affidavits shall be confined.

The costs of every affidavit which shall unnecessarily set forth matters of hearsay or argumentative matter, or copies of or extracts from documents, shall (unless the Court otherwise directs) be paid by the party producing the same.

197. In the case of any affidavit under this Code—

Oath of declarant by whom to be administered.

(*a*) any Court or Magistrate, or

(*b*) any officer whom a High Court may appoint in this behalf, or

(*c*) any officer appointed by any other Court which the Local Government has generally or specially empowered in this behalf,

may administer the oath of the declarant.

CHAPTER XVII.

OF JUDGMENT AND DECREE.

198. The Court, after the evidence has been duly taken and the parties have been heard either in person or by their respective pleaders or recognized agents, shall pronounce judgment in open Court, either at once or on some future day, of which due notice shall be given to the parties or their pleaders.

Judgment when pronounced.

199. A Judge may pronounce a judgment written by his predecessor, but not pronounced, and in such case he shall not be bound by section 198, except as to giving notice.

Power to pronounce judgment written by Judge's predecessor.

200. The judgment shall be written in the language of the Court, or in English, or in the Judge's mother-tongue.

Language of judgment.

201. Whenever the judgment is written in any language other than that of the Court, the judgment shall, if any of the parties so require, be translated into the language of the Court, and the translation shall also be signed by the Judge or such officer as he appoints in this behalf.

Translation of judgment.

202. The judgment shall be dated and signed by the Judge in open Court at the time of pronouncing it, and shall not be altered or added to, save to correct verbal errors or to supply some accidental defect not affecting a material part of the case, or on review.

Judgment to be dated and signed.

203. The judgments of the Courts of Small Causes need not contain more than the points for determination and the decision thereupon.

Judgments of Small Cause Courts.

The judgments of all other Courts shall contain a concise statement of the case, the points for determination, the decision thereon, and the reasons for such decision.

Judgments of other Courts.

204. In suits in which issues have been framed, the Court shall state its finding or decision, with the reasons thereof, upon each separate issue, unless the finding upon any one or more of the issues be sufficient for the decision of the suit.

Court to state its decision on each issue.

Exception

205. The decree shall bear date the day on which the judgment was pronounced; and when the Judge has satisfied himself that the decree has been drawn up in accordance with the judgment, he shall sign the decree.

Date of decree.

206. The decree must agree with the judgment: it shall contain the number of the suit, the names and descriptions of the parties, and particulars of the claim, as stated in the register, and shall specify clearly the relief granted or other determination of the suit.

Contents of decree.

The decree shall also state the amount of costs incurred in the suit, and by what parties and in what proportions such costs are to be paid.

If the decree is found to be at variance with the judgment, or if any clerical or arithmetical error be found in the decree, the Court shall, of its own motion or on that of any of the parties, amend the decree so as to bring it into conformity with the judgment or to correct such error: provided that reasonable notice have been given to the parties or their pleaders of the proposed amendment.

Power to amend decree.

207. When the subject-matter of the suit is immoveable property, and such property is identified by boundaries or numbers in a record of settlement or survey, if the decree be for the recovery of a portion only of such property, it shall specify the boundaries or number of such portion.

Decree for recovery of portion of immoveable property.

208. When the suit is for moveable property, if the decree be for the delivery of such property, it shall also state the amount of money to be paid as an alternative if delivery cannot be had.

Decree for delivery of moveable property.

209. When the suit is for a sum of money due to the plaintiff, the Court may, in the decree, order interest at such rate as the Court deems reasonable to be paid on the principal sum adjudged, from the date of the suit to the date

In suits for money, decree may order certain interest to be paid on principal sum adjudged.

of the decree, in addition to any interest adjudged on such principal sum for any period prior to the institution of the suit, with further interest at such rate as the Court deems reasonable on the aggregate sum so adjudged, from the date of the decree to the date of payment, or to such earlier date as the Court thinks fit.

Payment by instalments.

210. In all decrees for the payment of money, the Court may for any sufficient reason order that the amount shall be paid by instalments, with or without interest.

When Court may order payment by instalments.

And after the passing of any such decree the Court may, on the application of the judgment-debtor, and with the consent of the decree-holder, order that the amount decreed be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him, or otherwise, as it thinks fit:

Save as provided in this section and section 206, no decree shall be altered at the request of parties.

In suits for land, Court may decree payment of mesne profits with interest.

211. When the suit is for land or other property yielding rent or other profit, the Court may provide in the decree for the payment of rent or mesne profits in respect of such property from the institution of the suit until the delivery of possession to the party in whose favour the decree is made, or until the expiration of three years from the date of the decree (whichever event first occurs), with interest thereupon at such rate as the Court thinks fit.

Explanation.—'Mesne profits' of property mean those profits which the person in wrongful possession of such property actually received, or might with ordinary diligence have received, therefrom.

Court may determine amount of mesne profits prior to passing decree, or may reserve inquiry.

212. When the suit is for immoveable property and for mesne profits which have accrued on the property during a period prior to the institution of the suit, and the amount of such profits is disputed, the Court may either determine the amount by the decree itself, or may pass a decree for the property and direct an inquiry into the amount of mesne profits, and dispose of the same on further orders.

Administration-suit.

213. When the suit is for an account of any property and for its due administration under the decree of the Court, the Court, before making the decree, shall order such accounts and inquiries to be taken and made, and give such other directions as it thinks fit.

In the administration by the Court of the property of any person who dies after this Code comes into force, if such property proves to be insufficient for the payment in full of his debts and liabilities, the same rules shall be observed as to the respective rights of secured and unsecured creditors and as to debts and liabilities proveable, and as to the valuation of annuities and future and contingent liabilities respectively, as may be in force for the time being with respect to the estates of persons adjudged insolvent;

And all persons who in any such case would be entitled to be paid out of such property may come in under the decree for its administration, and make such claims against the same as they may respectively be entitled to by virtue of this Code.

Applications under section 265 of the Indian Contract Act, 1872, shall be deemed to be suits within the meaning of this section.

Suit to enforce right of pre-emption.

214. When the suit is to enforce a right of pre-emption in respect of a particular sale of property, and the Court finds for the plaintiff, if the amount of purchase-money has not been paid into Court, the decree shall specify a day on or before which it shall be so paid, and shall declare that on payment of such purchase-money, together with the costs (if any) decreed against him, the plaintiff shall obtain possession of the property, but that if such money and costs are not so paid, the suit shall stand dismissed with costs.

Suit for dissolution of partnership.

215. When the suit is for the dissolution of a partnership, the Court, before making its decree, may pass an order fixing the day on which the partnership shall stand dissolved, and directing such accounts to be taken and other acts to be done as it thinks fit.

If set-off be allowed.

216. If the defendant has set-off the amount of a debt against the claim of the plaintiff, and such set-off has been allowed, the decree shall state what amount is due to the plaintiff and what amount (if any) is due to the defendant, and shall be for the recovery of any sum which appears to be due to either party.

Effect of decree.

The decree of the Court with respect to any sum awarded to the defendant shall have the same effect, and be subject to the same rules in respect of appeal or otherwise, as if such sum had been claimed by the defendant in a separate suit against the plaintiff.

Certified copies of decree and judgment to be furnished.

217. Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense.

CHAPTER XVIII.

OF COSTS.

Costs of applications.

218. When disposing of any application under this Code, the Court may give to either party the costs of such application, or may reserve the consideration of such costs for any future stage of the proceedings.

Judgment to direct by whom costs are to be paid.

219. The judgment shall direct by whom the costs of each party are to be paid, whether by himself or by any other party to the suit, and whether in whole or in what part or proportion.

Power of Court as to costs.

220. The Court shall have full power to give and apportion costs of every application and suit in any manner it thinks fit, and the fact that the Court has no jurisdiction to try the case is no bar to the exercise of such power:

Provided if the Court directs that the costs of any application or suit shall not follow the event, the Court shall state its reasons in writing.

Costs may be set-off against sum admitted or found to be due.

221. The Court may direct that the costs payable to one party by another shall be set-off against a sum which is admitted or is found in the suit to be due from the former to the latter,

but such direction shall not affect the lien upon the amount decreed of any pleader in respect of the costs payable to him under the decree.

Saving of pleader's lien.

Interest on costs.

222. The Court may give interest on costs at any rate not exceeding six per cent. per annum and may direct that costs, with or without interest, be paid out of or charged upon the subject-matter of the suit.

Payment of costs out of subject-matter.

CHAPTER XIX.

OF THE EXECUTION OF DECREES.

A.—Of the Court by which Decrees may be executed.

Court by which decree may be executed.

223. A decree may be executed either by the Court which passed it or by the Court to which it is sent for execution under the provisions hereinafter contained.

The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court,

(*a*) if the person against whom the decree is passed actually and voluntarily resides or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court, or

(*b*) if such person has not property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree and has property within the local limits of the jurisdiction of such other Court, or

(*c*) if the decree direct the sale of immoveable property situate outside the district within which the Court which passed it is situate, or

(*d*) if the Court which passed the decree considers for any other reason, which it shall record in writing, that the decree should be executed by such other Court.

The Court which passed a decree may of its own motion send it for execution to any Court subordinate thereto.

The Court to which a decree is sent under this section for execution shall certify to the Court which passed it, the fact of such execution, or where the former Court fails to execute the same, the circumstances attending such failure.

If the decree has been passed in a case cognizable by a Court of Small Causes and the Court which passed it wishes it to be executed in Calcutta, Madras, Bombay or Rangoon, such Court shall send to the local Court of Small Causes the decree and certificate respectively mentioned in clauses (*a*), (*b*) and (*c*) of section 224; and such Court of Small Causes shall thereupon execute the decree as if it had been passed by itself.

If the Court to which a decree is to be sent for execution is situate within the same district as the Court which passed such decree, such Court shall send the same directly to the former Court. But if the Court to which the decree is to be sent for execution is situate in a different district, the Court which passed it shall send it to the District Court of the district in which the decree is to be executed.

Procedure when Court desires that its own decree shall be executed by another Court.

224. The Court sending a decree for execution under section 223 shall send therewith

(*a*) a copy of the decree;

(*b*) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted; and

(*c*) a copy of any order for the execution of the decree, and if no such order has been made, a certificate to that effect.

Court receiving copies of decree, &c., to file same without proof.

225. The Court to which a decree is so sent shall cause such copies and certificate to be filed, without any further proof of the decree or order for execution, or of the copies thereof, or of the jurisdiction of the Court which passed it, unless the former Court, for any special reasons to be recorded under the hand of the Judge, requires such proof.

Execution of decree or order by Court to which it is sent.

226. When such copies are so filed, the decree or order may, if the Court to which it is sent be the District Court, be executed by such Court or by any subordinate Court which it directs to execute the same.

Execution by High Court, of decree transmitted by other Court.

227. If the Court to which the decree is sent for execution be a High Court, the decree shall be executed by such Court in the same manner as if it had been made by such Court in the exercise of its ordinary original civil jurisdiction.

Appeal from orders for execution of decrees of other Courts.

228. The Court executing a decree sent to it under this chapter shall have the same powers in executing such decree as if it had been passed by itself. All persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if it had passed the decree. And its orders in executing such decree shall be subject to the same rules in respect of appeal, as if the decree had been passed by itself.

Decrees of Courts established by Government of India in Native States.

229. A decree of any Court established by the authority of the Governor General in Council in the territories of any Native Prince or State in India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in manner provided within the jurisdiction of any Court in British India.

B.—Of Application for Execution.

230. When the holder of a decree desires to enforce it, he shall apply to the Court which passed the decree or to the officer, if any, appointed in this behalf, or if the decree has been sent under the provisions hereinbefore contained to another Court, then to such Court or to the proper officer thereof.

Application for execution.

The Court may in its discretion refuse execution at the same time against the person and property of the judgment-debtor.

Where an application to execute a decree for the payment of money or delivery of other property has been made under this section and granted, no subsequent application to execute the same decree shall be granted unless the Court is satisfied that on the last preceding application due diligence was used to procure complete satisfaction of the decree; and the order of the Court granting any such subsequent application shall be conclusive evidence that due diligence was used to procure such satisfaction.

And no such subsequent application shall be granted after the expiration of twelve years from any of the following dates (namely)—

(*a*) the date of the decree sought to be enforced, or of the decree (if any) on appeal affirming the same, or

(*b*) where the decree or any subsequent order directs the payment of money or the delivery of property by instalments,—the date of the default in paying or delivering the instalment in respect of which the applicant seeks to enforce the decree.

Nothing in this section shall prevent the Court from granting an application for execution of a decree after the expiration of the said term of twelve years, where the judgment-debtor has by fraud or force prevented the execution of the decree at some time within twelve years immediately before the date of the application.

Notwithstanding anything herein contained, proceedings may be taken to enforce any decree within three years after the passing of this Code, unless when the period prescribed for taking such proceedings by the law in force immediately before the passing of this Code shall have expired before the completion of the said three years.

231. If a decree has been passed jointly in favour of more persons than one, any one or more of such persons, or his or their representatives, may apply for the execution of the whole decree for the benefit of them all, or, where any of them has died, for the benefit of the survivors and the representative in interest of the deceased.

Application by joint decree-holder.

If the Court sees sufficient cause for allowing the decree to be executed on an application so made, it shall pass such order as it deems necessary for protecting the interests of the persons who have not joined in the application.

232. If a decree be transferred by assignment in writing or by operation of law from the decree-holder to any other person, the transferee may apply for its execution to the Court which passed it; and if that Court thinks fit, the decree may be executed in the same manner and subject to the same conditions as if the application were made by such decree-holder:

Application by transferee of decree.

Provided that where the decree has been transferred by assignment, notice in writing of such application shall be given to the transferor and the judgment-debtor, and the decree shall not be executed until the Court has heard their objections (if any) to such execution:

Provided also that where a decree against several persons has been transferred to one of them, it shall not be executed against the others.

233. Every transferee of a decree shall hold the same subject to the equities (if any) which the judgment-debtor might have enforced against the original decree-holder.

Transferee to hold subject to equities enforceable against original holder.

234. If a judgment-debtor dies before the decree has been fully executed, the holder of the decree may apply to the Court which passed it to execute the same against the legal representative of the deceased.

If judgment-debtor die before execution, application may be made against his representative.

Such representative shall be liable only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of; and for the purpose of ascertaining such liability, the Court executing the decree may of its own motion, or on the application of the decree-holder, compel the said representative to produce such accounts as it thinks fit.

235. The application for the execution of a decree shall be in writing, verified in manner hereinbefore provided for the verification of plaints, and shall contain in a tabular form the following particulars (namely)—

Contents of application for execution of decree.

(*a*) the number of the suit;

(*b*) the names of the parties;

(*c*) the date of the decree;

(*d*) whether any appeal has been preferred from the decree;

(*e*) whether any and what adjustment of the matter in dispute has been made between the parties subsequently to the decree;

(*f*) whether any and what previous applications have been made for execution of the decree and with what result;

(*g*) the amount of the debt or compensation, with the interest, if any, due upon the decree, or other relief granted thereby;

(*h*) the amount of costs, if any, awarded;

(*i*) the name of the person against whom the enforcement of the decree is sought; and

(*j*) the mode in which the assistance of the Court is required, whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application, or by the attachment of his property, or otherwise as the nature of the relief sought may require.

236. If the application be for the attachment of any moveable property belonging to the judgment-debtor but not in his possession, the decree-holder shall annex to the application an inventory of the property to be attached, containing a reasonably accurate description of the same.

Application for attachment of moveable property to be accompanied with inventory.

237. If the application be for the attachment of any immoveable property belonging to the judgment-debtor, it shall contain at the foot a description of the property sufficient to identify it, and also a specification of the judgment-debtor's share or interest therein to the best of the belief of the applicant and so far as he has been able to ascertain the same.

Further particulars when application is for attachment of immoveable property

Every such description and specification shall be verified in manner hereinbefore provided for the verification of plaints.

238. If the property be land registered in the Collector's office, the application for attachment shall be accompanied by an authenticated extract from the register of such office, specifying the persons registered as proprietors of, or as possessing any transferable interest in, the land or its revenue, or as liable to pay revenue for such land, and the shares of the registered proprietors.

When application must be accompanied by extract from Collector's register.

C.—Of staying Execution.

239. The Court to which a decree has been sent for execution under this chapter, shall upon sufficient cause being shewn, stay the execution of such decree for a reasonable time, to enable the judgment-debtor to apply to the Court by which the decree was made, or to any Court having appellate jurisdiction in respect of the decree or the execution thereof, for an order to stay the execution, or for any other order relating to the decree or execution which might have been made by such Court of first instance or appellate Court if execution had been issued thereby, or if application for execution had been made thereto;

When Court may stay execution.

and in case the property or person of the judgment-debtor has been seized under an execution, the Court which issued the execution may order the restitution or discharge of such property or person pending the result of the application for such order.

240. Before passing an order under section 239, to stay execution, or for the restitution of property or the discharge of the judgment-debtor, the Court may require such security from, or impose such conditions upon, the judgment-debtor as it thinks fit.

Power to require security from, or impose conditions upon, judgment-debtor.

241. No discharge under section 239 of the property or person of a judgment-debtor, shall prevent it or him from being retaken in execution of the decree sent for execution.

Liability of judgment-debtor discharged to be retaken.

242. Any order of the Court by which the decree was passed or of such Court of appeal as aforesaid, in relation to the execution of such decree shall be binding upon the Court to which the decree was sent for execution.

Order of Court passing decree or of Appellate Court to be binding upon Court applied to.

243. If a suit be pending in any Court against the holder of a decree of such Court, on the part of the person against whom the decree was passed, the Court may (if it think fit) stay execution on the decree, either absolutely or on such terms as it thinks fit, until the pending suit has been decided.

Stay of execution pending suit between decree-holder and judgment-debtor.

D.—Questions for Court executing decree.

244. The following questions shall be determined by order of the Court executing a decree and not by separate suit (namely)—

Question to be decided by Court executing decree.

(*a*) questions regarding the amount of any mesne profits as to which the decree has directed inquiry;

(*b*) questions regarding the amount of any mesne profits or interest which the decree has made payable in respect of the subject-matter of a suit between the date of its institution and the execution of the decree, or the expiration of three years from the date of the decree;

(*c*) any other questions arising between the parties to the suit in which the decree was passed, or their representatives, and relating to the execution of the decree.

Nothing in this section shall be deemed to bar a separate suit for mesne profits accruing between the institution of the first suit and the execution of the decree therein, where such profits are not dealt with by such decree.

E.—Of the mode of executing Decrees.

245. The Court, on receiving an application for the execution of a decree, shall ascertain whether it contains the particulars mentioned in section 235, or such of them as may be applicable to the case, and whether it is accompanied by the inventory mentioned in section 236; and if such particulars or inventory are or is wanting, it shall reject the application or return it for amendment or for the addition of the inventory, as the case may be, or amend it then and there. Every amendment made under this section shall be attested by the signature of the Judge.

Procedure on receiving application for execution of decree.

When the application is admitted, the Court shall enter in the register of the suit a note of the application and the date on which it was made, and shall order execution of the decree according to the nature of the application:

Procedure on admitting application.

Provided that, in the case of a decree for money, the value of the property attached shall as nearly as may be correspond with the amount for which the decree has been made.

246. If cross-decrees between the same parties for the payment of money be produced to the Court, execution shall be taken out only by the party who holds a decree for the larger sum, and for so much only as remains after deducting the smaller sum, and satisfaction for the smaller sum shall be entered on the decree for the larger sum as well as satisfaction on the decree for the smaller sum.

Cross-decrees.

If the two sums be equal, satisfaction shall be entered upon both decrees.

Explanation I.—The decrees contemplated by this section are (*a*) decrees made by the same Court, (*b*) decrees sent to the same Court for execution, and (*c*) decrees of which one is made by the Court and the other is sent to the same Court for execution; but not (*d*) decrees of which one is made by one Court and the other is made by another Court and not sent for execution to the former Court.

Explanation II.—This section applies where either party is an assignee of one of the decrees and as well in respect of judgment-debts due by the original assignor as by the assignee himself.

Explanation III.—This section does not apply unless

(*e*) both decrees are capable of execution at the same time;

(*f*) the decree-holder in one of the suits in which the decrees have been made is the judgment-debtor in the other and each party fills the same character in both suits; and

(*g*) the sums due under the decrees are definite.

Illustrations.

(*a*) A holds a decree against B for Rs. 1,000. B holds a decree against A for the payment of Rs. 1,000 in case A fails to deliver certain goods at a future day. B cannot treat his decree as a cross-decree under this section.

(*b*) A and B, co-plaintiffs, obtain a decree for Rs. 1,000 against C, and C obtains a decree for Rs. 1,000 against B. C cannot treat his decree as a cross-decree under this section.

(*c*) A obtains a decree against B for Rs. 1,000. C, who is a trustee for B, obtains a decree on behalf of B against A for Rs. 1,000. B cannot treat C's decree as a cross-decree under this section.

247. When two parties are entitled under the same decree to recover from each other sums of different amounts, the party entitled to the smaller sum shall not take out execution against the other party; but satisfaction for the smaller sum shall be entered on the decree.

Cross-claims under same decree.

When the amounts are equal, neither party shall take out execution, but satisfaction for each sum shall be entered on the decree.

248. The Court shall issue a notice to the party against whom execution is applied for, requiring him to shew cause, within a period to be fixed by the Court, why the decree should not be executed against him,

Notice to shew cause why decree should not be executed.

(*a*) if more than one year has elapsed between the date of the decree and the application for its execution, or

(*b*) if the enforcement of the decree be applied for against the legal representative of a party to the suit in which the decree was made:

Proviso.

Provided that no such notice shall be necessary

in consequence of more than one year having elapsed between the date of the decree and the application for execution, if the application be made within one year from the date of any decree passed on appeal from the decree sought to be executed or of the last order against the party against whom execution is applied for passed on any previous application for execution, or

in consequence of the application being against the legal representative of the judgment-debtor, if upon a previous application for execution against the same person, the Court has ordered execution to issue against him.

Explanation.—In this section the phrase "the Court" means the Court by which the decree was passed, unless the decree has been sent to another Court for execution, in which case it means such other Court.

249. If the person to whom notice is issued under the last preceding section does not appear, or does not shew cause to the satisfaction of the Court why the decree should not be executed, the Court shall order the decree to be executed.

Procedure after issue of notice.

If he offers any objection to the enforcement of the decree, the Court shall consider such objection and pass such order as it thinks fit.

250. When the preliminary measures (if any) required by the foregoing provisions have been taken, the Court, unless it sees cause to the contrary, shall issue its warrant for the execution of the decree.

Warrant when to issue.

251. Such warrant shall be dated the day on which it is issued, signed by the Judge or such officer as the Court appoints in this behalf, sealed with the seal of the Court, and delivered to the proper officer to be executed.

Date, signature, seal and delivery.

And a day shall be specified in such warrant on or before which it must be executed, and the proper officer shall endorse thereon the day and manner in which it was executed, or if it was not executed, the reason why it was not executed, and shall return it with such endorsement to the Court from which it issued.

252. If the decree be against a party as the legal representative of a deceased person, and the decree be for money to be paid out of the property of the deceased, it may be executed by the attachment and sale of any such property.

Decree against representative of deceased for money to be paid out of deceased's property.

If no such property can be found, and the judgment-debtor fails to satisfy the Court that he has duly applied such property of the deceased as is proved to have come into his possession, the decree may be executed against the judgment-debtor to the extent of the property not duly applied by

him, in the same manner as if the decree had been against him personally.

253. Whenever a person has, before the passing of a decree in an original suit, become liable as surety for the performance of the same or of any part thereof, the decree may be executed against him to the extent to which he has rendered himself liable, in the same manner as a decree may be executed against a defendant:

Decree against surety.

Provided that such notice in writing as the Court in each case thinks sufficient has been given to the surety.

254. Every decree or order directing a party to pay money, as compensation, or costs, or as the alternative to some other relief granted by the decree or order, or otherwise, may be enforced by the imprisonment of the judgment-debtor, or by the attachment and sale of his property in manner hereinafter provided, or by both.

Decree for money.

255. If the decree be for mesne profits or any other matter the amount of which in money is to be subsequently determined, the property of the judgment-debtor may, before the amount due from him under the decree has been ascertained, be attached as in the case of an ordinary decree for money.

Decree for mesne profits or other matter, amount of which to be subsequently ascertained.

256. When a decree is passed for a sum of money only, and the amount decreed does not exceed the sum of one thousand rupees, the Court may, when passing the decree, on the oral application of the decree-holder, order immediate execution thereof by the issue of a warrant directed either against the person of the judgment-debtor if he is within the local limits of the jurisdiction of the Court, or against his moveable property within the same limits.

Power to direct immediate execution of decree for money not exceeding Rs. 1,000.

257. All money payable under a decree shall be paid as follows (namely)—

Modes of paying money under decree.

(*a*) into the Court whose duty it is to execute the decree; or

(*b*) out of Court to the decree-holder; or

(*c*) otherwise as the Court which made the decree directs.

258. If the money is paid out of Court or the decree is otherwise adjusted to the satisfaction of the decree-holder, he shall certify the payment or adjustment to the Court whose duty it is to execute the decree; and no satisfaction of a decree in part or in whole by such payment or adjustment shall be recognized by such Court unless the payment or adjustment be certified as aforesaid. Where the decree-holder fails to certify as aforesaid, the judgment-debtor may apply to such Court for an order directing the decree-holder to certify as aforesaid, and the Court, after hearing the decree-holder, may make such order, and if the decree-holder disobeys the same, may refuse further to excute the decree.

Payment of money out of Court to decree-holder.

259. If the decree be for any specific moveable, or for any share in a specific moveable, or for the recovery of a wife, it may be enforced by the seizure, if practicable, of the moveable or share, and by the delivery thereof to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, or by the imprisonment of the judgment-debtor, or by attaching his property and keeping the same under attachment until the further order of the Court, or by both imprisonment and attachment, if necessary.

Decrees for specific moveables, or recovery of wives.

No attachment under this section shall remain in force for more than six months, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

260. When the party against whom a decree for the specific performance of a contract, or for restitution of conjugal rights, or for the performance of any other particular act, has been made, has had an opportunity of obeying the decree or injunction and has wilfully failed to obey it, the decree may be enforced by his imprisonment, or by the attachment of his property, or by both.

Decree for specific performance or restitution of conjugal rights.

No attachment under this section shall remain in force for more than one year, at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit and may pay the balance, if any, to the judgment-debtor on his application.

261. If the decree be for the execution of a conveyance, or for the endorsement of a negotiable instrument, and the judgment-debtor neglects or refuses to comply with the decree, the decree-holder may prepare the draft of a conveyance or endorsement in accordance with the terms of the decree, and deliver the same to the Court.

Decree for execution of conveyances, or endorsement of negotiable instruments.

The Court shall thereupon cause the draft to be served on the judgment-debtor in manner hereinbefore provided for serving a summons, together with a notice in writing stating that his objections, if any, thereto shall be made within such time (mentioning it) as the Court fixes in this behalf.

The decree-holder may also tender a duplicate of the draft to the Court for execution upon the proper stamp-paper, if a stamp is required by law.

On proof of such service, the Court, or such officer as it appoints in this behalf, shall execute the duplicate so tendered, or may, if necessary, alter the same, so as to bring it into accordance with the terms of the decree, and execute the duplicate so altered:

Provided that if any party object to the draft so served as aforesaid, his objections shall, within

the time so fixed, be stated in writing and argued before the Court, and the Court shall thereupon pass such order as it thinks fit, and execute, or alter and execute, the duplicate in accordance therewith.

Form and effect of execution of conveyance by Court.

262. The execution of a conveyance or the endorsement of a negotiable instrument by the Court under the last preceding section may be in the following form: "*C. D.*, Judge of the Court of (*or as the case may be*), for *A. B.*, in a suit by *E. F.*, against *A. B.*," or in such other form as the High Court may from time to time prescribe, and shall have the same effect as the execution of the conveyance or endorsement of the instrument by the party ordered to execute or endorse the same.

Decree for immoveable property.

263. If the decree be for the delivery of any immoveable property, possession thereof shall be delivered over to the party to whom it has been adjudged, or to such person as he appoints to receive delivery on his behalf, and, if need be, by removing any person bound by the decree who refuses to vacate the property.

Delivery of immoveable property when in occupancy of tenant.

264. If the decree be for the delivery of any immoveable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery to be made by affixing a copy of the warrant in some conspicuous place on the property, and proclaiming to the occupant by beat of drum, or in such other mode as is customary, at some convenient place, the substance of the decree in regard to the property:

Provided that if the occupant can be found, a notice in writing containing such substance shall be served upon him, and in such case no proclamation need be made.

Partition of estate or separation of share.

265. If the decree be for the partition or for the separate possession of a share of an undivided estate paying revenue to Government, the partition of the estate or the separation of the share shall be made by the Collector.

F.—Of Attachment of Property.

Property liable to attachment and sale in execution of decree.

266. The following property is liable to attachment and sale in execution of a decree, (namely) lands, houses or other buildings, goods, money, bank-notes, cheques, bills of exchange, hundís, promissory notes, Government securities, bonds or other securities for money, debts, shares in the capital or joint-stock of any railway, banking or other public Company or Corporation, and, except as hereinafter mentioned, all other saleable property, moveable or immoveable, belonging to the judgment-debtor or over which, or the profits of which, he has a disposing power which he may exercise for his own benefit, and whether the same be held in the name of the judgment-debtor or by another person in trust for him or on his behalf:

Provided that the following particulars shall not be liable to such attachment or sale (namely)—

(*a*) the necessary wearing apparel of the judgment-debtor, his wife and children:

(*b*) tools of artizans, implements of husbandry and such cattle as may in the opinion of the Court be necessary to enable the judgment-debtor to earn his livelihood as an agriculturist:

(*c*) the materials of houses and other buildings belonging to and occupied by agriculturists:

(*d*) books of account:

(*e*) mere rights to sue for damages:

(*f*) any right of personal service:

(*g*) stipends allowed to military and civil pensioners of Government, and political pensions:

(*h*) one moiety of the salary of a public officer or of the servant of a Railway Company:

(*i*) the pay and allowances of persons to whom the Native Articles of War apply:

(*j*) the wages of labourers and domestic servants:

(*k*) an expectancy of succession by survivorship or other merely contingent or possible right or interest:

(*l*) a right to future maintenance.

Explanation.—The particulars mentioned in clauses (*g*), (*h*), (*i*) and (*j*) are exempt from attachment or sale whether before or after they are actually payable:

Provided also that nothing in this section shall be deemed:

(*a*) to exempt the materials of houses and other buildings from attachment or sale in execution of decrees for rent, or

(*b*) to affect the statute for the time being in force for punishing mutiny and desertion and for the better payment of the Army and their quarters.

Power to summon and examine persons as to property liable to be seized.

267. The Court may of its own motion or on the application of the decree-holder, summon any person whom it thinks necessary, and examine him in respect to any property liable to be seized in satisfaction of the decree, and may require the person summoned to produce any document in his possession or power relating to such property, and before issuing the summons of its own motion, shall declare the person on whose behalf the summons is so issued.

Attachment of debt, share and other property not in possession of judgment-debtor.

268. In the case of (*a*) a debt not secured by a negotiable instrument, (*b*) a share in the capital of any public company or corporation, (*c*) other moveable property not in the possession of the judgment-debtor, except property deposited in, or in the custody of, any Court, the attachment shall be made by a written order prohibiting,

(*a*) in the case of the debt, the creditor from recovering the debt and the debtor from making payment thereof until the further order of the Court:

(*b*) in the case of the share, the person in whose name the share may be standing, from transferring the same or receiving any dividend thereon:

(*c*) in the case of the other moveable property except as aforesaid, the person in possession of the same from giving it over to the judgment-debtor.

A copy of such order shall be fixed up in some conspicuous part of the Court-house, and another copy of the same shall be sent in the case of the debt to the debtor, in the case of the share to the proper officer of the company or corporation, and in the case of the other moveable property (except as aforesaid) to the person in possession of the same.

A debtor prohibited under clause (*a*) of this section may pay the amount of his debt into court, and such payment shall discharge him as effectually as payment to the party entitled to receive the same.

No attachment under this section shall remain in force for more than six months; at the end of which time, if the judgment-debtor has not obeyed the decree, the property attached may be sold, and out of the proceeds the Court may award to the decree-holder such compensation as it thinks fit, and pay the balance, if any, to the judgment-debtor on his application.

Attachment of moveable property in possession of defendant.

269. If the property be moveable property in the possession of the judgment-debtor, other than the property mentioned in the first proviso to section 266, the attachment shall be made by actual seizure, and the attaching officer shall keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof:

Provided that when the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody will exceed its value, the proper officer may sell it at once.

The Local Government may from time to time

Power to make rules for maintenance of attached live-stock.

make rules for the maintenance and custody, while under attachment, of live-stock and other moveable property, and the officer attaching property under this section shall, notwithstanding the provisions of the former part of this section act in accordance with such rules.

Attachment of negotiable instruments.

270. If the property be a negotiable instrument not in deposit in a Court, the attachment shall be made by actual seizure, and the instrument shall be brought into court and held subject to the further orders of the Court.

Seizure of property in house.

271. If the person executing any process under this Code directing or authorizing seizure of moveable property, has gained access to a house or other building, he may unfasten and open the door of any room in which he has reason to believe any such property to be:

Provided that if the room be in the actual occupancy of a woman, who according to the customs of the country does not appear in public, the person executing the process shall give notice to her that she is at liberty to withdraw; and after allowing a reasonable time for such woman to withdraw, and giving her every reasonable facility for withdrawing, he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Seizure of property in zanánás.

Attachment of property deposited in Court or with Government officer.

272. If the property be deposited in, or be in the custody of, any Court or public officer, the attachment shall be made by a notice to such Court or officer, requesting that such property, and any interest or dividend becoming payable thereon may be held subject to the further orders of the Court from which the notice issues:

Proviso.

Provided that, if such property is deposited in, or is in the custody of, a Court, any question of title or priority arising between the decree-holder and any other person, not being the judgment-debtor, claiming to be interested in such property by virtue of any assignment, attachment or otherwise, shall be determined by such Court.

Attachment of decree for money.

273. If the property be a decree for money passed by the Court which passed the decree sought to be executed, the attachment shall be made by an order of the Court directing the proceeds of the former decree to be applied in satisfaction of the latter decree.

If the property be a decree for money passed by any other Court, the attachment shall be made by a notice in writing to such Court under the hand of the Judge of the Court which passed the decree sought to be executed, requesting the former Court to stay the execution of its decree until such notice is cancelled by the Court from which it was sent. The Court receiving such notice shall stay execution accordingly, unless and until

(*a*) the Court which passed the decree sought to be executed cancels the notice, or

(*b*) the holder of the decree sought to be executed applies to the Court receiving such notice to execute its own decree.

On receiving such application, the Court shall proceed to execute the decree and apply the proceeds in satisfaction of the decree sought to be executed.

Attachment of other decrees.

In the case of all other decrees the attachment shall be made by a notice in writing, under the hand of the Judge of the Court which passed the decree sought to be executed to the holder of the decree sought to be attached, prohibiting him from transferring or charging the same in any way; and, when such decree has been passed by any other Court, also by sending to such Court a like notice in writing to abstain from executing the decree sought to be attached until such notice is cancelled by the Court from which it was sent. Every Court receiving such notice shall give effect to the same until it is so cancelled.

Decree-holders to give information.

The holder of any decree attached under this section shall be bound to give the Court executing the same such information and aid as may reasonably be required.

Attachment of immoveable property.

274. If the property be immoveable, the attachment shall be made by an order prohibiting the judgment-debtor from transferring or charging the property in any way, and all persons from receiving the same from him by purchase, gift or otherwise.

The order shall be proclaimed at some place on adjacent to such property by beat of drum or

other customary mode, and a copy of the order shall be fixed up in a conspicuous part of the property and of the Court-house.

When the property is land paying revenue to Government, a copy of the order shall also be fixed up in the office of the Collector of the District in which the land is situate.

Order for withdrawal of attachment after satisfaction of decree.

275. If the amount decreed with costs and all charges and expenses resulting from the attachment of any property be paid into Court, or if satisfaction of the decree be otherwise made through the Court, or if the decree is set aside or reversed, an order shall be issued, on the application of any person interested in the property, for the withdrawal of the attachment.

Private alienation of property after attachment to be void.

276. When an attachment has been made by actual seizure or by written order duly intimated and made known in manner aforesaid, any private alienation of the property attached, whether by sale, gift, mortgage or otherwise, and any payment of the debt or dividend or a delivery of the share to the judgment-debtor during the continuance of the attachment, shall be void as against all claims enforceable under the attachment.

Court may direct coin or currency-notes attached to be paid to party entitled.

277. If the property attached is coin or currency-notes, the Court may, at any time during the continuance of the attachment, direct that such coin or notes, or a part thereof sufficient to satisfy the decree, be paid over to the party entitled under the decree to receive the same.

Investigation of claims to and objections to attachment of attached property.

278. If any claim be preferred to, or any objection be made to the attachment of, any property attached in execution of a decree, on the ground that such property is not liable to such attachment, the Court shall proceed to investigate the claim or objection with the like power as regards the examination of the claimant or objector, and in all other respects, as if he was a party to the suit:

Provided that no such investigation shall be made where the Court considers that the claim or objection was designedly or unnecessarily delayed.

Postponement of sale.

If the property to which the claim or objection applies has been advertised for sale, the Court ordering the sale may postpone it pending the investigation of the claim or objection.

Evidence to be adduced by claimant.

279. The claimant or objector must adduce evidence to show that at the date of the attachment he had some interest in, or was possessed of, the property attached.

Release of property from attachment.

280. If upon the said investigation the Court is satisfied that, for the reason stated in the claim or objection, such property was not, when attached, in the possession of the judgment-debtor or of some person in trust for him, or in the occupancy of a tenant or other person paying rent to him, or that, being in the possession of the judgment-debtor at such time, it was so in his possession, not on his own account or as his own property, but on account of or in trust for some other person, or partly on his own account and partly on account of some other person, the Court shall pass an order for releasing the property wholly or to such extent as it thinks fit, from attachment.

Disallowance of claim to release of property attached.

281. If the Court is satisfied that the property was, at the time it was attached, in possession of the judgment-debtor as his own property and not on account of any other person, or was in the possession of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, the Court shall disallow the claim.

Continuance of attachment subject to claim of incumbrancer.

282. If the Court is satisfied that the property is subject to a mortgage or lien in favour of some person not in possession, and thinks fit to continue the attachment, it may do so, subject to such mortgage or lien.

Saving of suits to establish right to attached property.

283. The party against whom an order under section 280, 281 or 282 is passed may institute a suit to establish the right which he claims to the property in dispute, but subject to the result of such suit, if any, the order shall be conclusive.

Power to order property attached to be sold, and proceeds be paid to person entitled.

284. Any Court may order that any property which has been attached, or such portion thereof as may seem necessary to satisfy the decree, shall be sold, and that the proceeds of such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same.

Property attached in execution of decrees of several Courts.

285. Where property not in the custody of any Court has been attached in execution of decrees of more Courts than one, the Court which shall receive or realize such property and shall determine any claim thereto and any objection to the attachment thereof shall be the Court of highest grade, or where there is no difference in grade between such Courts, the Court under whose decree the property was first attached.

G.—Of Sale and Delivery of Property.

(a) General Rules.

Sales by whom conducted and how made.

286. Sales in execution of decrees shall be conducted by an officer of the Court or by any other person whom the Court may appoint, and, except as provided in section 296, shall be made by public auction in manner hereinafter mentioned.

Proclamation of sales by public auction.

287. When any property is ordered to be sold by public auction in execution of a decree, the Court shall cause a proclamation of the intended sale to be made in the language of such Court. Such proclamation shall state the time and place of sale; and shall specify as fairly and accurately as possible—

(*a*) the property to be sold;

(*b*) the revenue assessed upon the estate or part of the estate, when the property to be sold is an interest in an estate or a part of an estate paying revenue to Government;

(*c*) any incumbrance to which the property is liable;

(*d*) the amount for the recovery of which the sale is ordered; and

(*e*) every other thing which the Court considers material for the purchaser to know in order to judge of the nature and value of the property.

For the purpose of ascertaining the matters so to be specified, the Court may summon any person whom it thinks necessary, and examine him in respect to any such matters, and require him to produce any document in his possession or power relating thereto.

Rules to be made by High Court.

The High Court shall, as soon as may be after this Code comes into force, make rules for the guidance of the Courts in exercise of their duties under this section. The High Court may from time to time alter any rules so made. All such rules shall be published in the local official Gazette and shall thereupon have the force of law. As regards his own Court and the Court of Small Causes at Rangoon the Recorder of Rangoon shall be deemed to be a 'High Court' within the meaning of this paragraph.

Nothing in this section shall apply to cases in which the execution of the decree has been transferred to the Collector.

Indemnity of Judges, &c.

288. No Judge or other public officer shall be answerable for any error, misstatement or omission in any proclamation under section 287 unless the same has been committed or made dishonestly.

Mode of making proclamation.

289. The proclamation shall be made, in manner prescribed by section 274, on the spot where the property is attached.

If the Court so direct, such proclamation shall also be published in the local official Gazette and in some local newspaper, and the costs of such publication shall be deemed to be costs of the sale.

Time of sale.

290. Except in the case of property mentioned in the proviso to section 269, no sale under this chapter shall, without the consent in writing of the judgment-debtor, take place until after the expiration of at least thirty days in the case of immoveable property, and of at least fifteen days in the case of moveable property, calculated from the date on which the notification has been affixed in the court-house of the Judge ordering the sale.

Power to adjourn sale.

291. The officer conducting any sale under this chapter may in his discretion adjourn the sale, recording his reasons for such adjournment: Provided that when the sale is made in or within the precincts of the Court-house no such adjournment shall be made without the leave of the Court. Every such sale shall be stopped if, before the lot is knocked down, the debt and costs (including the costs of the sale) are tendered to such officer, or proof is given to his satisfaction that the amount of such debt and costs has been paid into the Court that ordered the sale.

Stoppage of sale on tender of debt and costs, or on proof of payment.

Officers concerned in execution-sales not to bid for or buy property sold.

292. No officer having any duty to perform in connection with any sale under this chapter shall either directly or indirectly bid for, acquire, or attempt to acquire, any interest in any property sold at such sale.

Defaulting purchaser answerable for loss by re-sale.

293. The deficiency of price (if any) which may happen on a re-sale under this Code by reason of the purchaser's default, and all expenses attending such re-sale, shall be certified to the Court by the officer holding the sale,

and shall, at the instance of either the judgment-creditor or the judgment-debtor, be recoverable from the defaulter under the rules contained in this chapter for the execution of a decree for money.

Decree-holder not to bid for or buy property without permission.

294. No holder of a decree in execution of which property is sold, shall, without the express permission of the Court, bid for or purchase the property.

If decree-holder purchase, amount of decree may be taken as payment.

When a decree-holder purchases with such permission, the purchase-money and the amount due on the decree may, if he so desires, be set-off against one another, and the Court executing the decree shall enter up satisfaction of the decree in whole or in part accordingly.

Proceeds of execution-sale to be divided rateably among decree-holders.

295. Whenever assets are realized by sale or otherwise in execution of a decree, and more persons than one have, prior to the realization, applied to the Court by which such assets are held for execution of decrees for money against the same judgment-debtor, and have not obtained satisfaction thereof, the assets, after deducting the costs of the realization, shall be divided rateably among all such persons:

Proviso where property is sold subject to mortgage.

Provided that, when any property is sold subject to a mortgage or charge, the mortgagee or incumbrancer shall not be entitled to share in any surplus arising from such sale:

Provided also that when any property liable to be sold in execution of a decree is subject to a mortgage or charge, the Court may, with the assent of the mortgagee or incumbrancer, order that the property be sold free from the mortgage or charge giving to the mortgagee or incumbrancer the same right against the proceeds of the sale as he had against the property sold.

If all or any of such assets be paid to a person not entitled to receive the same, any person so entitled may sue such person to compel him to refund the assets.

Nothing in this section affects any right of the Government.

(b).—Rules as to Moveable Property.

Rules as to negotiable securities and shares in public Companies.

296. If the property to be sold be a negotiable instrument or a share in any public Company or Corporation, the Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument or share through a broker at the market-rate of the day.

Payment for moveable property sold.

297. In the case of other moveable property, the price of each lot shall be paid for at the time of sale, or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up and sold.

On payment of the purchase-money, the officer holding the sale shall grant a receipt for the same, and the sale shall become absolute.

Irregularity not to vitiate sale of moveable property, but any person injured may sue.

298. No irregularity in publishing or conducting the sale of moveable property shall vitiate the sale; but any person sustaining any injury by reason of such irregularity at the hand of any other person may institute a suit against him for compensation, or (if such other person be the purchaser) for the recovery of the specific property and for compensation in default of such recovery.

Delivery of moveable property belonging to defendant actually seized.

299. When the property sold is a negotiable instrument or other moveable property of which actual seizure has been made, the property shall be delivered to the purchaser.

Delivery of moveable property to which judgment-debtor is entitled subject to lien.

300. When the property sold is any moveable property to which the judgment-debtor is entitled subject to the possession of some other person, the delivery thereof to the purchaser shall be made by giving notice to the person in possession prohibiting him from delivering possession of the property to any person except the purchaser.

Delivery of debts and of shares in public Companies.

301. When the property sold is a debt not secured by a negotiable instrument, or is a share in any public Company, the delivery thereof shall be made by a written order of the Court prohibiting the creditor from receiving the debt or any interest thereon, and the debtor from making payment thereof to any person except the purchaser, or prohibiting the person in whose name the share may be standing from making any transfer of the share to any person except the purchaser, or receiving payment of any dividend or interest thereon, and the Manager, Secretary or other proper officer of the Company from permitting any such transfer or making any such payment to any person except the purchaser.

Transfer of negotiable instruments and shares.

302. If the endorsement or conveyance of the party in whose name a negotiable instrument or a share in any public Company is standing, is required to transfer such instrument or share, the Judge may endorse the instrument or the certificate of the share, or may execute such other document as may be necessary.

The endorsement or execution shall be in the following form or to the like effect:—"*A. B.* by *C. D.*, Judge of the Court of *(or as the case may be)*; in a suit by *E. F.* against *A. B.*"

Until the transfer of such instrument or share, the Court may, by order, appoint some person to receive any interest or dividend due thereon, and to sign a receipt for the same; and any endorsement made or document executed or receipt signed as aforesaid shall be as valid and effectual for all purposes as if the same had been made or executed or signed by the party himself.

Vesting order in case of other property.

303. In the case of any moveable property not hereinbefore provided for, the Court may make an order vesting such property in the purchaser or as he may direct; and such property shall vest accordingly.

(c.)—Rules as to Immoveable Property.

Sales of land by Court not inferior to a District Court.

304. Sales of immoveable property in execution of a decree may be ordered by any Court other than a Court of Small Causes.

Postponement of sale of land to enable defendant to raise amount of decree.

305. When an order for the sale of immoveable property has been made, if the judgment-debtor can satisfy the Court that there is reason to believe that the amount of the decree may be raised by mortgage or lease or private sale of such property, or some part thereof, or of any other immoveable property of the judgment-debtor, the Court may on his application postpone the sale of property comprised in the order for sale for such period as it thinks proper, to enable him to raise the amount.

Certificate to judgment-debtor.

In such case the Court shall grant a certificate to the judgment-debtor authorizing him, within a period to be mentioned therein, to make the proposed mortgage, lease or sale: provided that all moneys payable under such mortgage, lease or sale, shall be paid into Court and not to the judgment-debtor.

Where such certificate has been granted and so long as it remains in force, the provisions of section 248 shall not apply.

Deposit by purchaser of immoveable property.

306. On every sale of immoveable property under this chapter, the person declared to be the purchaser shall pay immediately after such declaration a deposit of twenty-five per centum on the amount of his purchase-money to the officer conducting the sale, and, in default of such deposit, the property shall forthwith be put up again and sold.

Time for payment in full.

307. The full amount of purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.

Procedure in default of payment.

308. In default of payment within the period mentioned in the last preceding section, the deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may subsequently be sold.

Notification on re-sale of immoveable property.

309. Every re-sale of immoveable property in default of payment of the purchase-money within the period allowed for such payment, shall be made after the issue of a fresh notification in the manner and for the period hereinbefore prescribed for the sale.

Co-sharer of a share of undivided estate sold in execution to have preference in bidding.

310. When the property sold in execution of a decree is a share of undivided immoveable property, and two or more persons, of whom one is a co-sharer,

respectively advance the same sum at any bidding at such sale, such bidding shall be deemed to be the bidding of the co-sharer.

Sale of land not set aside on ground of irregularity unless in case of substantial injury.

311. The decree-holder or any person whose immoveable property has been sold under this chapter may apply to the Court to set aside the sale on the ground of a material irregularity in publishing or conducting it;

but no sale shall be set aside on the ground of irregularity unless the applicant proves to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity.

Effect of objection being disallowed and of its being allowed.

312. If no such application as is mentioned in the last preceding section be made, or if such application be made and the objection be disallowed, the Court shall pass an order confirming the sale as regards the parties to the suit and the purchaser.

If such application be made, and if the objection be allowed, the Court shall pass an order setting aside the sale.

No suit to set aside on the ground of such irregularity an order passed under this section shall be brought by the party against whom such order has been made.

Power to apply to set aside the sale.

313. The purchaser at any such sale may apply to the Court to set aside the sale, on the ground that the person whose property purported to be sold had no saleable interest therein, and the Court may make such order as it thinks fit: provided that no order to set aside a sale shall be made, unless the judgment-debtor and the decree-holder have had opportunity of being heard against such order.

Confirmation of sale.

314. No sale of immoveable property shall become absolute until it has been confirmed by the Court.

If sale set aside, price to be returned to purchaser.

315. When a sale of immoveable property is set aside under section 312 or 313,

or when it is found that the judgment-debtor had no saleable interest in the property which purported to be sold and the purchaser is for that reason deprived of it,

the purchaser shall be entitled to receive back his purchase-money (with or without interest as the Court may direct) from any person to whom the purchase-money has been paid.

The repayment of the said purchase-money and of the interest (if any) allowed by the Court may be enforced against such person under the rules provided by this Code for the execution of a decree for money.

Certificate to purchaser of immoveable property.

Certificate to state name of actual purchaser.

316. When a sale of immoveable property has become absolute in manner aforesaid, the Court shall grant a certificate stating the name of the person who, at the time of sale, is declared to be the purchaser and the date of such sale.

Benámí purchaser not recognized.

317. No suit shall be maintained against the certified purchaser on the ground that the purchase was made on behalf of any other person, or on behalf of some one through whom such other person claims.

Nothing in this section shall bar a suit to obtain a declaration that the name of the certified purchaser was inserted in the certificate fraudulently or without the consent of the real purchaser.

Delivery of immoveable property in occupancy of judgment-debtor.

318. When the property sold is in the occupancy of the judgment-debtor or of some person on his behalf, or of some person claiming under a title created by the judgment-debtor subsequently to the attachment of such property, and a certificate in respect thereof has been granted under section 316, the Court shall, on application by the purchaser, order delivery to be made by putting the purchaser or any person whom he may appoint to receive delivery on his behalf in possession of the property, and, if need be, by removing any person who refuses to vacate the same.

Delivery of immoveable property in the occupancy of tenant.

319. When the property sold is in the occupancy of a tenant or other person entitled to occupy the same, and a certificate in respect thereof has been granted under section 316, the Court shall order delivery thereof to be made by affixing a copy of the certificate of sale in some conspicuous place on the property, and proclaiming to the occupant by beat of drum or in such other mode as may be customary, at some convenient place, that the interest of the judgment-debtor has been transferred to the purchaser.

Power to prescribe rules for transferring to Collector execution of decrees sale of land.

320. The Local Government may, with the sanction of the Governor General in Council, declare by notification in the official Gazette that in any local area the execution of decrees in cases in which a Court has ordered any immoveable property to be sold,

or the execution of any particular kind of such decrees,

or the execution of decrees ordering the sale of any particular kind of, or interest in, immoveable property,

shall be transferred to the Collector;

and rescind or modify any such declaration.

Power to prescribe rules as to transmission, execution and retransmission of decrees.

The Local Government may also from time to time prescribe rules for the transmission of the decree from the Court to the Collector, and for regulating the procedure of the Collector and his subordinates in executing the same, and for retransmitting the decree from the Collector to the Court.

Power of Collector as to sale of land in execution of decree.

321. Whenever the execution of a decree has been so transferred, the Collector may—

(*a*) sell the property comprised in the decree by public auction and either in one or more lots as he thinks fit:

(*b*) fix a reasonable reserved price for each lot:

(*c*) adjourn the sale for a reasonable time, whenever he deems the adjournment necessary for the purpose of obtaining a fair price for the property, recording his reasons for such adjournment:

(*d*) buy in the property offered for sale and re-sell the same.

Powers of Collector as to execution of certain money-decrees so transferred.

322. Whenever the execution of a decree not being a decree directing the sale of immoveable property in pursuance of a contract specifically affecting the same, but being a decree for money in satisfaction of which the Court has ordered the sale of immoveable property, has been so transferred, the Collector may either proceed as the Court would proceed under section 305, or if he has reason to believe that the judgment-debts of the judgment-debtor can be discharged without a sale of the whole of such property, the Collector may (notwithstanding any order under section 303, but subject to such rules as may from time to time be made in this behalf by the Chief Controlling Revenue Authority) raise the amount necessary to discharge such debts with interest thereon according to the decree, or, if the decree makes no provision as to interest, then with interest (if any) at such rate as he thinks fit,

(*a*) by letting in perpetuity, or for a term, on payment of a premium equivalent to such amount, the whole or any part of the judgment-debtor's immoveable property: or

(*b*) by mortgaging the whole or any part of such property: or

(*c*) by selling part of such property: or

(*d*) by letting on farm or managing by himself or another the whole or any part of such property for any term not exceeding twenty years from the date of the order of sale; or

(*e*) partly by one of such modes and partly by another or others of them.

For the purpose of managing under this section the whole or any part of such property, the Collector may exercise all the powers of its owner.

Procedure of Collector.

323. In the case of a decree for money, if the Collector proposes to proceed under section 322, he shall publish a notice in the language of the district, calling upon all persons holding decrees against the judgment-debtor to notify the same in writing to the Collector within sixty days from the date of such publication.

Such notice shall be published by being posted in the court-house of the Court which made the order under section 304, and at such other places (if any) as the Collector thinks fit.

So long as any letting or management under section 322 continues, the judgment-debtor and his representative in interest shall be incompetent to mortgage, charge, lease or alienate the property so let or managed, or any part thereof.

Sale by Collector.

324. If on the expiration of the letting or management, the amount necessary to discharge such debts in full with the interest (if any) payable thereon has not been raised, the Collector shall notify the fact in writing to the judgment-debtor or his representative, stating at the same time that, if the balance necessary to discharge such debts and interest is not paid to the Collector within six weeks of the date of such notice, the Collector will proceed to sell the said property; and if on the expiration of the said six weeks the said balance is not so paid, the Collector shall sell such property accordingly.

Sale, &c., to be reported to Court by Collector.

325. Whenever the Collector sells any property pursuant to the said order of sale or exercises any of the powers conferred upon him by section 321 or 322, he shall inform the Court which made such order of the fact of such sale or exercise, and shall render accounts to such Court of his receipts and payments in respect of the said property, and shall hold the balance at the disposal of such Court.

Application of balance.

Such balance (after deducting therefrom any debts due or liabilities incurred to Government by the judgment-debtor) shall be applied rateably in discharging the claims of all the decree-holders who have complied with the said notice; and no other person making any claim against the property so let or managed, or against such proceeds, shall be entitled to be paid thereout.

When Court may authorize Collector to stay public sale of land.

326. When, in any local area in which no declaration under section 320 is in force, the property attached consists of land or of a share in land, and the Collector represents to the Court that the public sale of the land or share is objectionable, and that satisfaction of the decree may be made within a reasonable period by a temporary alienation or management of the land or share, the Court may authorize the Collector to provide for such satisfaction in the manner recommended by him, instead of proceeding to a sale of the land or share. The provisions of sections 322 to 325 (both inclusive) shall in such case apply to the Collector.

Local rules as to sales of land in execution of decrees for money.

327. The Local Government may from time to time, with the sanction of the Governor General in Council, make special rules for any local area imposing conditions in respect of sale of any class of interests in land in execution of decrees for money, where such interests are so uncertain or undetermined as in the opinion of the Local Government to make it impossible to fix their value:

and if, when this Code comes into operation in any local area, any special rules as to sale of land in execution of decrees are in force therein, the Local Government may continue such rules in force, or may from time to time, with the sanction of the Governor General in Council, modify the same.

All rules so made or continued, and all such modifications of the same, shall be published in the local official Gazette, and shall thereupon have the force of law.

H.—Of Resistance to Execution.

Procedure in case of obstruction to execution of decree.

328. If in the execution of a decree for the possession of property, the officer charged with the execution of the warrant is resisted or obstructed by any person, the decree-holder may complain to the Court at any time within one month from the time of such resistance or obstruction.

The Court shall fix a day for investigating the complaint, and shall summon the party against whom the complaint is made to answer the same.

Procedure in case of obstruction by judgment-debtor or at his instigation.

329. If the Court is satisfied that the obstruction or resistance was occasioned by the judgment-debtor or by some person at his instigation, the Court shall inquire into the matter of the complaint, and pass such order as it thinks fit.

Procedure when obstruction continues.

330. If the Court is satisfied that the resistance or obstruction was without any just cause, and that the complainant is still resisted or obstructed in obtaining possession of the property by the judgment-debtor or some other person at his instigation, the Court may, at the instance of the decree-holder and without prejudice to any penalty to which such judgment-debtor or other person may be liable, under the Indian Penal Code or any other law, for such resistance or obstruction, commit the judgment-debtor or such other person to jail for a term which may extend to thirty days, and direct that the decree-holder be put into possession of the property.

Procedure in case of obstruction by claimant in good faith, other than judgment-debtor.

331. If the resistance or obstruction has been occasioned by any person other than the judgment-debtor claiming in good faith to be in possession of the property on his own account or on account of some person other than the judgment-debtor, the claim shall be numbered and registered as a suit between the decree-holder as plaintiff and the claimant as defendant;

and the Court shall, without prejudice to any proceedings to which the claimant may be liable under the Indian Penal Code or any other law for the punishment of such resistance or obstruction, proceed to investigate the claim in the same manner and with the like power as if a suit for the property had been instituted by the decree-holder against the claimant under the provisions of the Specific Relief Act, 1877, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

Procedure in case of person dispossessed of property disputing right of decree-holder to be put into possession.

332. If any person other than the defendant is dispossessed of any property in execution of a decree, and such person disputes the right of the decree-holder to dispossess him of such property under the decree, on the ground that the property was *bonâ fide* in his possession on his own account or on account of some person other than the judgment-debtor, and that it was not comprised in the decree, or that, if it was comprised in the decree, he was not a party to the suit in which the decree was passed, he may apply to the Court.

If, after examining the applicant, it appears to the Court that there is probable cause for making the application, the application shall be numbered and registered as a suit between the applicant as plaintiff and the decree-holder as defendant, and the Court shall proceed to investigate the matter in dispute in the same manner and with the like power as if a suit for the property had been instituted by the applicant against the decree-holder under the provisions of the Specific Relief Act, 1877, section 9,

and shall pass such order as it thinks fit for executing or staying execution of the decree.

In hearing applications under this section, the Court shall confine itself to the grounds of dispute above specified.

Nothing in this section or section 330 applies to a person to whom the judgment-debtor has transferred the property after the institution of the suit in which the decree is made.

Orders passed under sections 331 and 332 to have force of decrees, and to be subject to appeal.

333. The order passed under either of sections 331 and 332 shall be in the nature of, and shall have the same force as, a decree in a suit, and shall be subject to the same conditions as to appeal or otherwise.

Resisting or obstructing purchasers in obtaining possession of immoveable property.

334. If the purchaser of any immoveable property sold in execution of a decree be resisted or obstructed by the judgment-debtor or any one on his behalf in obtaining possession of the property, the provisions of this chapter relating to resistance or obstruction to a decree-holder in obtaining possession of the property adjudged to him, shall be applicable.

Obstruction by claimant other than defendant.

335. If it appear that the resistance or obstruction was occasioned by any person other than the judgment-debtor, not in possession of the property sold, but claiming a right thereto as proprietor, mortgagee, lessee or under any other title, the Court, on the complaint of the purchaser, shall enquire into the matter of the resistance or obstruction, and pass such order thereon as it thinks fit.

The party against whom such order is passed may institute a suit to establish the right which he claims to the present possession of the property, but subject to the result of such suit, if any, the order shall be conclusive.

I.—Of Arrest and Imprisonment.

Place of judgment-debtor's imprisonment.

336. A judgment-debtor may be arrested in execution of a decree at any hour and on any day, and shall as soon as practicable be brought before the Court, and his imprisonment may be in the civil jail of the district in which the Court ordering the imprisonment is situate, or, when such jail does not afford suitable accommodation, in any other place which the Local Government may appoint for the confinement of persons ordered to be imprisoned by the Courts of such district:

Arrest in houses.

Provided that no house shall be entered after sunset and before sunrise for the purpose of making an arrest under this section:

Proviso.

Provided also that when the decree in execution of which a judgment-debtor is arrested is a decree for money and the judgment-debtor pays the amount of the decree and the costs of the arrest to the officer arresting him, such officer shall at once release him.

The Local Government may, by notification published in the official Gazette, direct that whenever a judgment-debtor is arrested in execution of a decree for money and brought before the Court under this section, the Court shall inform him that he may apply under chapter XX to be declared an insolvent, and that he will be discharged if he has not committed any act of bad faith regarding the subject of his application and if he places all his property in possession of a receiver appointed by the Court.

If after such publication the judgment-debtor express his intention so to apply, and if he furnish sufficient security that he will appear when called upon, and that he will within one month apply under section 344 to be declared an insolvent, the Court shall release him from arrest:

But if he fails so to apply, the Court may either direct the security to be realised or commit him to jail in execution of the decree.

Warrant for arrest to direct judgment-debtor to be brought up.

337. Every warrant for the arrest of the judgment-debtor shall direct the officer entrusted with its execution to bring him before the Court with all convenient speed, unless the amount which he has been ordered to pay, together with the interest thereon and the costs, if any, to which he is liable, be sooner paid.

Scales of subsistence-allowances.

338. The Local Government may from time to time prescribe scales, graduated according to rank, race and nationality, of monthly allowances payable for the subsistence of judgment-debtors.

Judgment-debtor's subsistence-money.

339. No judgment-debtor shall be arrested in execution of a decree unless and until the decree-holder pays into court such sum as, having regard to the scales so fixed, the Judge thinks sufficient for the subsistence of the judgment-debtor from his arrest until he can be brought before the Court.

When a judgment-debtor is committed to jail in execution of a decree, the Court shall fix for his subsistence such monthly allowance as he may be entitled to according to the said scales, or where no such scales have been fixed, as it considers sufficient with reference to the class to which he belongs.

The monthly allowance fixed by the Court shall be supplied by the party on whose application the decree has been executed, to the proper officer of the Court by monthly payments in advance before the first day of each month.

The first payment shall be made for such portion of the current month as remains unexpired before the judgment-debtor is committed to jail.

Subsistence-money to be added to amount of decree.

340. Sums disbursed by the decree-holder for the subsistence of the judgment-debtor in jail shall be deemed to be costs on the suit:

Provided that the judgment-debtor shall not be detained in jail or arrested on account of any sum so disbursed.

Release of judgment-debtor.

341. The judgment-debtor shall be discharged from jail,

(*a*) on the decree being fully satisfied, or

(*b*) at the request of the person on whose application he has been imprisoned, or

(*c*) on such person omitting to pay the allowance as hereinbefore directed, or

(*d*) if the judgment-debtor be declared an insolvent, as hereinafter provided, or

(*e*) when the term of his imprisonment as limited by section 342 is fulfilled:

Provided that in the first, second, third and fourth cases mentioned in this section, the judgment-debtor shall not be discharged without the order of the Court.

A judgment-debtor discharged under this section is not thereby discharged from his debt, but he cannot be re-arrested under the decree in execution of which he was imprisoned.

Imprisonment not to exceed six months.

When not to exceed six weeks.

342. No person shall be imprisoned in execution of a decree for a longer period than six months;

or for a longer period than six weeks if the decree be for the payment of a sum of money not exceeding fifty rupees.

Endorsement on warrant.

343. The officer entrusted with the execution of the warrant shall endorse thereupon the day on, and the manner in, which it was executed; and if the latest day specified in the warrant for the return thereof has been exceeded, the reason of the delay; or if it was not executed, the reason why it was not executed, and shall return the warrant with such endorsement to the Court.

If the endorsement is to the effect that such officer is unable to execute the warrant, the Court shall examine him on oath touching his alleged inability, and may, if it think fit, summon and examine witnesses as to such inability and shall record the result.

CHAPTER XX.

OF INSOLVENT JUDGMENT-DEBTORS.

Power to apply to be declared an insolvent.

344. Any person arrested or imprisoned in execution of a decree for money may apply in writing to be declared an insolvent.

Such application shall be made to the District Court which ordered his arrest or imprisonment, or when the District Court did not make such order, then to the District Court to which the Court that made the order is subordinate.

Contents of application.

345. The application shall set forth—

(*a*) the fact of such person's arrest or imprisonment, the Court by whose order he was arrested or imprisoned, and the place in which he is in custody;

(*b*) the amount, kind and particulars of his property, and the value of any such property not consisting of money;

(*c*) the place or places in which such property is to be found;

(*d*) his willingness to put it at the disposal of the Court;

(*e*) the amount and particulars of all pecuniary claims against him; and

(*f*) the names and residences of his creditors, so far as they are known to or can be ascertained by him.

Subscription and verification of application.

346. The application shall be subscribed and verified by the applicant in manner hereinbefore prescribed for subscribing and verifying plaints.

Service on decree-holder of copy of application and notice.

347. The Court shall fix a day for hearing the application, and shall cause a copy thereof, with a notice in writing of the time and place at which it will be heard, to be stuck up in Court and served at the applicant's expense on the holder of the decree in execution of which he was arrested or imprisoned, or on the pleader of such decree-holder, and on the other creditors (if any) mentioned in the application.

The Court may, if it thinks fit, publish at the applicant's expense the application in such official Gazettes and public newspapers as it thinks fit.

Power to serve other creditors.

348. The Court may also, if it thinks fit, cause a like copy and notice to be served on any other person alleging himself to be a creditor of the applicant and applying for leave to be heard on the application.

Powers of Court as to applicant under arrest.

349. Where the applicant is under arrest, the Court may, pending the hearing under section 350, order him to be immediately committed to jail; or leave him in the custody of the officer to whom the service of the warrant was entrusted.

Procedure at hearing.

350. On the day so fixed, or on any subsequent day to which the Court may adjourn the hearing, the Court shall examine the applicant, in the presence of the persons on whom such notice has been served or their pleaders, as to his then circumstances and as to his future means of payment, and shall hear the said decree-holder, the other creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors, in opposition to the applicant's discharge; and may, if it thinks fit, grant time to the said decree-holder and other creditors or persons to adduce evidence showing that the applicant is not entitled to be declared an insolvent.

Declaration of insolvency and appointment of receiver.

351. If the Court is satisfied—

(*a*) that the statements in the application are substantially true;

(*b*) that the applicant has not, with intent to defraud his creditors, concealed, transferred or removed any part of his property since the institution of the suit in which was passed the decree in execution of which he was arrested or imprisoned or at any subsequent time;

(*c*) that he has not, knowing himself to be unable to pay his debts in full, recklessly contracted debts or given an unfair preference to any of his creditors by any payment or disposition of his property;

(*d*) that he has not committed any other act of bad faith regarding the matter of the application,

the Court may declare him to be an insolvent, and may also, if it think fit, make an order appointing a receiver of his property, or if it does not appoint such receiver, may discharge the insolvent.

Creditors to prove their debts.

Schedule to be framed.

352. The creditors mentioned in the application and the other persons (if any) alleging themselves to be creditors of the insolvent, shall then produce evidence of the amount and particulars of their respective pecuniary claims against him; and the Court shall by order determine the persons who have proved themselves to be the insolvent's creditors and their respective debts; and shall frame a schedule of such persons and debts; and the declaration under section 351 shall be deemed to be a decree in favour of each of the said creditors for their said respective debts.

A copy of every such schedule shall be stuck up in the court-house.

Nothing in this section shall be deemed to entitle a partner in an insolvent firm or, when he has died before the insolvency, his legal representative, to prove in competition with the creditors of the firm.

Applications by creditors.

353. Any creditor of the insolvent who is not mentioned in such schedule may, within three months from its publication, apply to the Court for permission to produce evidence of the amount and particulars of his pecuniary claims against the insolvent, and in case the applicant proves himself to be a creditor of the insolvent, for an order directing his name to be inserted in the schedule as a creditor for the debt so proved.

Any creditor mentioned in the schedule may within three months from the publication of the schedule apply to the Court for an order altering the schedule so far as regards the amount, nature, or particulars of his own debt, or to strike out the name of another creditor, or to alter the schedule so far as regards the amount, nature, or particulars of the debt of another creditor.

In the case of any application under this section, the Court, after causing such notices as it thinks fit to be served, at the applicant's expense, on the insolvent and the other creditors and hearing their objections, if any, may comply with or reject the application.

Effect of order appointing Receiver.

354. Every order under section 351 shall be published in the local official Gazette and shall operate to vest in the Receiver all the insolvent's property (except the particulars specified in the first proviso to section 266), whether set forth in his application or not.

Receiver to give security and collect assets.

355. The Receiver so appointed shall give such security as the Court may direct and shall possess himself of all such property, except as aforesaid;

Discharge of insolvent.

and on his certifying that the insolvent has placed him in possession thereof, or has done everything in his power for that purpose, the Court may discharge the insolvent from arrest or imprisonment, as the case may be, upon such conditions (if any) as the Court thinks fit.

Duty of Receiver.

356. The Receiver shall proceed under the direction of the Court—

(*a*) to convert the property into money:

(*b*) to pay thereout debts, fines and penalties (if any) due by the insolvent to Government:

(*c*) to pay the said decree-holder's costs:

(*d*) to distribute the balance among the scheduled creditors rateably according to the amounts of their respective debts, and without any preference;

His right to remuneration.

Delivery of surplus.

and such Receiver may retain as a remuneration for the performance of his duties a commission, to be fixed by the Court, not exceeding the rate of five per centum upon the amount of the balance so distributed (the amount of the commission so retained being deemed a distribution), and shall deliver the surplus, if any, to the insolvent or his legal representative.

Effect of discharge.

357. An insolvent discharged under section 355 shall not be arrested or imprisoned on account of any of the scheduled debts. But (subject to the provisions of section 358) his

property, whether previously or subsequently acquired (except the particulars specified in the first proviso to section 266 and except the property vested in the Receiver), shall, by order of the Court, be liable to attachment and sale until the decrees against him held by the scheduled creditors are fully satisfied or become incapable of being executed.

358. If the aggregate amount of the scheduled debts is two hundred rupees or a less sum, the Court may declare the insolvent discharged as aforesaid absolved from further liability in respect of such debts.

When Court may declare insolvent absolved from further liability.

359. Whenever, at the hearing under section 350, it is proved that the applicant has

Procedure in case of dishonest applicant.

(*a*) been guilty, in his application, of any concealment or of wilfully making any false statement as to the debts due by him, or respecting the property belonging to him, whether in possession or in expectancy, or held for him in trust;

(*b*) fraudulently concealed, transferred or removed any property; or

(*c*) committed any other act of bad faith regarding the matter of the application,

the Court shall, at the instance of any of his creditors, sentence him to imprisonment for a term which may extend to one year from the date of committal.

Or the Court may, if it think fit, send him to the Magistrate to be dealt with according to law.

360. The Local Government may, by notification in the official Gazette, invest any Court other than a District Court with the powers conferred on District Courts by sections 344 to 359 (both inclusive), and the District Judge may transfer to any Court situate in his district and so invested any case instituted under section 344.

Investment of other Courts with powers of District Courts.

Transfer of cases.

Any Court so invested may entertain any application under section 344 by any person arrested in execution of a decree of such Court.

PART II.

OF INCIDENTAL PROCEEDINGS.

CHAPTER XXI.

OF THE DEATH, MARRIAGE AND INSOLVENCY OF PARTIES.

361. The death of a plaintiff or defendant shall not cause the suit to abate if the cause of action survives.

No abatement by party's death, if cause of action survive.

Illustrations.

(*a*) A covenants with B and C to pay an annuity to B during C's life. B and C sue A to compel payment. B dies before the decree: the cause of action survives to C, and the suit does not abate.

(*b*) In the same case, all the parties die before decree. The cause of action survives to the representative of the survivor of B and C, and he may continue the suit against A's representative.

(*c*) A sues B for libel. A dies. The cause of action does not survive and the suit abates.

(*d*) A, a member of a Hindú joint family under the Mitákshará law, institutes a suit for partition of the family property. A dies leaving B, a minor son, his heir. The cause of action survives to B, and the suit does not abate.

362. If there be more plaintiffs or defendants than one, and any of them dies, and if the cause of action survives to the surviving plaintiff or plaintiffs alone, or against the surviving defendant or defendants alone, the Court shall cause an entry to that effect to be made on the record, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants.

Proceeding in case of death of one of several plaintiffs or defendants, if cause of action survive.

363. If there be more plaintiffs than one, and any of them dies, and if the cause of action does not survive to the surviving plaintiff or plaintiffs alone, but survives to him or them and the legal representative of the deceased plaintiff jointly, the Court may, on the application of such legal representative, enter his name on the record in the place of such deceased plaintiff, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs and such legal representative.

Proceeding in case of death of one of several plaintiffs where cause of action survives to survivors and representative of deceased.

364. If no application be made to the Court by any person claiming to be the legal representative of a deceased plaintiff, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs;

Proceeding where no application made by representative of deceased plaintiff.

and the legal representative (if any) of the deceased plaintiff shall be made a party and shall be interested in and bound by the decree passed in the suit, in the same manner as if the suit had proceeded at his instance conjointly with the surviving plaintiff or plaintiffs.

365. In case of the death of a sole plaintiff or sole surviving plaintiff, the Court may, where the cause of action survives, on the application of the legal representative of the deceased, enter his name in the place of such plaintiff on the record, and the suit shall thereupon proceed.

Proceeding in case of death of sole, or sole surviving, plaintiff.

366. If no such application be made to the Court by any person claiming to be the legal representative of the deceased plaintiff, the Court may pass an order that the suit shall abate, and award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the estate of the deceased plaintiff;

Abatement where no application by representative of deceased plaintiff.

or the Court may, if it think proper, on the application of the defendant, and upon such terms as to costs or otherwise as it thinks fit, pass such other order as it thinks fit for bringing in the legal representative of the deceased plaintiff, or for proceeding with the suit in order to a final determination of the matter in dispute, or for both those purposes.

Explanation.—A certificate of heirship, or a certificate to collect debts, does not of itself constitute the person holding it the legal representative of the deceased. But when the person holding any such certificate obtains thereby property belonging to the deceased, he may be treated as a legal representative liable in respect of such property.

367. If any dispute arise as to who is the legal representative of a deceased plaintiff, the Court may either stay the suit until the fact has been determined in another suit, or decide at or before the hearing of the suit who shall be admitted to be such legal representative for the purpose of prosecuting the suit.

Procedure in case of dispute as to representative of deceased plaintiff.

368. If there be more defendants than one, and any of them die before decree and the cause of action does not survive against the surviving defendant or defendants alone,

Procedure in case of death of one of several defendants, or of sole or sole surviving defendant.

and also in case of the death of a sole defendant, or sole surviving defendant, where the right to sue survives,

the plaintiff may make an application to the Court, specifying the name, description and place of abode of any person whom he alleges to be the legal representative of the deceased defendant, and whom he desires to be made the defendant in his stead.

The Court shall thereupon enter the name of such representative on the record in the place of such defendant,

and shall issue a summons to such representative to appear on a day to be therein mentioned to defend the suit;

and the case shall thereupon proceed in the same manner as if such representative had originally been made a defendant and had been a party to the former proceedings in the suit:

Provided that the person so made defendant may object that he is not the legal representative of the deceased defendant, or may make any defence appropriate to his character as such representative.

369. The marriage of a female plaintiff or defendant shall not cause the suit to abate, but the suit may notwithstanding be proceeded with to judgment, and where the decree is against a female defendant, it may thereupon be executed against her alone.

Suit not abated by marriage of female party.

If the case is one in which the husband is by law liable for the debts of his wife, the decree may, with the permission of the Court, be executed against the husband also; and in case of judgment for the wife, execution of the decree may with such permission be issued upon the application of the husband, where the husband is by law entitled to the subject-matter of the decree.

370. The bankruptcy or insolvency of a plaintiff in any suit which his assignee or the receiver appointed under section 351 might maintain for the benefit of his creditors shall not bar the suit, unless such assignee or receiver declines to continue the suit and to give security for the costs thereof within such time as the Court may order.

When plaintiff's bankruptcy or insolvency bars suit.

If the assignee or receiver neglect or refuse to continue the suit and to give such security within the time so ordered, the defendant may apply for the dismissal of the suit on the ground of the plaintiff's bankruptcy or insolvency, and the Court may dismiss the suit and award to the defendant the costs which he has incurred in defending the same, to be proved as a debt against the plaintiff's estate.

Procedure when assignee fails to continue suit or give security.

371. When a suit abates or is dismissed under this chapter, no fresh suit shall be brought on the same cause of action.

Effect of abatement on parties' rights.

But the person claiming to be the legal representative of the deceased bankrupt or insolvent plaintiff, may apply for an order to set aside the order for abatement or dismissal; and if it be proved that he was prevented by any sufficient cause from continuing the suit, the Court shall set aside the abatement or dismissal upon such terms as to costs or otherwise as it thinks fit.

Application to set aside abatement or dismissal.

372. In other cases of assignment, creation or devolution of any interest pending the suit, the suit may, with the leave of the Court, given either with the consent of all parties or after service of notice in writing upon them, and hearing their objections, if any, be continued by or against the person to whom such interest has come, either in addition to or in substitution for the person from whom it has passed, as the case may require.

Procedure in case of assignment pending the suit.

CHAPTER XXII.

OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

373. If, at any time after the institution of the suit, the Court is satisfied on the application of the plaintiff (*a*) that the suit must fail by reason of some formal defect, or (*b*) that there are sufficient grounds for permitting him to withdraw from the suit or to abandon part of his claim with liberty to bring a fresh suit for the subject-matter of the suit or for the part so abandoned, the Court may grant such permission on such terms as to costs or otherwise as it thinks fit.

Power to allow plaintiff to withdraw with liberty to bring fresh suit.

If the plaintiff withdraw from the suit, or abandon part of his claim, without such permission, he shall be liable for such costs as the Court may award, and shall be precluded from bringing a fresh suit for the same matter.

Nothing in this section shall be deemed to authorize the Court to permit one of several plaintiffs to withdraw without the consent of the others.

374. In any fresh suit instituted on permission granted under the last preceding section, the plaintiff shall be bound by the law of limitation in the same manner as if the first suit had not been brought.

Limitation-law not affected by first suit.

375. If a suit be adjusted by any lawful agreement or compromise, or if the defendant satisfy the plaintiff in respect to the matter of the suit, such agreement, compromise or satisfaction shall be recorded, and the Court shall pass a decree in accordance therewith so far as it relates to the suit, and such decree shall be final.

Compromise of suits.

CHAPTER XXIII.

OF PAYMENT INTO COURT.

376. The defendant in any suit to recover a debt or damages, may, at any stage of the suit, deposit in Court such sum of money as he considers a satisfaction in full of the claim.

Deposit by defendant of amount in satisfaction of claim.

377. Notice of the deposit shall be given by the defendant to the plaintiff, and the amount of the deposit shall (unless the Court otherwise directs) be paid to the plaintiff on his application.

Notice of deposit.

378. No interest shall be allowed to the plaintiff on any sum deposited by the defendant from the date of the receipt of such notice, whether the sum deposited be in full of the claim or fall short thereof.

Interest on sum deposited not allowed to plaintiff after receipt of notice.

379. If the plaintiff accept such amount only as satisfaction in part of his claim, he may prosecute his suit for the balance; and if the Court decides that the deposit by the defendant was a full satisfaction of the plaintiff's claim, the plaintiff must pay the costs of the suit incurred after the deposit and the costs incurred previous thereto, so far as they were caused by excess in the plaintiff's claim.

Procedure where plaintiff accepts deposit as satisfaction in part.

If the plaintiff accept such amount as satisfaction in full of his claim, he shall present to the Court a statement to that effect, and such statement shall be filed and the Court shall pass judgment accordingly, and in directing by whom the costs of each party are to be paid, the Court shall consider which of the parties is most to blame for the litigation.

Procedure where he accepts it as satisfaction in full.

Illustrations.

(*a*) A owes B Rs. 100. B sues A for the amount, having made no demand for payment and having no reason to believe that the delay caused by making a demand would place him at a disadvantage. On the plaint being filed, A pays the money into Court. B accepts it in full satisfaction of his claim, but the Court should not allow him any costs, the litigation being presumably groundless on his part.

(*b*) B sues A under the circumstances mentioned in illustration (*a*). On the plaint being filed, A disputes the claim. Afterwards A pays the money into Court. B accepts it in full satisfaction of his claim. The Court should also give B his costs of suit, A's conduct having shown that the litigation was necessary.

(*c*) A owes B Rs. 100 and is willing to pay him that sum without suit. B claims Rs. 150 and sues A for that amount. On the plaint being filed, A pays Rs. 100 into Court and disputes only his liability to pay the remaining Rs. 50. B accepts the Rs. 100 in full satisfaction of his claim. The Court should order him to pay A's costs.

CHAPTER XXIV.

OF REQUIRING SECURITY FOR COSTS.

380. If, at the institution or at any subsequent stage of a suit, it appears to the Court that a sole plaintiff is, or (when there are more plaintiffs than one) that all the plaintiffs are, residing out of British India, and that such plaintiff does not, or that no one of such plaintiffs does, possess any sufficient immoveable property within British India independent of the property in suit, the Court may, either of its own motion or on the application of any defendant, order the plaintiff or plaintiffs, within a time to be fixed by the order, to give security for the payment of all costs incurred and likely to be incurred by any defendant.

When security for costs may be required from plaintiff at any stage of suit.

381. In the event of such security not being furnished within the time so fixed, the Court shall dismiss the suit unless the plaintiff or plaintiffs be permitted to withdraw therefrom under the provisions of section 373.

Procedure where requisition is not complied with.

382. Whoever leaves British India under such circumstances as to afford reasonable probability that he will not be forthcoming whenever he may be called upon to pay costs shall be deemed to be residing out of British India, within the meaning of section 380.

Residence out of British India.

CHAPTER XXV.

OF COMMISSIONS.

A.—Commissions to examine Witnesses.

383. Any Court may in any suit issue a commission for the examination on interrogatories or otherwise of persons resident within the local limits of its jurisdiction, who are exempted under this Code from attending the Court, or who are from sickness or infirmity unable to attend it.

Cases in which Court may issue commission to examine witness.

384. Such order may be made by the Court either of its own motion, or on the application, supported by affidavit, of any party to the suit or of the witness to be examined.

Order for commission may be made either on application of parties or by Court of its own accord.

385. The commission for the examination of a person who resides within the local limits of the jurisdiction of the Court issuing the same, may be issued to any person whom the Court thinks fit to execute the same.

When witness resides within Court's jurisdiction.

386. Any Court may in any suit issue a commission for the examination of—

When witness resides beyond Court's jurisdiction, but in British India.

(*a*) any person resident beyond the local limits of its jurisdiction;

(*b*) persons who are about to leave such limits before the date on which they are required to be examined in Court; and

(*c*) civil and military officers of Government who cannot, in the opinion of the Judge, attend the Court without detriment to the public service.

Such commission shall ordinarily be issued to any Court not being a High Court, within the local limits of whose jurisdiction such person resides, and which can most conveniently execute the same:

Provided that if he resides beyond the local limits of the jurisdiction of the Court issuing the commission and within the towns of Calcutta, Madras, Bombay or Rangoon, the commission shall be issued to the Court of Small Causes within whose jurisdiction he resides:

When witness is within local limits of ordinary original civil jurisdiction of a High Court.

Provided also that, under special circumstances, the commission may be directed to any person whom the Court issuing the commission thinks fit to appoint.

The Court on issuing any commission under this section shall direct whether the commission shall be returned to itself or to any subordinate Court.

387. When any Court to which application is made for the issue of a commission for the examination of a person residing at any place not within British India is satisfied that his evidence is necessary, the Court may issue such commission.

When witness is not within British India.

388. Every Court receiving a commission for the examination of any person shall examine him pursuant thereto.

Court to examine witness pursuant to commission.

389. After the commission has been duly executed, it shall be returned, together with the evidence taken under it, to the Court out of which it issued, unless the order for issuing the commission has otherwise directed, in which case the commission shall be returned in terms of such order; and the commission and the return thereto, and the evidence taken under it, shall (subject to the provisions of the next following section) form part of the record of the suit.

Commission when executed to be returned by Court issuing it with depositions of witnesses.

390. Evidence taken under a commission shall not be read as evidence in the suit without the consent of the party against whom the same is offered, unless

When depositions may be read in evidence.

(*a*) the person who gave the evidence is beyond the jurisdiction of the Court, or dead, or unable from sickness or infirmity to attend to be personally examined, or exempted from personal appearance in Court, or

(*b*) the Court in its discretion dispenses with the proof of any of the circumstances mentioned in the last preceding clause, and authorizes the evidence of any person being read as evidence in the suit, notwithstanding proof that the cause for taking such evidence by commission has ceased at the time of reading the same.

391. The provisions hereinbefore contained as to the execution and return of commissions shall apply to commissions issued by

Provisions as to execution and return of commissions to apply to commissions issued by foreign Courts.

(*a*) Courts situate beyond the limits of British India and established by the authority of Her Majesty or of the Governor General in Council, or

(*b*) Courts situate in any part of the British Empire other than British India, or

(*c*) Courts of any foreign country for the time being in alliance with Her Majesty.

B.—Commissions for Local Investigations.

392. In any suit or proceeding in which the Court deems a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the market-value of any property, or the amount of any mesne profits or damages or annual nett profits, and the same cannot be conveniently conducted by the Judge in person, the Court may issue a commission to such person as it thinks fit, directing him to make such investigation and to report thereon to the Court:

Commission to make local investigations.

Provided that, when the Local Government has made rules as to the persons to whom such commission shall be issued, the Court shall be bound by such rules.

393. The Commissioner, after such local inspection as he deems necessary, and after reducing to writing the evidence taken by him, shall return such evidence, together with his report in writing, subscribed with his name, to the Court.

Procedure of Commissioner.

The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court, or any of the parties to the suit may, with the permission of the Court, examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to the manner in which he has made the investigation.

Report and depositions to be evidence in suit.

Commissioner may be examined in person.

C.—Commissions to examine Accounts.

394. In any suit in which an examination or adjustment of accounts is necessary, the Court may issue a commission to such person as it thinks fit directing him to make such examination or adjustment.

Commission to examine or adjust accounts.

395. The Court shall furnish the Commissioner with such part of the proceedings and such detailed instructions as appear necessary,

Court to give Commissioner necessary instructions.

and the instructions shall distinctly specify whether the Commissioner is merely to transmit the proceedings which he may hold on the inquiry, or also to report his own opinion on the point referred for his examination.

The proceedings of the Commissioner shall be received in evidence in the suit, unless the Court has reason to be dissatisfied with them, in which case the Court shall direct such further inquiry as is requisite.

Proceedings of Commissioner receivable in evidence.

Power to make further inquiry.

D.—Commission to make Partition.

396. In any suit in which the partition of immoveable property not paying revenue to Government appears to the Court to be necessary, the Court, after ascertaining the several parties interested in such property and their several rights therein, may issue a commission to such persons as it thinks fit to make a partition according to such rights.

Commission to make partition of non-revenue-paying immoveable property.

The Commissioners shall ascertain and inspect the property, and shall divide the same into as many shares as may be directed by the order under which the commission issues, and shall allot such shares to the parties, and may, if authorized thereto by the said order, award sums to be paid for the purpose of equalizing the value of the shares.

The Commissioners shall then prepare and sign a report, or (if they cannot agree) separate reports, appointing the share of each party, and dis-

tinguishing each share (if so directed by the said order) by metes and bounds. Such report or reports shall be annexed to the commission and transmitted to the Court: and the Court, after hearing any objections which the parties may make to the report or reports shall either quash the same and issue a new commission, or (where the Commissioners agree in their report) pass a decree in accordance therewith.

E.—General Provisions.

397. Before issuing any commission under this chapter, the Court may order such sum (if any) as it thinks reasonable for the expenses of the commission to be paid into Court by the party at whose instance or for whose benefit the commission is issued.

Expenses of commission to be paid into Court.

398. Any Commissioner appointed under this chapter may, unless otherwise directed by the order of appointment,

Commissioner may examine parties and witnesses and call for papers.

(*a*) examine the parties themselves and any witness whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him:

(*b*) call for and examine documents and other things relevant to the subject of inquiry:

(*c*) at any reasonable time enter upon or into any land or building mentioned in the order.

399. The provisions of this Code relating to the summoning, attendance and examination of witnesses and to the remuneration of, and penalties to be imposed upon, witnesses, shall apply to persons required to give evidence or to produce documents under this chapter, whether the commission in execution of which they are so required has been issued by a Court situate within, or by a Court situate beyond, the limits of British India.

Attendance, examination and punishment of witnesses before Commissioner.

400. Whenever a commission is issued under this chapter, the Court shall direct that the parties to the suit shall appear before the Commissioner in person or by their agents or pleaders.

Procedure *ex parte* where parties do not appear.

If the parties do not so appear, the Commissioner may proceed *ex parte*.

PART III.
OF SUITS IN PARTICULAR CASES.

CHAPTER XXVI.
SUITS BY PAUPERS.

401. Subject to the following rules, any suit may be brought by a pauper.

Suits may be brought *in forma pauperis*.

Explanation.—A person is a 'pauper' when he is not possessed of sufficient means to enable him to pay the fee prescribed by law for the plaint in such suit, or, where no such fee is prescribed, when he is not entitled to property worth one hundred rupees other than his necessary wearing apparel and the subject-matter of the suit.

402. No suit shall be brought by a pauper to recover compensation for loss of caste, libel, slander, abusive language or assault.

What suits excepted.

403. The application for permission to sue by a pauper shall be in writing, and shall contain the particulars required by section 50 in regard to plaints in suits: a schedule of any moveable or immoveable property belonging to the petitioner, with the estimated value thereof, shall be annexed thereto; and it shall be subscribed and verified in the manner hereinbefore prescribed for the subscription and verification of plaints.

Application to be in writing.

Contents of application.

404. Notwithstanding anything contained in section 36, the application shall be presented to the Court by the applicant in person unless he is exempted from appearing in Court under section 640 or 641, in which case the application may be presented by a duly authorized agent, who can answer all material questions relating to the application, and who may be examined in the same manner as the party represented by him might have been examined had such party attended in person.

Presentation of application.

405. If the application be not framed or presented in the manner prescribed by sections 403 and 404, the Court shall reject it.

Rejection of application.

406. If the application be in proper form and duly presented, the Judge shall examine the petitioner, or his agent when the applicant is allowed to appear by agent, regarding the merits of the claim and the property of the applicant.

Examination of applicant.

When the application is presented by an agent, the Court may, if it thinks fit, order that the applicant be examined by a commission in the manner in which the examination of an absent witness may be taken under the provisions of this Code.

If presented by agent, Court may order applicant to be examined by commission.

407. If it appear to the Court upon such examination

Rejection of application.

(*a*) that the applicant is not a pauper, or

(*b*) that he has, within the two months next before the presentation of the application, disposed of any property fraudulently or with a view to obtain the benefit of this chapter, or

(*c*) that his allegations do not show a right to sue in such Court, or

(*d*) that he has entered into any agreement with reference to the subject-matter of the proposed suit under which any other person has obtained an interest in such subject-matter,

the Court shall reject the application.

408. If upon such examination the Court sees no reason to refuse the application on any of the grounds stated in section 407, it shall fix a day (of which at least ten days' previous notice shall be given to the opposite party and the Government Pleader) for receiving such evidence as the applicant may adduce in proof of his pauperism, and

Notice of day for receiving evidence of applicant's pauperism.

for hearing any evidence which may be adduced in disproof thereof.

409. On the day so fixed, or as soon thereafter as may be convenient, the Court shall examine the witnesses (if any) produced by either party, and may cross-examine the applicant or his agent, and shall make a memorandum of the substance of their evidence.

Procedure at hearing.

The Court shall also hear any argument which the parties may desire to offer on the question whether, on the face of the application and of the evidence (if any) taken by the Court as herein provided, the applicant is or is not subject to any of the prohibitions specified in section 407.

The Court shall then either allow or refuse to allow the applicant to sue as a pauper.

410. If the application be granted, it shall be numbered and registered, and shall be deemed the plaint in the suit, and the suit shall proceed in all other respects as a suit instituted under chapter V, except that the plaintiff shall not be liable to any court-fee (other than fees payable for service of process) in respect of any petition, appointment of a pleader, or other proceeding connected with the suit.

Procedure if application admitted.

411. If the plaintiff succeed in the suit, the Court shall calculate the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper; and such amount shall be a first charge on the subject-matter of the suit, and shall also be recoverable by the Government from any party ordered by the decree to pay the same, in the same manner as costs of suit are recoverable under this Code.

Costs when pauper succeeds.

Recovery of court-fees.

412. If the plaintiff fails in the suit, or if he is dispaupered, the Court shall order the plaintiff, or any person made under section 32 co-plaintiff to the suit, to pay the court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper;

and, if it find that the suit was frivolous or vexatious, it may also punish the plaintiff with fine not exceeding one hundred rupees, or with imprisonment for a term which may extend to a month, or with both.

Procedure when pauper fails.

413. Refusal to allow the applicant to sue as a pauper shall be a bar to any subsequent application of the like nature by him in respect of the same right to sue; but the applicant shall be at liberty to institute a suit in the ordinary manner in respect of such right, provided that he first pays the costs (if any) incurred by Government in opposing his application for leave to sue as a pauper.

Refusal to allow applicant to sue as pauper to bar subsequent application of like nature.

414. The Court may, on motion by the defendant, or by the Government Pleader, of which one week's notice in writing has been given to the plaintiff, order the plaintiff to be dispaupered—

Dispaupering.

(*a*) if he is guilty of vexatious or improper conduct in the course of the suit;

(*b*) if it appears that his means are such that he ought not to continue to sue as a pauper, or

(*c*) if he has entered into any agreement with reference to the subject-matter of the suit, under which any other person has obtained an interest in such subject-matter.

415. The costs of an application for permission to sue as a pauper and of an inquiry into pauperism are costs in the suit.

Costs.

CHAPTER XXVII.
SUITS BY OR AGAINST GOVERNMENT OR PUBLIC OFFICERS.

416. Suits by or against the Government shall be instituted by or against (as the case may be) the Secretary of State for India in Council.

Suits by or against Secretary of State in Council.

417. Persons being *ex-officio* or otherwise authorized to act for Government in respect of any judicial proceeding, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of Government.

Persons authorized to act for Government.

418. In suits by the Secretary of State for India in Council, instead of inserting in the plaint the name and description and place of abode of the plaintiff, it shall be sufficient to insert the words "The Secretary of State for India in Council."

Plaints in suits by Secretary of State in Council.

419. The Government Pleader in any Court shall be the agent of the Government for the purpose of receiving processes against the said Secretary of State in Council issuing out of such Court.

Agent of Government to receive process.

420. The Court, in fixing the day for the said Secretary of State in Council to answer to the plaint, shall allow a reasonable time for the necessary communication with the Government through the proper channels, and for the issue of intructions to the Government Pleader to appear and answer on behalf of the said Secretary of State in Council or the Government, and may extend the time at its discretion.

Appearance and answer by Secretary of State in Council.

421. The Court may also in any case in which the Government Pleader is not accompanied by any person on the part of the said Secretary of State in Council, who may be able to answer any material questions relating to the suit, direct the attendance of such a person.

Attendance of person able to answer questions relating to suit against Government.

422. Where the defendant is a public officer, the Court may send a copy of the summons to the head of the office in which the defendant is employed, for the purpose of being

Service on public officers.

served on him, if it appear to the Court that the summons may be most conveniently so served.

Extension of time to enable officer to make reference to Government.

423. If the public officer on receiving the summons considers it proper to make a reference to the Government before answering to the plaint, he may apply to the Court to grant such extension of the time fixed in the summons as may be necessary to enable him to make such reference and to receive orders thereon through the proper channel;

and the Court upon such application may extend the time for so long as appears to be requisite.

Notice previous to suing Secretary of State in Council or public officer.

424. No suit shall be instituted against the said Secretary of State in Council or against a public officer until the expiration of two months next after notice in writing has been in the case of the Secretary of State in Council delivered to, or left at the office of, a Secretary to the Local Government or the Collector of the District, and, in the case of a public officer, delivered to him or left at his office, stating the cause of action and the name and place of abode of the intending plaintiff; and the plaint must contain a statement that such notice has been so delivered or left.

Arrests in such suits.

425. No warrant of arrest shall be issued in such suit without the consent in writing of the District Judge.

Application where Government undertakes defence.

426. If the Government undertake the defence of a suit against a public officer, the Government Pleader, upon being furnished with authority to appear and answer to the plaint, shall apply to the Court, and upon such application the Court shall cause a note of his authority to be entered in the register.

Procedure where no such application made.

Defendant not liable to arrest before judgment.

427. If such application is not made by the Government Pleader on or before the day fixed in the notice for the defendant to appear and answer to the plaint, the case shall proceed as in a suit between private parties, except that the defendant shall not be liable to arrest, nor his property to attachment, otherwise than in execution of a decree.

Exemption of public officers from personal appearance.

428. In a suit against a public officer the Court shall exempt the defendant from appearing in person when he satisfies the Court that he cannot absent himself from his duty without detriment to the public service.

Procedure where decree is against Government or a public officer.

429. When the decree is against the said Secretary of State in Council or against a public officer, a time shall be specified in the decree within which it shall be satisfied; and if the decree is not satisfied within the time so specified, the Court shall report the case for the orders of the Local Government.

Execution shall not issue on any such decree unless it remains unsatisfied for the period of three months computed from the date of the report.

CHAPTER XXVIII.

SUITS BY ALIENS AND BY OR AGAINST FOREIGN AND NATIVE RULERS.

When aliens may sue.

430. Alien enemies residing in British India with the permission of the Governor General in Council and alien friends may sue in the Courts of British India as if they were subjects of Her Majesty.

No alien enemy residing in British India without such permission, or residing in a foreign country, shall sue in any of such Courts.

Explanation.—Every person residing in a foreign country, the Government of which is at war with the United Kingdom of Great Britain and Ireland and carrying on business in that country without a license in that behalf under the hand of one of Her Majesty's Secretaries of State or of a Secretary to the Government of India, shall, for the purpose of the second paragraph of this section, be deemed to be an alien enemy residing in a foreign country.

When a foreign State may sue.

431. A foreign State may sue in the Courts of British India, provided that—

(*a*) it has been recognized by Her Majesty or the Governor General in Council, and

(*b*) the object of the suit is to enforce the private rights of the head or of the subjects of the foreign State.

The Court shall take judicial notice of the fact that a foreign State has not been recognized by Her Majesty or by the Governor General in Council.

Persons specially appointed by Government to prosecute or defend for Princes or Chiefs.

432. Persons specially appointed by order of Government at the request of any Sovereign Prince or ruling Chief, whether in subordinate alliance with the British Government or othrewise, and whether residing within or without British India, to prosecute or defend any suit on his behalf, shall be deemed to be the recognized agents by whom appearances, acts and applications under this Code may be made or done on behalf of such Prince or Chief.

Suits against Sovereign Princes, &c.

433. Any such Prince or Chief, and any ambassador or envoy of a foreign State may, with the consent of Government certified by the signature of one of its Secretaries (but not without such consent) be sued in any competent Court not subordinate to a District Court;

Such consent shall not be given unless—

(*a*) the Prince, Chief, ambassador or envoy has instituted a suit in such Court against the person desiring to sue him, or

(*b*) the Prince, Chief, ambassador or envoy by himself or another trades within the local limits of the jurisdiction of such Court; or

(*c*) the subject-matter of the suit is immoveable property situate within the said local limits and in the possession of the Prince, Chief, ambassador or envoy.

Sovereign Princes, &c., exempt from arrest.

When their property may be attached.

No such Prince, Chief, ambassador or envoy shall be arrested under this Code; and no decree shall be executed against the property of any such Prince, Chief, ambassador or envoy unless with consent of Government certified as aforesaid.

Execution in British India of decrees of Courts of Native States.

434. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*a*) declare that the decrees of any Courts situate in the territories of any Native Prince or State in alliance with Her Majesty, and not established by the authority of the Governor General in Council, may be executed in British India as if they had been made by the Courts of British India, and

(*b*) cancel any such declaration.

So long as such declaration remains in force, the said decrees may be executed accordingly.

CHAPTER XXIX.

SUITS BY AND AGAINST CORPORATIONS AND COMPANIES.

Subscription and verification of plaint.

435. In suits by a Corporation, or by a Company authorized to sue and be sued in the name of an officer or of a trustee, the plaint may be subscribed and verified on behalf of the Corporation or Company by any director, secretary, or other principal officer of the Corporation or Company, who is able to depose to the facts of the case.

Service on Corporation or Company.

436. When the suit is against a Corporation, or against a Company authorized to sue and be sued in the name of an officer or of a trustee, the summons may be served

(*a*) by leaving it at the registered office (if any) of the Corporation or Company, or

(*b*) by sending it by post in a letter addressed to such officer or trustee at the office (or if there be more offices than one, at the principal office in British India) of the Corporation or Company, or

(*c*) by giving it to any director, secretary or other principal officer of the Corporation or Company,

and the Court may require the personal appearance of any director, secretary or other principal officer of the Corporation or Company who may be able to answer material questions relating to the suit.

CHAPTER XXX.

SUITS BY AND AGAINST TRUSTEES, EXECUTORS AND ADMINISTRATORS.

Representation of beneficiaries in suits concerning property vested in trustees, &c.

437. In all suits concerning property vested in a trustee, executor or administrator, the trustee, executor or administrator shall represent the persons beneficially interested in such property; and it shall not ordinarily be necessary to make such persons parties to the suit. But the Court may, if it think fit, order them or any of them to be made such parties.

Joinder of executors and administrators.

438. When there are several executors or administrators, they shall all be made parties to a suit against one or more of them:

Provided that executors who have not proved their testator's will, and executors and administrators beyond the local limits of the jurisdiction of the Court, need not be made parties.

Husband of married executrix not to join.

439. Unless the Court directs otherwise, the husband of a married administratrix or executrix shall not be a party to a suit by or against her.

CHAPTER XXXI.

SUITS BY AND AGAINST MINORS AND PERSONS OF UNSOUND MIND.

Minor must sue by next friend.

Costs.

440. Every suit by a minor shall be instituted in his name by an adult person, who in such suit shall be called the next friend of the minor, and may be ordered to pay any costs in the suit as if he were the plaintiff.

Applications to be made by next friend or guardian *ad litem*.

441. Every application to the Court on behalf of a minor (other than an application under section 451) shall be made by his next friend, or his guardian for the suit.

Plaint filed without next friend to be taken off the file.

Costs.

442. If a plaint be filed by or on behalf of a minor, without a next friend, the defendant may apply to have the plaint taken off the file, with costs to be paid by the pleader or other person by whom it was presented. Notice of such application shall be given to such person by the defendant; and the Court, after hearing his objections, if any, may make such order in the matter as it thinks fit.

Guardian *ad litem* to be appointed by the Court.

443. Where the defendant to a suit is a minor, the Court, on being satisfied of the fact of his minority, shall appoint a proper person to be guardian for the suit for such minor, to put in the defence for such minor, and generally to act on his behalf in the conduct of the case.

A guardian for the suit is not a guardian of person or property within the meaning of the Indian Majority Act, 1875, section 3.

Order obtained without next friend or guardian may be discharged.

Costs.

444. Every order made in a suit or on any application before the Court, in or by which a minor is in any way concerned or affected, without such minor being represented by a next friend or guardian for the suit, as the case may be, may be discharged, and, if the pleader of the party at whose instance such order was obtained knew, or might reasonably have known, the fact of such minority, with costs to be paid by such pleader.

Who may be next friend.

445. Any person being of sound mind and full age may act as next friend of a minor, provided his interest is not adverse to that of such minor, and he is not a defendant in the suit.

446. If the interest of the next friend of a minor is adverse to that of such minor, or if he is so connected with a defendant whose interest is adverse to that of the minor, as to make it unlikely that the minor's interest will be properly protected by him, or if he does not do his duty, or, pending the suit, ceases to reside within British India, or for any other sufficient cause, application may be made on behalf of the minor or by a defendant for his removal; and the Court (if satisfied of the sufficiency of the cause assigned) may order the next friend to be removed accordingly.

Removal of next friend.

447. Unless otherwise ordered by the Court, a next friend shall not retire at his own request without first procuring a fit person to be put in his place, and giving security for the costs already incurred.

Retirement of next friend.

The application for the appointment of a new next friend shall be supported by affidavit showing the fitness of the person proposed, and also that he has no interest adverse to the minor.

Application for appointment of new next friend.

448. On the death or removal of the next friend of a minor, further proceedings shall be stayed until the appointment of a next friend in his place.

Stay of proceedings on death or removal of next friend.

449. If the pleader of such minor omits, within reasonable time, to take steps to get a new next friend appointed, any person interested in the minor or the matter at issue may apply to the Court for the appointment of one, and the Court may appoint such person as it thinks fit.

Application for appointment of new next friend.

450. A minor plaintiff, or a minor not a party to a suit on whose behalf an application is pending, on coming of age must elect whether he will proceed with the suit or application.

Course to be followed by minor plaintiff or applicant on coming of age.

451. If he elects to proceed with it, he shall apply for an order discharging the next friend, and for leave to proceed in his own name.

Where he elects to proceed.

The title of the suit or application shall in such case be corrected so as to read thenceforth thus:

"*A. B.* late a minor by *C. D.*, his next friend, but now of full age."

452. If he elects to abandon the suit or application, he shall, if a sole plaintiff, or sole applicant, apply for an order to dismiss the suit or application on repayment of the costs incurred by the defendant or respondent, or which may have been paid by his next friend.

Where he elects to abandon.

Costs.

453. Any application under section 451 or section 452 may be made ex parte; and it must be proved by affidavit that the late minor has attained his full age.

Making and proving applications under sections 451, 452.

454. A minor co-plaintiff on coming of age, and desiring to repudiate the suit must apply to have his name struck out as co-plaintiff; and the Court, if it find that he is not a necessary party, shall dismiss him from the suit on such terms as to costs or otherwise as it thinks fit.

When minor co-plaintiff.

Notice of the application shall be served on the next friend, as well as on the defendant; and it must be proved by affidavit that the late minor has attained his full age. The costs of all parties of such application and of all or any proceedings theretofore had in the suit shall be paid by such persons as the Court directs.

Costs.

If the late minor be a necessary party to the suit, the Court may direct him to be made a defendant.

455. If any minor on attaining majority can prove to the satisfaction of the Court that a suit instituted in his name by a next friend was unreasonable or improper, he may, if a sole plaintiff, apply to have the suit dismissed.

When suit unreasonable or improper.

Notice of the application shall be served on all the parties concerned: and the Court, upon being satisfied of such unreasonableness or impropriety, may grant the application, and order the next friend to pay the costs of all parties in respect of the application and of anything done in the suit.

Costs.

456. An order for the appointment of a guardian for the suit may be obtained upon application in the name of the minor. Such application must be supported by an affidavit verifying the fact that the proposed guardian has no interest in the matters in question in the suit adverse to that of the minor, and that he is a fit person to be so appointed.

Petition for appointment of guardian *ad litem*.

457. A co-defendant of sound mind and of full age may be appointed guardian for the suit, if he has no interest adverse to that of the minor; but neither a plaintiff, nor a married woman, can be so appointed.

Who may be guardian *ad litem*.

458. If the guardian for the suit of a minor defendant does not do his duty, or if other sufficient ground be made to appear, the Court may remove him, and may order him to pay such costs as may have been occasioned to any party by his breach of duty.

Guardian neglecting his duty may be removed.

Costs.

459. If the guardian for the suit dies pending such suit or is removed by the Court, the Court shall appoint a new guardian in his place.

On death of guardian, *pendente lite*, new guardian to be appointed.

460. When the enforcement of a decree is applied for against the heir or representative, being a minor, of a deceased party, a guardian for the suit of such minor shall be appointed by the Court, and the decree-holder shall serve on such guardian notice of such application.

When decree to be enforced against heir or representative.

461. No sum of money or other thing shall be received or taken by a next friend or guardian for the suit at any time on behalf of a minor, at any time before decree or order, unless he has first obtained the leave of the Court, and given security to its satisfaction that such money or other thing shall be duly accounted for, to, and held for the benefit of, such minor.

Before decree, next friend or guardian *ad litem* not to receive money without leave of Court and giving security.

462. No next friend or guardian for the suit shall, without the leave of the Court, enter into any agreement or compromise on behalf of a minor, with reference to the suit in which he acts as next friend or guardian.

Next friend or guardian *ad litem* not to compromise without leave of Court.

Any such agreement or compromise entered into without the leave of the Court shall be voidable against all parties other than the minor.

Compromise without leave voidable.

463. The provisions contained in sections 440 to 462 (both inclusive) shall, *mutatis mutandis*, apply in the case of persons of unsound mind, adjudged to be so under Act No. XXXV of 1858, or under any other law for the time being in force.

Application of sections 440 to 462 to persons of unsound mind.

464. Nothing in sections 442 to 462 applies to any minor or person of unsound mind, for whose person or property a guardian or manager has been appointed by the Court of Wards or by the Civil Court under any local law.

Wards of Court.

CHAPTER XXXII.

SUITS BY AND AGAINST MILITARY MEN.

465. When any officer or soldier actually serving the Government in a military capacity is a party to a suit, and cannot obtain leave of absence for the purpose of prosecuting or defending the suit in person, he may authorize any person to sue or defend in his stead.

Officers or soldiers who cannot obtain leave may authorize any person to sue or defend for them.

The authority shall be in writing and shall be signed by the officer or soldier in the presence of (*a*) his commanding officer or of the next subordinate officer, if the party be himself the commanding officer, or (*b*) where the officer or soldier is serving in military staff employment, the head or other superior officer of the office in which he is employed. Such commanding or other officer shall countersign the authority which shall be filed in Court.

When so filed, the countersignature shall be sufficient proof that the authority was duly executed, and that the officer or soldier by whom it was granted could not obtain leave of absence for the purpose of prosecuting or defending the suit in person.

Explanation.—In this chapter the expression 'commanding officer' means the officer in actual command for the time being of any regiment, corps, detachment or depôt, to which the officer or soldier belongs.

466. Any person authorized by an officer or soldier to prosecute or defend a suit in his stead may prosecute or defend it in person in the same manner as the officer or soldier could do if present; or he may appoint a pleader to prosecute or defend the suit on behalf of such officer or soldier.

Person so authorized may act personally or appoint pleaders.

467. Processes served upon any person authorized by an officer or soldier, as in section 465, or upon any pleader appointed as aforesaid by such person to act for, or on behalf of, such officer or soldier, shall be as effectual as if they had been served on the party in person or on his pleader.

Service on person so authorized, or on his pleader, to be good service.

468. When an officer or soldier is a defendant, the Court shall send a copy of the summons to his commanding officer for the purpose of being served on him.

Service on officers and soldiers.

The officer to whom such copy is sent, after causing it to be served on the person to whom it is addressed, if practicable, shall return it to the Court with the written acknowledgment of such person endorsed thereon.

If from any cause the copy cannot be so served, it shall be returned to the Court by which it was sent, with information of the cause which has prevented the service.

469. If, in the execution of a decree, a warrant of arrest is to be executed within the limits of a cantonment, garrison, military station or military bázár, the officer charged with the execution of such warrant shall deliver the same to the commanding officer.

Execution of warrant of arrest in cantonments, &c.

The commanding officer shall back the warrant with his signature, and the person named therein is within the limits of his command shall cause him to be arrested and delivered to the officer so charged.

CHAPTER XXXIII.

INTERPLEADER.

470. When two or more persons claim adversely to one another the same payment or property from another person, whose only interest therein is that of a mere stakeholder and who is ready to render it to the right owner, such stakeholder may institute a suit of interpleader against all the claimants for the purpose of obtaining a decision as to whom the payment or property should be made or delivered, and of obtaining indemnity for himself:

When interpleader-suit may be instituted.

Provided that if any suit is pending in which the rights of all parties can properly be decided, the stakeholder shall not institute a suit of interpleader.

471. In every suit of interpleader the plaint must, in addition to the other statements necessary for plaints, state—

Plaint in such suit.

(*a*) that the plaintiff has no interest in the thing claimed otherwise than as a mere stakeholder;

(*b*) the claims made by the defendants severally; and

(*c*) that there is no collusion between the plaintiff and any of the defendants.

Payment of thing claimed into court.

472. When the thing claimed is capable of being paid into court or placed in the custody of the Court, the plaintiff must so pay or place it before he can be entitled to any order in the suit.

Procedure at first hearing.

473. At the first hearing the Court may

(*a*) declare that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit:

or, if it thinks that justice or convenience so require,

(*b*) retain all parties until the final disposal of the suit:

and, if it finds that the admissions of the parties or other evidence enable it,

(*c*) adjudicate the title to the thing claimed; or else it may

(*d*) direct the defendants to interplead one another by filing statements and entering into evidence for the purpose of bringing their respective claims before the Court.

When agents and tenants may institute interpleader-suits.

474. Nothing in this chapter shall be taken to enable agents to sue their principals, or tenants to sue their landlords, for the purpose of compelling them to interplead with any persons other than persons making claim through such principals or landlords.

Illustrations.

(*a*) A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B. B cannot institute an interpleader-suit against A and C.

(*b*) A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B. B may institute an interpleader-suit against A and C.

Charge of plaintiff's costs.

475. When the suit is properly instituted, the Court may provide for the plaintiff's costs by giving him a charge on the thing claimed or in some other effectual way.

Procedure where a defendant is suing stakeholder.

476. If any of the defendants in an interpleader-suit is actually suing the stakeholder in respect of the subject of such suit, the Court in which the suit against the stakeholder is pending shall, on being duly informed by the Court which passed the decree in the interpleader-suit in favour of the stakeholder, that such decree has been passed, stay the proceedings as against him; and his costs in the suit so stayed may be provided for in such suit; but if, and so far as, they are not provided for in that suit, they may be added to his costs incurred in the interpleader-suit.

Costs.

PART IV.
PROVISIONAL REMEDIES.

CHAPTER XXXIV.

OF ARREST AND ATTACHMENT BEFORE JUDGMENT.

A.—Arrest before Judgment.

When plaintiff may apply that security be taken.

477. If at any stage of any suit, other than a suit for the possession of immoveable property, the plaintiff satisfies the Court by affidavit—

that the defendant, with intent to avoid or delay the plaintiff, or to avoid any process of the Court, or to obstruct or delay the execution of any decree that may be passed against him,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under circumstances affording reasonable probability that the plaintiff will or may thereby be obstructed or delayed in the execution of any decree that may be passed against the defendant in the suit,

the plaintiff may apply to the Court that security be taken for the appearance of the defendant to answer any decree that may be passed against him in the suit.

Order to bring up defendant to show cause why he should not give security.

478. If the Court, after examining the applicant, and making such further investigation as it thinks fit, is satisfied

that the defendant, with any such intent as aforesaid,

(*a*) has absconded or left the jurisdiction of the Court, or

(*b*) is about to abscond or to leave the jurisdiction of the Court, or

(*c*) has disposed of or removed from the jurisdiction of the Court his property or any part thereof, or

that the defendant is about to leave British India under the circumstances last aforesaid,

the Court may issue an order for bringing the defendant before the Court to show cause why he should not give security for his appearance.

If defendant fail to show cause, Court may order him to make deposit or give security.

479. If the defendant fail to show such cause, the Court shall order him either to deposit in court money or other property sufficient to answer the claim against him, or to give security for his appearance at any time when called upon while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the suit.

The surety shall bind himself, in default of such appearance, to pay any sum of money which the defendant may be ordered to pay in the suit.

Procedure in case of application by surety to be discharged.

480. The surety for the appearance of the defendant may at any time apply to the Court in which he became such surety to be discharged from his obligation.

On such application being made, the Court shall summon the defendant to appear, or, if it thinks fit, may issue a warrant for his arrest in the first instance.

On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety to be discharged from his obligation, and shall call upon the defendant to find fresh security.

Procedure where defendant fails to give security or find fresh security.

481. If the defendant fail to comply with any order under section 479 or section 480, the Court may commit him to jail until the decision of the suit, or, if judgment be given against the defendant, until the execution of the decree: Provided that no person shall be imprisoned under this section in any case for a longer period than six months, nor for a longer period than six weeks when the amount or value of the subject-matter of the suit does not exceed fifty rupees.

Subsistence of defendant arrested.

482. The provisions of section 339 as to allowances payable for the subsistence of judgment-debtors shall apply to all defendants arrested under this chapter.

B.—Attachment before Judgment.

Application before judgment for security from defendant to satisfy decree, and in default, for attachment of property.

483. If at any stage of any suit the plaintiff satisfies the Court by affidavit that the defendant, with intent to obstruct or delay the execution of any decree that may be passed against him,

(*a*) is about to dispose of the whole or any part of his property, or to remove the same from the jurisdiction of the Court in which the suit is pending, or

(*b*) has quitted the jurisdiction of the Court, leaving therein property belonging to him,

the plaintiff may apply to the Court to call upon the defendant to furnish security to satisfy any decree that may be passed against him in such suit, and, on his failing to give such security, to direct that any portion of his property shall be attached until the further order of the Court.

The application shall, unless the Court otherwise directs, specify the property required to be attached and the estimated value thereof.

Contents of application.

Court may call on defendant to furnish security or show cause.

484. If the Court, after examining the applicant, and making any further investigation which it thinks fit, is satisfied that the defendant is about to dispose of or remove his property, with intent to obstruct or delay the execution of any decree that may be passed against him in the suit, the Court may require him, within a time to be fixed by the Court, either to furnish security in such sum as may be specified in the order, to produce and place at the disposal of the Court, when required, the said property or the value of the same, or such portion thereof as may be sufficient to satisfy the decree, or to appear and show cause why he should not furnish security.

The Court may also in the order direct the conditional attachment of the whole or any portion of the property specified in the application.

Attachment if cause not shown or security not furnished.

485. If the defendant fail to show cause why he should not furnish security, or fail to furnish the security required within the time fixed by the Court, the Court may order that the property specified in the application, or such portion thereof as appears sufficient to satisfy any decree which may be passed in the suit, shall be attached.

Withdrawal of attachment.

If the defendant show such cause or furnish the required security, and the property specified in the application or any portion of it has been attached, the Court shall order the attachment to be withdrawn.

Mode of making attachment.

486. The attachment shall be made in the manner herein provided for the attachment of property in execution of a decree for money.

Investigation of claims to property attached before judgment.

487. If any claim be preferred to the property attached before judgment, such claim shall be investigated in the manner hereinbefore provided for the investigation of claims to property attached in execution of a decree for money.

Removal of attachment when security furnished.

488. When an order of attachment before judgment is passed, the Court which passed the order shall remove the attachment whenever the defendant furnishes the security required, together with security for the costs of the attachment, or when the suit is dismissed.

Attachment not to affect rights of strangers, or bar the decree-holder from applying for sale.

489. Attachment before judgment shall not affect the rights, existing prior to the attachment, of persons not parties to the suit, nor bar any person holding a decree against the defendant from applying for the sale of the property under attachment in execution of such decree.

Property attached under this chapter, not to be re-attached in execution of decree.

490. Where property is under attachment by virtue of the provisions of this chapter, and a decree is given in favour of the plaintiff, it shall not be necessary to re-attach the property in execution of such decree.

C.—Compensation for improper Arrests or Attachments.

Compensation for obtaining arrest or attachment on insufficient grounds.

491. If in any suit in which an arrest or attachment has been effected, it appear to the Court that such arrest or attachment was applied for on insufficient grounds,

or if the suit of the plaintiff fails, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding one thousand rupees, as

it deems a reasonable compensation to the defendant for the expense or injury caused to him by the arrest or attachment:

Proviso.

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

An award under this section shall bar any suit for compensation in respect of such arrest or attachment.

CHAPTER XXXV.

OF TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS.

A.—Temporary Injunctions.

Cases in which temporary injunction may be granted.

492. If in any suit it be proved by affidavit or otherwise

(*a*) that any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, or wrongfully sold in execution of a decree, or

(*b*) that the defendant threatens, or is about to remove or dispose of his property with intent to defraud his creditors,

the Court may by order grant a temporary injunction to restrain such act, or give such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property as the Court thinks fit, or refuse such injunction or other order.

Injunction to restrain repetition or continuance of breach.

493. In any suit for restraining the defendant from committing a breach of contract or other injury, whether compensation be claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for a temporary injunction to restrain the defendant from committing the breach of contract or injury complained of, or any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right.

The Court may by order grant such injunction on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as the Court thinks fit, or refuse the same.

In case of disobedience, an injunction granted under this section or section 492 may be enforced by the imprisonment of the defendant for a term not exceeding six months, or the attachment of his property, or both.

No attachment under this section shall remain in force for more than one year, at the end of which time if the defendant has not obeyed the injunction, the property attached may be sold, and out of the proceeds the Court may award to the plaintiff such compensation as it thinks fit and may pay the balance, if any, to the defendant.

Before granting injunction, Court may direct notice to be given to opposite party.

494. The Court shall in all cases, except where it appear that the object of granting the injunction would be defeated by the delay, before granting an injunction, direct notice of the application for the same to be given to the opposite party.

Injunction to corporation binding on its members and officers.

495. An injunction directed to a corporation or public company is binding not only on the corporation or company itself, but also on all members and officers of the corporation or company whose personal action it seeks to restrain.

Order for injunction may be discharged, varied or set aside.

496. Any order for an injunction may be discharged, or varied, or set aside by the Court, on application made thereto by any party dissatisfied with such order.

Compensation to defendant for issue of injunction on insufficient grounds.

497. If it appears to the Court that the injunction was applied for on insufficient grounds, or

if, after the issue of the injunction, the suit is dismissed or judgment is given against the plaintiff by default or otherwise, and it appears to the Court that there was no probable ground for instituting the suit,

the Court may, on the application of the defendant, award against the plaintiff in its decree such sum, not exceeding one thousand rupees, as it deems a reasonable compensation to the defendant for the expense or injury caused to him by the issue of the injunction:

Proviso.

Provided that the Court shall not award under this section a larger amount than it might decree in a suit for compensation.

An award under this section shall bar any suit for compensation in respect of the issue of the injunction.

B.—Interlocutory Orders.

Power to order interim sale of perishable articles.

498. The Court may, on the application of any party to a suit, order the sale, by any person named in such order, and in such manner and on such terms as it thinks fit, of any moveable property being the subject of such suit, which is subject to speedy and natural decay.

Power to make order for detention, &c., of subject-matter and to authorize entry, taking of samples and experiments.

499. The Court may, on the application of any party to a suit, and on such terms as it thinks fit,

(*a*) make an order for the detention, preservation or inspection of any property being the subject of such suit;

(*b*) for all or any of the purposes aforesaid, authorize any person to enter upon or into any land or building in the possession of any other party to such suit, and

(*c*) for all or any of the purposes aforesaid, authorize any samples to be taken, or any observation to be made or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

The provisions hereinbefore contained as to execution of process shall apply, *mutatis mutandis*, to persons authorized to enter under this section.

Application for such orders to be after notice.

500. An application by the plaintiff for an order under section 498 or section 499 may be made after notice in writing to the defendant at any time after service of the summons.

An application by the defendant for a like order may be made after notice in writing to the plaintiff, and at any time after the applicant has appeared.

When party may be put in immediate possession of land, the subject of suit.

501. When land paying revenue to Government, or a tenure liable to sale, is the subject of a suit, if the party in possession of such land or tenure neglects to pay the Government revenue, or the rent due to the proprietor of the tenure, as the case may be, and such land or tenure is consequently ordered to be sold, any other party to the suit claiming to have an interest in such land or tenure may upon payment of the revenue or rent due previously to the sale (and with or without security at the discretion of the Court), be put in immediate possession of the land or tenure;

and the Court in its decree may award against the defaulter the amount so paid, with interest thereupon at such rate as the Court thinks fit, or may charge the amount so paid, with interest thereupon at such rate as the Court orders, in any adjustment of accounts which may be directed in the decree passed in the suit.

Deposit of money, &c., in Court.

502. When the subject-matter of a suit is money or some other thing capable of delivery, and any party thereto admits that he holds such money or other thing as a trustee for another party, or that it belongs or is due to another party, the Court may order the same to be deposited in court or delivered to such last-named party, with or without security, subject to the further direction of the Court.

CHAPTER XXXVI.

APPOINTMENT OF RECEIVERS.

Power of Court to appoint receivers.

503. Whenever it appears to the Court to be necessary for the realization, preservation or better custody or management of any property, moveable or immoveable, the subject of a suit, or under attachment, the Court may by order

(*a*) appoint a receiver of such property,

and, if need be,

(*b*) remove the person in whose possession or custody the property may be from the possession or custody thereof;

(*c*) commit the same to the custody or management of such receiver; and

(*d*) grant to such receiver such fee or commission on the rents and profits of the property by way of remuneration, and all such powers as to bringing and defending suits, and for the realization, management, protection, preservation and improvement of the property, the collection of the rents and profits thereof, the application and disposal of such rents and profits, and the execution of instruments in writing, as the owner himself has, or such of those powers as the Court thinks fit.

Receiver's liabilities.

Every receiver so appointed shall

(*e*) give such security (if any) as the Court thinks fit duly to account for what he shall receive in respect of the property,

(*f*) pass his accounts at such periods and in such form as the Court directs,

(*g*) pay the balance due from him thereon as the Court directs, and

(*h*) be responsible for any loss occasioned to the property by his wilful default or gross negligence.

Nothing in this section authorizes the Court to remove from the possession or custody of property under attachment any person whom the parties to the suit, or some or one of them, have or has not a present right so to remove.

When Collector may be appointed receiver.

504. If the property be land paying revenue to Government, or land of which the revenue has been assigned or redeemed, and the Court considers that the interests of those concerned will be promoted by the management of the Collector, the Court may appoint the Collector to be receiver of such property.

Courts empowered under this chapter.

505. The powers conferred by this chapter shall be exercised only by High Courts and District Courts. Provided that whenever the Judge of a Court subordinate to a District Court considers it expedient that a receiver should be appointed in any suit before him, he shall nominate such person as he considers fit for such appointment, and submit such person's name, with the grounds for the nomination, to the District Court, and the District Court shall authorize such Judge to appoint the person so nominated or pass such other order as it thinks fit.

PART V.

OF SPECIAL PROCEEDINGS.

CHAPTER XXXVII.

REFERENCE TO ARBITRATION.

Parties to suit may apply for order of reference.

506. If all the parties to a suit desire that any matter in difference between them in the suit be referred to arbitration, they may, at any time before judgment is pronounced, apply, in person or by their respective pleaders specially authorized in writing in this behalf, to the Court for an order of reference.

Every such application shall be in writing and shall state the particular matter sought to be referred.

Nomination of arbitrator.

507. The arbitrator shall be nominated by the parties in such manner as may be agreed upon between them.

When Court to nominate arbitrator.

If the parties cannot agree with respect to such nomination, or if the person whom they nominate refuses to accept the arbitration and the parties desire that the nomination shall be made by the Court, the Court shall nominate the arbitrator.

Order of reference.

508. The Court shall, by order, refer to the arbitrator the matter in difference which he is required to determine, and shall fix such time as it thinks reasonable for the delivery of the award, and specify such time in the order.

When once a matter is referred to arbitration, the Court shall not deal with it in the same suit, except as hereinafter provided.

509. If the reference be to two or more arbitrators, provision shall be made in the order for a difference of opinion among the arbitrators.

When reference is to two or more, order to provide for difference of opinion.

(*a*) by the appointment of an umpire, or

(*b*) by declaring that the decision shall be with the majority if the major part of the arbitrators agree, or

(*c*) by empowering the arbitrators to appoint an umpire, or

(*d*) otherwise, as may be agreed between the parties; or, if they cannot agree, as the Court determines.

If an umpire is appointed, the Court shall fix such time as it thinks reasonable for the delivery of his award in case he is required to act.

510. If the arbitrator, or, where there are more arbitrators than one, any of the arbitrators, or the umpire, dies, or refuses, or neglects, or becomes incapable to act, or leaves British India under circumstances showing that he will probably not return at an early date, the Court may in its discretion either appoint a new arbitrator or umpire in the place of the person so dying, or refusing, or neglecting, or becoming incapable to act, or leaving British India, or make an order superseding the arbitration, and in such case shall proceed with the suit.

Death, incapacity, &c., of arbitrators or umpire.

511. Where the arbitrators are empowered by the order of reference to appoint an umpire and fail to do so, any of the parties may serve the arbitrators with a written notice to appoint an umpire; and if, within seven days after such notice has been served, or such further time as the Court may in each case allow, no umpire be appointed, the Court, upon the application of the party who has served such notice as aforesaid, may appoint an umpire.

Appointment of umpire by Court.

512. Every arbitrator or umpire appointed under section 509, 510 or 511 shall have the like powers as if his name had been inserted in the order of reference.

Powers of arbitrator or umpire appointed under sections 509, 510, 511.

513. The Court shall issue the same processes to the parties and witnesses whom the arbitrators or umpire desire to examine, as the Court may issue in suits tried before it.

Summoning witnesses.

Persons not attending in accordance with such process, or making any other default, or refusing to give their evidence, or guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred, shall be subject to the like disadvantages, penalties and punishments by order of the Court on the representation of the arbitrator or umpire, as they would incur for the like offence in suits tried before the Court.

Punishment for default, &c.

514. If from the want of the necessary evidence or information, or from any other cause, the arbitrators cannot complete the award within the period specified in the order, the Court may, if it think fit, either grant a further time, and from time to time enlarge the period for the delivery of the award, or make an order superseding the arbitration, and in such case shall proceed with the suit.

Extension of time for making award.

515. When an umpire has been appointed, he may enter on the reference in the place of the arbitrators

When umpire may arbitrate in lieu of arbitrators.

(*a*) if they have allowed the appointed time to expire without making an award, or

(*b*) when they have delivered to the Court or to the umpire a notice in writing, stating that they cannot agree.

516. When an award in a suit has been made, the persons who made it shall sign it and cause it to be filed in Court, together with any depositions and documents which have been taken and proved before them; and notice of the filing shall be given to the parties.

Award to be signed and filed.

517. Upon any reference by an order of Court, the arbitrators or umpire may, with the consent of the Court, state the award as to the whole or any part thereof in the form of a special case for the opinion of the Court; and the Court shall deliver its opinion thereon; and such opinion shall be added to and form part of the award.

Arbitrators or umpire may state special case.

518. The Court may, by order, modify or correct an award,

Court may, on application, modify or correct award in certain cases.

(*a*) where it appears that a part of the award is upon a matter not referred to arbitration, provided such part can be separated from the other part and does not affect the decision on the matter referred, or

(*b*) where the award is imperfect in form, or contains any obvious error which can be amended without affecting such decision.

519. The Court may also make such order as it thinks fit respecting the costs of the arbitration, if any question arise respecting such costs and the award contain no sufficient provision concerning them.

Order as to costs of arbitration.

520. The Court may remit the award or any matter referred to arbitration to the reconsideration of the same arbitrators or umpire, upon such terms as it thinks fit,

When award or matter referred to arbitration may be remitted.

(*a*) where the award has left undetermined any of the matters referred to arbitration, or where it determines any matter not referred to arbitration;

(*b*) where the award is so indefinite as to be incapable of execution;

(*c*) where an objection to the legality of the award is apparent upon the face of it.

521. An award remitted under section 520 becomes void on the refusal of the arbitrators or umpire to reconsider it. But no award shall be set aside except on one of the following grounds (namely)—

Grounds for setting aside award.

(*a*) corruption or misconduct of the arbitrator or umpire;

(*b*) either party having been guilty of fraudulent concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the arbitrator or umpire;

(*c*) the award having been made after the issue of an order by the Court superseding the arbitration and restoring the suit;

and no award shall be valid unless made within the period allowed by the Court.

522. If the Court sees no cause to remit the award or any of the matters referred to arbitration for reconsideration in manner aforesaid, and if no application has been made to set aside the award, or if the Court has refused such application,

Judgment to be according to award.

the Court shall, after the time for making such application has expired, proceed to give judgment according to the award,

or, if the award has been submitted to it in the form of a special case, according to its own opinion on such case:

Upon the judgment so given a decree shall follow, and shall be enforced in manner provided in this Code for the execution of decrees. No appeal shall lie from such decree except in so far as the decree is in excess of, or not in accordance with, the award.

Decree to follow.

523. When any persons agree in writing that any difference between them shall be referred to the arbitration of any person named in the agreement or to be appointed by any Court having jurisdiction in the matter to which the agreement relates, the parties thereto, or any of them, may apply that the agreement be filed in Court.

Agreement to refer to arbitration may be filed in Court.

The application shall be in writing and shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the others or other of them as defendants or defendant, if the application have been presented by all the parties, or, if otherwise, between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

On such application being made, the Court shall direct notice thereof to be given to any of the parties to the agreement other than the applicants, requiring such parties to show cause, within the time specified in the notice, why the agreement should not be filed.

Notice to show cause against filing it.

If no sufficient cause be shown, the Court may cause the agreement to be filed, and shall make an order of reference thereon, and may also nominate the arbitrator when he is not named therein and the parties cannot agree as to the nomination.

524. The foregoing provisions of this chapter, so far as they are consistent with any agreement so filed, shall be applicable to all proceedings under an order of reference made by the Court under section 523, and to the award of arbitration and to the enforcement of the decree founded thereupon.

Provisions of this chapter applicable to proceedings under order of reference.

525. When any matter has been referred to arbitration without the intervention of a Court of Justice, and an award has been made thereon, any person interested in the award may apply to the Court of the lowest grade having jurisdiction over the matter to which the award relates, that the award be filed in Court.

Filing award in matter referred to arbitration without intervention of Court.

The application shall be in writing and shall be numbered and registered as a suit between the applicant as plaintiff and the other parties as defendants.

Application to be numbered and registered.

The Court shall direct notice to be given to the parties to the arbitration other than the applicant, requiring them to show cause, within a time specified, why the award should not be filed.

Notice to parties to arbitration.

526. If no ground such as is mentioned or referred to in section 520 or 521, be shown against the award, the Court shall order it to be filed, and such award shall then take effect as an award made under the provisions of this chapter.

Filing and enforcement of such award.

CHAPTER XXXVIII.

OF PROCEEDINGS ON AGREEMENT OF PARTIES.

527. Parties claiming to be interested in the decision of any question of fact or law, may enter into an agreement in writing stating such question in the form of a case for the opinion of the Court, and providing that, upon the finding of the Court with respect to such question,

Power to state case for Court's opinion.

(*a*) a sum of money fixed by the parties or to be determined by the Court, shall be paid by one of the parties to the other of them; or

(*b*) some property, moveable or immoveable, specified in the agreement, shall be delivered by one of the parties to the other of them; or

(*c*) one or more of the parties shall do, or refrain from doing, some other particular act specified in the agreement.

Every case stated under this section shall be divided into consecutively numbered paragraphs, and shall concisely state such facts and documents as may be necessary to enable the Court to decide the question raised thereby.

528. If the agreement is for the delivery of any property, or for the doing, or the refraining from doing, any particular act, the estimated value of the property to be

When value of subject-matter must be stated.

delivered, or to which the act specified has reference, shall be stated in the agreement.

Agreement to be filed and numbered as a suit.

529. The agreement, if framed in accordance with the rules hereinbefore contained, may be filed in the Court which would have jurisdiction to entertain a suit, the amount or value of the subject-matter of which is the same as the amount or value of the subject-matter of the agreement.

The agreement, when so filed, shall be numbered and registered as a suit between one or more of the parties claiming to be interested, as plaintiff or plaintiffs, and the other or others of them as defendant or defendants; and notice shall be given to all the parties to the agreement other than the party or parties by whom it was presented.

Parties to be subject to Court's jurisdiction.

530. When the agreement has been filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by the statements contained therein.

Hearing and disposal of the case.

531. The case shall be set down for hearing as a suit instituted under chapter V, the provisions of which shall apply to such suit so far as the same are applicable.

If the Court is satisfied, after an examination of the parties, or taking such evidence as it thinks fit,

(*a*) that the agreement was duly executed by them, and

(*b*) that they have a *bonâ fide* interest in the question stated therein, and

(*c*) that the same is fit to be decided,

it shall proceed to pronounce judgment thereon, in the same way as in an ordinary suit, and upon the judgment so given a decree shall follow, and shall be enforced in the manner provided in this Code for the execution of decrees.

CHAPTER XXXIX.

OF SUMMARY PROCEDURE ON NEGOTIABLE INSTRUMENTS.

Institution of summary suits upon bills of exchange, &c.

532. In any Court to which this section applies all suits upon bills of exchange, hundís or promissory notes may, in case the plaintiff desires to proceed under this chapter, be instituted by presenting a plaint in the form prescribed by this Code; but the summons shall be in the form contained in the fourth schedule hereto annexed, No. 172, or in such other form as the High Court may from time to time prescribe.

In any case in which the plaint and summons are in such forms respectively, the defendant shall not appear or defend the suit unless he obtains leave from a Judge as hereinafter mentioned so to appear and defend;

and in default of his obtaining such leave or of appearance and defence in pursuance thereof, the plaintiff shall be entitled to a decree for any sum not exceeding the sum mentioned in the summons, together with interest at the rate specified (if any) to the date of the decree, and a sum for costs to be fixed by a rule of the High Court, unless the plaintiff claim more than such fixed sum, in which case the costs shall be ascertained in the ordinary way, and such decree may be enforced forthwith.

Payment into Court of sum mentioned in summons.

The defendant shall not be required to pay into Court the sum mentioned in the summons, or to give security therefor, unless the Court thinks his defence not to be *primâ facie* sustainable, or feels reasonable doubt as to its good faith.

Explanation.—This section is not confined to cases in which the bill, hundí or note sued upon, together with mere lapse of time, is sufficient to establish a *primâ facie* right to recover.

Defendant showing defence on merits to have leave to appear.

533. The Court shall, upon application by the defendant, give leave to appear and to defend the suit, upon the defendant paying into Court the sum mentioned in the summons or upon affidavits satisfactory to the Court, which disclose a defence or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the Court may deem sufficient to support the application, and on such terms as to security, framing and recording issues, or otherwise, as the Court thinks fit.

Power to set aside decree.

534. After decree, the Court may, under special circumstances, set aside the decree, and if necessary stay or set aside execution, and may give leave to appear to the summons and to defend the suit, if it seem reasonable to the Court so to do, and on such terms as the Court thinks fit.

Power to order bill to be deposited with officer of Court.

535. In any proceeding under this chapter the Court may order the bill, hundí or note on which the suit is founded to be forthwith deposited with an officer of the Court, and may further order that all proceedings shall be stayed until the plaintiff gives security for the costs thereof.

Recovery of cost of noting non-acceptance of dishonoured bill.

536. The holder of every dishonoured bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting the same for non-acceptance or non-payment, or otherwise, by reason of such dishonour, as he has under this chapter for the recovery of the amount of such bill or note.

Procedure in suits under this chapter.

537. Except as provided by sections 532 to 536 both inclusive, the procedure in suits under this chapter shall be the same as the procedure in suits instituted under chapter V.

Power to extend this chapter.

538. Sections 532 to 537 (both inclusive), apply only to—

(*a*) the High Courts of Judicature at Fort William, Madras and Bombay;

(*b*) the Court of the Recorder of Rangoon;

(*c*) the Courts of Small Causes in Calcutta, Madras and Bombay;

(*d*) the Court of the Judge of Karáchi; and

(*e*) any other Court having ordinary original civil jurisdiction to which the Local Government may, by notification in the official Gazette, apply them.

In case of such application the Local Government may direct by whom any of the powers and duties incident to the provisions so applied shall be exercised and performed, and make any rules which it thinks requisite for carrying into operation the provisions so applied.

Within one month after such notification has been published, such provisions shall apply accordingly, and the rules so made shall have the force of law.

The Local Government may from time to time alter or cancel any such notification.

CHAPTER XL.

OF SUITS RELATING TO PUBLIC CHARITIES.

When suit relating to public charities may be brought.

539. In case of any alleged breach of any express or constructive trust created for public charitable purposes, or whenever the direction of the Court is deemed necessary for the administration of any such trust, the Advocate General acting *ex-officio*, or two or more persons having a direct interest in the trust and having obtained the consent in writing of the Advocate General, may institute a suit in the High Court or the District Court within the local limits of whose civil jurisdiction the whole or any part of the subject-matter of the trust is situate, to obtain a decree—

(*a*) appointing new trustees of the charity;

(*b*) vesting any property in the trustees of the charity;

(*c*) declaring the proportions in which its objects are entitled;

(*d*) authorizing the whole or any part of its property to be let, sold, mortgaged or exchanged;

(*e*) settling a scheme for its management;

or granting such further or other relief as the nature of the case may require.

The powers conferred by this section on the Advocate General may (where there is no Advocate General) be exercised by the Government Advocate) or (where there is no Government Advocate) by such officer as the Local Government may appoint in this behalf.

PART VI.

OF APPEALS.

CHAPTER XLI.

OF APPEALS FROM ORIGINAL DECREES.

Appeal to lie from all original decrees, except when expressly prohibited.

540. Unless when otherwise expressly provided in this Code or by any other law for the time being in force, an appeal shall lie from the decrees, or from any part of the decrees, of the Courts exercising original jurisdiction to the Courts authorized to hear appeals from the decisions of those Courts.

Form of appeal.

541. The appeal shall be made in the form of a memorandum in writing presented by the appellant, and shall be accompanied by a copy of the decree appealed against and (unless the appellate Court dispenses therewith) of the judgment on which it is founded.

Memorandum to be accompanied by copy of decree and judgment.

Such memorandum shall set forth, concisely and under distinct heads, the grounds of objection to the decree appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

Memorandum of appeal.

Appellant confined to grounds set out.

542. The appellant shall not, without the leave of the Court, urge or be heard in support of any other ground of objection, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant:

Provided that the Court shall not rest its decision on any ground not set forth by the appellant, unless the respondent has had sufficient opportunity of contesting the case on that ground.

Rejection of memorandum or grounds of objection.

543. If the memorandum of appeal be not drawn up in the manner hereinbefore prescribed, it may be rejected, or be returned to the appellant for the purpose of being amended within a time to be fixed by the Court, or be amended then and there.

When the Court rejects under this section any memorandum, it shall record the reasons for such rejection.

When a memorandum of appeal is amended under this section the Judge, or such officer as he appoints in this behalf, shall attest the amendment by his signature.

One of several plaintiffs or defendants may obtain reversal of whole decree if it proceed on ground common to all.

544. Where there are more plaintiffs or more defendants than one in a suit, and the decree appealed against proceeds on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal against the whole decree, and the Appellate Court may reverse or modify the decree in favour of all the plaintiffs or defendants as the case may be.

Of staying and executing Decrees under Appeal.

Execution of decree not stayed solely by reason of appeal.

545. Execution of a decree shall not be stayed by reason only of an appeal having been preferred against the decree; but the Appellate Court may for sufficient cause order the execution to be stayed:

If an application be made for stay of execution of an appealable decree before the expiry of the time allowed for appealing therefrom, the Court which passed the decree may for sufficient cause order the execution to be stayed:

Stay of execution of appealable decree before time for appealing has expired.

Provided that no order shall be made under this section unless the Court making it is satisfied—

(*a*) that substantial loss may result to the party applying for stay of execution unless the order is made;

(*b*) that the application has been made without unreasonable delay; and

(c) that security has been given by the applicant for the due performance of such decree or order as may ultimately be binding upon him.

Security required before making order to stay execution.

546. If an order is made for the execution of a decree against which an appeal is pending, the Court which passed the decree shall, on sufficient cause being shown by the appellant, require security to be given for the restitution of any property which may be taken in execution of the decree, or for the payment of the value of such property, and for the due performance of the decree or order of the Appellate Court,

Security in case of order for execution of decree appealed against.

or the Appellate Court may for like cause direct the Court which passed the decree to take such security.

And when an order has been passed for the sale of immoveable property in execution of a decree for money and an appeal is pending against such decree, the sale shall on the application of the judgment-debtor be stayed until the appeal is disposed of, on such terms as to giving security or otherwise as the Court which passed the decree thinks fit.

547. No such security as is mentioned in sections 545 and 546 shall be required from the Secretary of State for India in Council, or (when Government has undertaken the defence of the suit) from any public officer sued in respect of an act alleged to be done by him in his official capacity.

No such security to be required from Government or public officers.

Of Procedure in Appeal from Decrees.

548. When a memorandum of appeal is admitted, the Appellate Court or the proper officer of that Court shall endorse thereon the date of presentation, and shall register the appeal in a book to be kept for the purpose.

Registry of memorandum of appeal.

Such book shall be called the Register of Appeals.

Register of appeals.

549. The Appellate Court may, at its discretion, either before the respondent is called upon to appear and answer or afterwards on the application of the respondent, demand from the appellant security for the costs of the appeal, or of the original suit, or of both :

Appellate Court may require appellant to give security for costs.

Provided that the Court shall demand such security in all cases in which the appellant is residing out of British India, and is not possessed of any sufficient immoveable property within British India independent of the property (if any) to which the appeal relates.

When appellant resides out of British India.

If such security be not furnished within such time as the Court orders, the Court shall reject the appeal.

550. When the memorandum of appeal is registered, the Appellate Court shall send notice of the appeal to the Court against whose decree the appeal is made.

Appellate Court to give notice to Court whose decree is appealed against.

If the appeal be from a Court the records of which are not deposited in the Appellate Court, the Court receiving such notice shall send with all practicable despatch all material papers in the suit, or such papers as may be specially called for by the Appellate Court.

Transmission of papers to Appellate Court.

Either party may apply in writing to the Court against whose decree the appeal is made, specifying any of such papers in such Court of which he requires copies to be made; and copies of such papers shall be made at the expense of the applicant, and shall be deposited accordingly.

Copies of exhibits in Court whose decree is appealed against.

551. The Appellate Court may, if it thinks fit, after fixing a time for hearing the appellant or his pleader, and hearing him accordingly if he appears at such time, confirm the decision of the Court against whose decree the appeal is made, without sending notice of the appeal to such Court and without serving notice on the respondent or his pleader; but in such case the confirmation shall be notified to the same Court.

Power to confirm decision of lower Court without sending it notice.

552. The Appellate Court, unless where it confirms, under section 551, the decision of the lower Court, shall fix a day for hearing the appeal.

Day for hearing appeal.

Such day shall be fixed with reference to the current business of the Court, the place of residence of the respondent, and the time necessary for the service of the notice of appeal, so as to allow the respondent sufficient time to appear and answer the appeal on such day.

553. Notice of the day so fixed shall be stuck up in the appellate court-house, and a like notice shall be sent by the Appellate Court to the Court against whose decree the appeal is made, and shall be served on the respondent or on his pleader in the Appellate Court in the manner provided in chapter VI for the service on a defendant of a summons to appear and answer; and all rules applicable to such summons and to proceedings with reference to the service thereof, shall apply to the service of such notice.

Publication and service of notice of day for hearing appeal.

Instead of sending the notice to the Court against whose decree the appeal is made, the Appellate Court may itself cause the notice to be served on the respondent or his pleader under the rules above referred to.

Appellate Court may itself cause notice to be served.

554. The notice to the respondent shall declare that, if he does not appear in the Appellate Court on the day so fixed, the appeal will be heard *ex parte*.

Contents of notice.

Procedure on Hearing.

555. On the day so fixed, or on any other day to which the hearing may be adjourned, the party having the right to begin shall be heard in support of or against the appeal, as the case may be. The other party shall then be heard, and the party having the right to begin shall then be entitled to reply.

Right to begin.

Explanation.—If the appeal is from the whole decree, or if there are cross-appeals, the party having the right to begin is the party who had the right to begin on the hearing in the Court whose decree is appealed from.

If the appeal is from only a portion of the decree, and there is no cross-appeal, the appellant has the right to begin.

556. If on the day so fixed, or any other day to which the hearing may be adjourned, the appellant does not attend in person or by his pleader, the appeal shall be dismissed for default.

Dismissal of appeal for appellant's default.

If the appellant attends and the respondent does not attend, the appeal shall be heard *ex parte* in his absence.

Hearing appeal *ex parte*.

557. If on the day so fixed, or any other day to which the hearing may be adjourned, it is found that the notice to the respondent has not been served in consequence of the failure of the appellant to deposit, within the period fixed by the Court, the sum required to defray the cost of issuing the notice, the Court may order that the appeal be dismissed :

Dismissal of appeal where notice has not been served in consequence of appellant's failure to deposit cost of notice.

Provided that no such order shall be passed, although the notice has not been served upon the respondent, if on the day fixed for hearing the appeal the respondent appears in person or by a pleader, or by a duly authorized agent.

Proviso.

558. If an appeal be dismissed under section 556 or section 557, the appellant may apply to the Appellate Court for the re-admission of the appeal; and if it be proved that he was prevented by any sufficient cause from attending when the appeal was called on for hearing or from depositing the sum so required, the Court may re-admit the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Re-admission of appeal dismissed for default.

559. If it appear to the Court at the hearing that any person who was a party to the suit in the Court against whose decree the appeal is made, but who has not been made a party to the appeal, is interested in the result of the appeal, the Court may adjourn the hearing to a future day to be fixed by the Court, and direct that such person be made a respondent.

Power to adjourn hearing, and direct persons appearing interested to be made respondents.

560. When an appeal is heard *ex parte* in the absence of the respondent, and judgment is given against him, he may apply to the Appellate Court to re-hear the appeal; and if it be proved that the respondent was prevented by sufficient cause from attending when the appeal was called on for hearing, the Court may re-hear the appeal on such terms as to costs or otherwise as the Court thinks fit to impose upon him.

Re-hearing on application of respondent against whom *ex parte* decree is made.

561. Any respondent, though he may not have appealed against any part of the decree, may upon the hearing not only support the decree on any of the grounds decided against him in the Court below, but take any objection to the decree which he could have taken by way of appeal, provided he has given to the appellant or his pleader seven days' notice of such objection.

Upon hearing respondent may object to decree as if he had preferred separate appeal.

Such objection shall be in the form of a memorandum, and the provisions of section 541, so far as they relate to the form and contents of the memorandum of appeal, shall apply thereto.

Form of notice, and provisions applicable thereto.

562. If the Court against whose decree the appeal is made has disposed of the suit upon a preliminary point so as to exclude any evidence of fact which appears to the Appellate Court essential to the determination of the rights of the parties, and the decree upon such preliminary point is reversed in appeal, the Appellate Court may, if it thinks fit, by order remand the case, together with a copy of the order in appeal, to the Court against whose decree the appeal is made, with directions to re-admit the suit under its original number in the register and proceed to investigate the suit on the merits.

Remand of case by Appellate Court.

The Appellate Court may, if it think fit, direct what issue or issues shall be tried in any case so remanded.

563. When a case is remanded with directions to take any evidence so excluded the Court to which the case is remanded shall not take any other evidence in the case, except evidence tendered to contradict the evidence so taken.

When further evidence barred.

564. The Appellate Court shall not remand a case for a second decision, except as provided in section 562.

Limit to remand.

565. When the evidence upon the record is sufficient to enable the Appellate Court to pronounce judgment, the Appellate Court shall, after re-settling the issues, if necessary, finally determine the case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly upon some ground other than that on which the Appellate Court proceeds.

When evidence on record sufficient Appellate Court shall determine case finally.

566. If the Court against whose decree the appeal is made has omitted to frame or try any issue, or to determine any question of fact, which appears to the Appellate Court essential to the right decision of the suit upon the merits, and the evidence upon the record is not sufficient to enable the Appellate Court to determine such issue or question, the Appellate Court may frame issues for trial, and may refer the same for trial to the Court against whose decree the appeal is made, and in such case shall direct such Court to take the additional evidence required,

When Appellate Court may frame issues and refer them for trial to Court whose decree is appealed against.

and such Court shall proceed to try such issue, and shall return to the Appellate Court its finding thereon together with the evidence.

Finding and evidence to be put on record. Objections to finding.

567. Such finding and evidence shall become part of the record in the suit; and either party may, within a time to be fixed by the Appellate Court, present a memorandum of objections to the finding.

After the expiration of the period fixed for presenting such memorandum, the Appellate Court shall proceed to determine the appeal.

Determination of appeal.

568. The parties to an appeal shall not be entitled to produce additional evidence, whether oral or documentary, in the Appellate Court. But if

Production of additional evidence in Appellate Court.

(*a*) the Court against whose decree the appeal is made refused to admit evidence which ought to have been admitted, or,

(*b*) the Appellate Court requires any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause,

the Appellate Court may allow such evidence to be produced, or document to be received, or witness to be examined.

Whenever additional evidence is admitted by an Appellate Court, the Court shall record on its proceedings the reason for such admission.

Mode of taking additional evidence.

569. Whenever additional evidence is allowed to be received, the Appellate Court may either take such evidence, or direct the Court against whose decree the appeal is made, or any other subordinate Court, to take such evidence and to send it when taken to the Appellate Court.

Points to be defined and recorded.

570. In all cases where additional evidence is directed or allowed to be taken, the Appellate Court shall specify the points to which the evidence is to be confined, and record on its proceedings the points so specified.

Of the Judgment in Appeal.

Judgment when and where pronounced.

571. The Appellate Court, after hearing the parties or their pleaders and referring to any part of the proceedings, whether on appeal or in the Court against whose decree the appeal is made, to which reference may be considered necessary, shall pronounce judgment in open Court, either at once or on some future day, of which notice shall be given to the parties or their pleaders.

Language of judgment.

572. The judgment shall be written in English; provided that if English is not the mother-tongue of the Judge, and he is not able to write an intelligible judgment in English, the judgment shall be written in his mother-tongue or in the language of the Court.

Translation of judgment.

573. When the language in which the judgment is written is not the language of the Court, the judgment shall, if any party so require, be translated into such language, and the translation, after it has been ascertained to be correct, shall be signed by the Judge or such officer as he appoints in this behalf.

Contents of judgment.

574. The judgment of the Appellate Court shall state—

(*a*) the points for determination;

(*b*) the decision thereupon;

(*c*) the reasons for the decision; and

(*d*) when the decree appealed against is reversed or varied, the relief to which the appellant is entitled,

and shall at the time that it is pronounced be signed and dated by the Judge or by the Judges concurring therein.

Date and signature.

Decision when appeal is heard by two or more Judges.

575. When the appeal is heard by a Bench of two or more Judges, the appeal shall be decided in accordance with the opinion of such Judges or of the majority (if any) of such Judges.

If there be no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed:

Provided that if the Bench hearing the appeal is composed of two Judges belonging to a Court consisting of more than two Judges, and the Judges composing the Bench differ in opinion on a point of law, the appeal may be referred to one or more of the other Judges of the same Court, and shall be decided according to the opinion of the majority (if any) of all the Judges who have heard the appeal, including those who first heard it.

When there is no such majority which concurs in a judgment varying or reversing the decree appealed against, such decree shall be affirmed.

The High Court may from time to time make rules consistent with this Code to regulate references under this section.

Dissent to be recorded.

576. When the appeal is heard by more Judges than one, any Judge dissenting from the judgment of the Court shall state in writing the decision or order which he thinks should be passed on the appeal, and he may state his reasons for the same.

What judgment may direct.

577. The judgment may be for confirming, varying or reversing the decree of the Court against which the appeal is made, or, if the parties to the appeal agree as to the form which the decree in appeal shall take, or as to the order to be passed in appeal, the Appellate Court may pass a decree or order accordingly.

No decree to be reversed or modified for error or irregularity not affecting merits or jurisdiction.

578. No decree shall be reversed or substantially varied, nor shall any case be remanded in appeal, on account of any error, defect or irregularity, whether in the decision or in any order passed in the suit, or otherwise, not affecting the merits of the case or the jurisdiction of the Court.

Of the Decree in Appeal.

Contents of decree.

579. The decree of the Appellate Court shall bear date the day on which the judgment was pronounced.

The decree shall contain the number of the appeal, and the memorandum of appeal, including the names and description of the appellant and respondent, and shall specify clearly the relief granted or other determination of the appeal.

The decree shall also state the amount of costs incurred in the appeal, and by what parties and in what proportions such costs and the costs in the suit are to be paid.

The decree shall be signed and dated by the Judge or Judges who passed it:

Judge dissenting from judgment need not sign decree.

Provided that where there are more Judges than one, if there be a difference of opinion among them, it shall not be necessary for any Judge dissenting from the judgment of the Court to sign the decree.

Copies of judgment and decree to be furnished to parties.

580. Certified copies of the judgment and decree in appeal shall be furnished to the parties on application to the Court and at their expense.

Certified copy of decree to be sent to Court whose decree is appealed against.

581. A copy of the judgment and of the decree, certified by the Appellate Court or such officer as it appoints in this behalf, shall be sent to the Court which passed the decree appealed against, and shall be filed with the original proceedings in the suit, and an entry of the judgment of the Appellate Court shall be made in the register of civil suits.

Appellate Court to have same powers as Courts of original jurisdiction.

582. The Appellate Court shall have the same powers in appeals under this chapter as are vested by this Code in Courts of original jurisdiction in respect of suits instituted under chapter V.

The provisions hereinbefore contained shall apply to appeals under this chapter so far as such provisions are applicable.

Execution of decree of Appellate Court.

583. When a party entitled to any benefit (by way of restitution or otherwise) under a decree passed in an appeal under this chapter desires to obtain execution of the same, he shall apply to the Court which passed the decree against which the appeal was preferred; and such Court shall proceed to execute the decree passed in appeal, according to the rules hereinbefore prescribed for the execution of decrees in suits.

CHAPTER XLII.

OF APPEALS FROM APPELLATE DECREES.

584. Unless when otherwise provided in this Code or by any other law, [illegible] to [illegible] all decrees passed in appeal by any Court subordinate to a High Court, an appeal shall lie to the High Court on any of the following grounds, (namely)—

Grounds of second appeal.

(*a*) the decision being contrary to some specified law or usage having the force of law;

(*b*) the decision having failed to determine some material issue of law or usage having the force of law;

(*c*) a substantial error or defect in the procedure as prescribed by this Code or any other law, which may have produced error or defect in the decision of the case upon the merits.

Second appeal only on grounds mentioned in section 584.

585. No second appeal shall lie except on the grounds mentioned in section 584.

No second appeal in certain suits.

586. No second appeal shall lie in any suit of the nature cognizable in Courts of Small Causes, when the amount or value of the subject-matter of the original suit does not exceed five hundred rupees.

Provisions as to second appeals

587. The provisions contained in chapter XLI shall apply as far as may be to appeals under this chapter, and to the execution of decrees passed in such appeals.

CHAPTER XLIII.

OF APPEALS FROM ORDERS.

Orders appealable.

588. An appeal shall lie from the following orders under this Code, and from no other such order:—

(*a*) orders under section 20, staying proceedings in a suit,

(*b*) orders under section 32, striking out or adding the name of any person as plaintiff or defendant,

(*c*) orders under section 44, adding a cause of action,

(*d*) orders under section 47, excluding a cause of action,

(*e*) orders rejecting or returning plaints under section 53, clause (*d*), or section 54, clauses (*b*) and (*d*), or section 57, clauses (*b*) and (*c*),

(*f*) orders rejecting applications under section 102 (in cases open to appeal) for an order to set aside the dismissal of a suit,

(*g*) orders under section 120 where a party fails to appear in person,

(*h*) orders under section 168 for attachment of property,

(*i*) orders under section 176 where a [illegible] refuses to give evidence or produce a document called for by the Court,

(*j*) orders under section 244, or in questions relating to the execution of decrees, or the same nature with appealable orders made in the course of a suit,

(*k*) orders under section 258 compelling decree-holders to certify,

(*l*) orders under section 261 as to objections to draft-conveyances or draft-endorsements,

(*m*) orders under section 312 for confirming or setting aside a sale,

(*n*) orders in insolvency matters under section 351, 352, 353 or 357,

(*o*) orders rejecting applications under section 370 for dismissal of the suit,

(*p*) orders disallowing objections under section 372,

(*q*) orders as to interpleader-suits under section 473, 475 or 476,

(*r*) orders under section 479, 480, 481, 485, 492, 493, 496, 503,

(*s*) orders under section 514 superseding an arbitration,

(*t*) orders under section 518 modifying an award;

(*u*) orders under any of the provisions of this Code, imposing fines, or for the imprisonment of any person, except when such imprisonment is in execution of a decree,

(*v*) refusals under section 558 to re-admit, or under section 560 to re-hear, an appeal,

(*w*) orders under section 562 remanding a case.

The orders passed in appeals under this section shall be final.

589. An appeal from any order specified in section 588, clause (*n*), shall lie to the High Court.

Court which shall hear appeals.

When an appeal from any other order is allowed by this chapter, it shall lie to the Court to which an appeal would lie from the decree in the suit in relation to which such order was made or, when such order is passed by a Court (not being a High Court) in the exercise of appellate jurisdiction, then to the High Court.

590. The procedure prescribed in chapter XLI shall, so far as may be, apply to appeals from orders under this Code, or under any special or local law in which a different procedure is not provided.

Procedur in appea s from orders

591. Except as provided in this chapter, no appeal shall lie from any order passed by any Court on the exercise of its original or appellate jurisdiction; but if any decree be appealed against, any error, defect or irregularity in any such order, affecting the decision of the case, may be set forth as a ground of objection in the memorandum of appeal.

No appeal, before decree, from order passed in course of suit; but if decree appealed against, error or defect therein may be set forth.

CHAPTER XLIV.

OF PAUPER APPEALS.

592. Any person entitled under this Code or any other law to prefer an appeal, who is unable to pay the fee required for the petition of appeal, may, on presenting an application accompanied by a memorandum of appeal, be allowed to appeal as a pauper, subject to the rules contained in chapters XXVI, XLI, XLII and XLIII, in so far as those rules are applicable:

Who may appeal as pauper.

Provided that the Court shall reject the application unless upon a perusal thereof and of the judgment and decree against which the appeal is made, it sees reason to think that the decree appealed against is contrary to law or to some usage having the force of law, or is otherwise erroneous or unjust.

Procedure on application for admission of appeal.

593. The inquiry into the pauperism of the applicant may be made either by the Appellate Court or by the Court against whose decision the appeal is made under the orders of the Appellate Court:

Enquiry into pauperism.

Provided that, if the applicant was allowed to sue or appeal as a pauper in the Court against whose decree the appeal is made, no further enquiry in respect of his pauperism shall be necessary, unless the Appellate Court sees special cause to direct such enquiry.

Proviso.

CHAPTER XLV.

OF APPEALS TO THE QUEEN IN COUNCIL.

594. In this chapter, unless there be something repugnant in the subject or context, the expression 'decree' includes also judgment and order.

'Decree' defined.

595. Subject to such rules as may, from time to time, be made by Her Majesty in Council regarding appeals from the Courts of British India, and to the provisions hereinafter contained—

When appeals lie to Queen in Council.

an appeal shall lie to Her Majesty in Council

(*a*) from any final decree passed on appeal by a High Court or other Court of final appellate jurisdiction,

(*b*) from any final decree passed by a High Court in the exercise of original civil jurisdiction, and

(*c*) from any decree, when the case, as hereinafter provided, is certified to be a fit one for appeal to Her Majesty in Council.

596. In each of the cases mentioned in clauses (*a*) and (*b*) of section 595,

Value of subject-matter.

the amount or value of the subject-matter of the suit in the Court of first instance must be ten thousand rupees or upwards, and the amount or value of the matter in dispute on appeal to Her Majesty in Council must be the same sum or upwards,

or the decree must involve, directly or indirectly, some claim or question to, or respecting, property of like amount or value,

and where the decree appealed from affirms the decision of the Court immediately below the Court passing such decree, the appeal must involve some substantial question of law.

597. Notwithstanding anything contained in section 595,

Bar of certain appeals.

no appeal shall lie to Her Majesty in Council from the judgment of one Judge of a High Court established under the twenty-fourth and twenty-fifth of Victoria, chapter 104, or of one Judge of a Division Court, or of two or more Judges of such High Court, or of a Division Court constituted by two or more Judges of such High Court, wherever such Judges are equally divided in opinion, and do not amount in number to a majority of the whole of the Judges of the High Court at the time being;

and no appeal shall lie to Her Majesty in Council from any decree which, under section 586, is final.

598. Whoever desires to appeal under this chapter to Her Majesty in Council must apply by petition to the Court whose decree is complained of.

Application to Court whose decree is complained of.

599. Such application must ordinarily be made within six months from the date of such decree.

Time within which application must be made.

But if that period expires when the Court is closed, the application may be made on the day that the Court re-opens.

600. Every petition under section 598 must state the grounds of appeal, and pray for a certificate, either that, as regards amount or value and nature, the case fulfils the requirements of section 596, or that it is otherwise a fit one for appeal to Her Majesty in Council.

Certificate as to value or fitness.

Upon receipt of such petition, the Court may direct notice to be served on the opposite party to show cause why the said certificate should not be granted.

601. If such certificate be refused, the petition shall be dismissed:

Effect of refusal of certificate.

Provided that, if the decree complained of be a final decree passed by a Court other than a High Court, the order refusing the certificate shall be appealable, within thirty days from the date of the order, to the High Court to which the former Court is subordinate.

602. If the certificate be granted, the applicant shall, within six months from the date of the decree complained of, or within six weeks from the grant of the certificate, whichever is the later date,

Security and deposit required on grant of certificate.

(*a*) give security for the costs of the respondent, and

(*b*) deposit the amount required to defray the expense of translating, transcribing, indexing and transmitting to Her Majesty in Council a correct copy of the whole record of the suit, except

(1) formal documents directed to be excluded by any order of Her Majesty in Council in force for the time being;

(2) papers which the parties agree to exclude;

(3) accounts, or portions of accounts, which the officer empowered by the Court for that purpose considers unnecessary, and which the parties have not specifically asked to be included, and

(4) such other documents as the High Court may direct to be excluded:

and when the applicant prefers to print in India the copy of the record, except as aforesaid, he shall also, within the time mentioned in the first clause of this section, deposit the amount required to defray the expense of printing such copy.

603. When such security has been completed and deposit made to the satisfaction of the Court, the Court may

Admission of appeal and procedure thereon.

(*a*) declare the appeal admitted, and

(*b*) give notice thereof to the respondent, and shall then

(*c*) transmit to Her Majesty in Council, under the seal of the Court, a correct copy of the said record, except as aforesaid, and

(*d*) give to either party one or more authenticated copies of any of the papers in the suit on his applying therefor and paying the reasonable expenses incurred in preparing them.

604. At any time before the admission of the appeal, the Court may, upon cause shown, revoke the acceptance of any such security, and make further directions thereon.

Revocation of acceptance of security.

605. If at any time after the admission of the appeal, but before the transmission of the copy of the record, except as aforesaid, to Her Majesty in Council, such security appears inadequate,

Power to order further security or payment.

or further payment is required for the purpose of translating, transcribing, printing, indexing or transmitting the copy of the record, except as aforesaid,

the Court may order the appellant to furnish, within a time to be fixed by the Court, other and sufficient security, or to make, within like time, the required payment.

606. If the appellant fail to comply with such order, the proceedings shall be stayed,

Effect of failure to comply with order.

and the appeal shall not proceed without an order in this behalf of Her Majesty in Council,

and in the meantime execution of the decree appealed against shall not be stayed.

607. When the copy of the record, except as aforesaid, has been transmitted to Her Majesty in Council, the appellant may obtain a refund of the balance, if any, of the amount which he has deposited under section 602.

Refund of balance of deposit.

608. Notwithstanding the admission of any appeal under this chapter, the decree appealed against shall be unconditionally enforced, unless the Court admitting the appeal otherwise directs.

Powers of Court pending appeal.

But the Court may, if it think fit, on any special cause shown by any party interested in the suit, or otherwise appearing to the Court—

(*a*) impound any moveable property in dispute or any part thereof, or

(*b*) allow the decree appealed against to be enforced, taking such security from the respondent as the Court thinks fit for the due performance of any order which Her Majesty in Council may make on the appeal, or

(*c*) stay the execution of the decree appealed against, taking such security from the appellant as the Court thinks fit for the due performance of the decree appealed against, or of any order which Her Majesty in Council may make on the appeal, or

(*d*) place any party seeking the assistance of the Court under such conditions, or give such other direction respecting the subject-matter of the appeal as it thinks fit.

Increase of security found inadequate.

609. If at any time during the pendency of the appeal, the security so furnished by either party appears inadequate, the Court may, on the application of the other party, require further security.

In default of such further security being furnished as required by the Court, if the original security was furnished by the appellant, the Court may, on the application of the respondent, issue execution of the decree appealed against as if the appellant had furnished no such security.

And if the original security was furnished by the respondent, the Court shall, so far as may be practicable, stay all further execution of the decree, and restore the parties to the position in which they respectively were when the security which appears inadequate was furnished, or give such direction respecting the subject-matter of the appeal as it thinks fit.

Procedure to enforce orders of Queen in Council.

610. Whoever desires to enforce or to obtain execution of any order of Her Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court from which the appeal to Her Majesty was preferred.

Such Court shall transmit the order of Her Majesty to the Court which made the first decree appealed from, or to such other Court as Her Majesty by her said order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same; and the Court to which the said order is so transmitted shall enforce or execute it accordingly, in the manner and according to the rules applicable to the execution of its original decrees.

When any monies expressed to be payable in British currency are payable in India under such order, the amount so payable shall be estimated according to the rate of exchange for the time being fixed by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, for the adjustment of financial transactions between the Imperial and the Indian Governments.

Appeal against order relating to execution.

611. The orders made by the Court which enforces or executes the order of Her Majesty in Council relating to such enforcement or execution, shall be appealable in the same manner and subject to the same rules as the orders of such Court relating to the enforcement or execution of its own decrees.

Power to make rules.

612. The High Court may, from time to time, make rules consistent with this Act to regulate—

(*a*) the service of notices under section 600,

(*b*) the grant or refusal of certificates under sections 601 and 602 by Courts of final appellate jurisdiction subordinate to the High Court,

(*c*) the amount and nature of the security required under sections 602, 605 and 609,

(*d*) the testing of such security,

(*e*) the estimate of the cost of transcribing the record,

(*f*) the preparation, examination and certifying of such transcript,

(*g*) the revision and authentication of translations,

(*h*) the preparation of indices to transcripts of records, and of lists of the papers not included therein,

(*i*) the recovery of costs incurred in British India in connection with appeals to Her Majesty in Council,

and all other matters connected with the enforcement of this chapter.

Publication of rules.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law in the High Court and the Courts of final appellate jurisdiction subordinate thereto.

Legalization of existing rules.

613. All rules heretofore made and published by any High Court relating to appeal to Her Majesty in Council and in force immediately before the passing of this Act, shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Recorder of Rangoon.

614. In sections 595 and 612, the expression 'High Court' shall be deemed to include also the Recorder of Rangoon, but not so as to empower him to make rules binding on Courts other than his own Court.

Construction of Bengal Regulation III of 1828, section 4, clause 5.

615. The rules and restrictions referred to in Bengal Regulation III of 1828, section IV, clause *fifth*, shall be deemed to be the rules and restrictions applicable to appeals under this Code from the decisions of the High Court of Judicature at Fort William in Bengal.

Saving of Her Majesty's pleasure.

616. Nothing herein contained shall be understood—

(a) to bar the full and unqualified exercise of Her Majesty's pleasure in receiving or rejecting appeals to Her Majesty in Council, or otherwise howsoever, or

(b) to interfere with any rules made by the Judicial Committee of the Privy Council, and for the time being in force, for the presentation of appeals to Her Majesty in Council, or their conduct before the said Judicial Committee.

Rules and of rules for conduct of business before Judicial Committee.

And nothing in this chapter applies to any matter of criminal or admiralty or vice-admiralty jurisdiction, nor to appeals from orders and decrees of Prize Courts.

PART VII.

CHAPTER XLVI.

OF REFERENCE TO AND REVISION BY THE HIGH COURT.

617. If before or on the hearing of a suit or appeal in which the decree is final, or if in the execution of any such decree, any question of law or usage having the force of law, or the construction of a document which construction may affect the merits, arises, on which the Court trying the suit or appeal or executing the decree entertains reasonable doubt, the Court may, either of its own motion or on the application of any of the parties, draw up a statement of the facts of the case and the point on which doubt is entertained, and refer such statement with its own opinion on the point for the decision of the High Court.

Reference of question to High Court.

618. The Court may either stay the proceedings or proceed in the case, notwithstanding such reference, and may pass a decree or order contingent upon the opinion of the High Court on the point referred;

Court may pass decree contingent upon opinion of High Court.

but no execution shall be issued, property sold, or person imprisoned in any case in which such reference is made until the receipt of a copy of the judgment of the High Court upon such reference.

619. The High Court shall hear the parties to the case in which the reference is made, in person or by their respective pleaders, and shall decide the point so referred, and shall transmit a copy of its judgment under the signature of the Registrar, to the Court by which the reference was made, and such Court shall, on the receipt thereof, proceed to dispose of the case in conformity with the decision of the High Court.

Judgment of High Court to be transmitted, and case disposed of accordingly.

620. Costs, if any, consequent on a reference for the opinion of the High Court, shall be costs in the case.

Costs of reference to High Court.

621. When a case is referred to the High Court under this chapter, the High Court may return the case for amendment, and may alter, cancel or set aside any decree or order which the Court making the reference has passed in the case out of which the reference arose, and make such order as it thinks fit.

Power to alter, &c., decrees of Court making reference.

622. The High Court may call for the record of any case in which no appeal lies to the High Court, if the Court by which the case was decided appears to have exercised a jurisdiction not vested in it by law, or to have failed to exercise a jurisdiction so vested, and may pass such order in the case as the High Court thinks fit.

Power to call for record of cases decided by Small Cause Courts, or, on appeal, by subordinate Courts.

PART VIII.

CHAPTER XLVII.

OF REVIEW OF JUDGMENT.

623. Any person considering himself aggrieved—

Application for review of judgment.

(a) by a decree or order from which an appeal is hereby allowed, but from which no appeal has been preferred;

(b) by a decree or order from which no appeal is hereby allowed; or

(c) by a judgment on a reference from a Court of Small Causes;

and who from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him,

may apply for a review of judgment to the Court which passed the decree or made the order or to the Court, if any, to which the business of the former Court has been transferred.

A party who is not appealing from a decree may apply for a review of judgment notwithstanding the pendency of an appeal by some other party, except when the ground of such appeal is common to the applicant and the appellant, or when being a respondent, he can present to the Appellate Court the case on which he applies for the review.

624. Except upon the ground of the discovery of such new and important matter or evidence as aforesaid, or of some clerical error apparent on the face of the decree, no application for a review of judgment, other than that of a High Court, shall be made to any Judge other than the Judge who delivered it.

To whom applications for review may be made.

625. The rules hereinbefore contained as to the form of making appeals shall apply, *mutatis mutandis*, to applications for review.

Form of applications for review.

626. If it appear to the Court that there is not sufficient ground for a review, it shall reject the application.

Application when rejected.

If the Court be of opinion that the application for the review should be granted, it shall grant the same, and the Judge shall record with his own hand his reasons for such opinion:

Application when granted.

Proviso.

Provided that—

(*a*) no such application shall be granted without previous notice to the opposite party to enable him to appear and be heard in support of the decree a review of which is applied for; and

(*b*) no such application shall be granted on the ground of discovery of new matter, or evidence which the applicant alleges was not within his knowledge, or could not be adduced by him when the decree or order was passed, without strict proof of such allegation.

627. If the Judge or Judges, or any one of the Judges, who passed the decree or order, a review of which is applied for, continues or continue attached to the Court at the time when the application for a review is presented and is not or are not precluded by absence or other cause, for a period of six months next after the application, from considering the decree or order to which the application refers, such Judge or Judges or any of them shall hear the application, and no other Judge or Judges of the Court shall hear the same.

Application for review in Court consisting of two or more Judges.

628. If the application for a review be heard by more than one Judge and the Court be equally divided, the application shall be rejected.

Application when rejected.

If there be a majority the decision shall be according to the opinion of the majority.

629. An order of the Court for rejecting the application shall be final, but whenever such application is admitted, the admission may be objected to on the ground that it was

Order of Court final.

(*a*) in contravention of the provisions of section 624,

(*b*) in contravention of the provisions of section 626, or

(*c*) after the expiration of the period of limitation prescribed therefor and without sufficient cause.

Such objection may be made at once by an appeal against the order granting the application, or may be taken in any appeal against the final decree or order made in the suit.

Where the application has been rejected in consequence of the failure of the applicant to appear, he may apply for an order to have the rejected application restored to the file, and if it be proved to the satisfaction of the Court that he was prevented by any sufficient cause from appearing when such application was called on for hearing, the Court may order it to be restored to the file upon such terms as to costs or otherwise as it thinks fit, and shall appoint a day for hearing the same.

No order shall be made under this section unless the applicant has served the opposite party with notice in writing of the latter application.

No application to review an order passed on review or on an application for a review shall be entertained.

630. When an application for a review is granted, a note thereof shall be made in the register and the Court may at once re-hear the case or make such order in regard to the re-hearing as it thinks fit.

Registry of application granted, and order for re-hearing.

PART IX.

CHAPTER XLVIII.

SPECIAL RULES RELATING TO THE CHARTERED HIGH COURTS.

631. This chapter applies only to High Courts which are or may hereafter be established under the twenty-fourth and twenty-fifth of Victoria, chapter 104 (*An Act for establishing High Courts of Judicature in India*).

This part to apply only to certain High Courts.

632. Except as provided in this Chapter the provisions of this Code apply to such High Courts.

Application of Code to High Courts.

633. The High Court shall take evidence, and record judgments and orders in such manner as it by rule from time to time directs.

High Court to record judgments according to its own rules.

634. Whenever a High Court considers it necessary that a decree made in the exercise of its ordinary original civil jurisdiction should be enforced before the amount of the costs incurred in the suit can be ascertained by taxation, the Court may order that the decree shall be executed forthwith, except as to so much thereof as relates to the costs;

Power to order execution of decree before ascertainment of costs, and execution for costs subsequently.

and, as to so much thereof as relates to the costs, that the decree may be executed as soon as the amount of the costs shall be ascertained by taxation.

635. Nothing in this Code shall be deemed to authorize any person on behalf of another to address the Court in the exercise of its ordinary original civil jurisdiction or to examine witnesses, except when the Court shall have in the exercise of the power conferred by its charter authorized him so to do, or to interfere with the power of the High Court to make rules concerning advocates, vakils and attorneys.

Attorneys not to address Court, except when authorized

636. Notices to produce documents, summonses to witnesses, and every other judicial process, issued in the exercise of the ordinary or extraordinary original civil jurisdiction of the High Court, and of its matrimonial, testamentary and intestate jurisdictions, except summonses to defendants issued under section 65, writs of execution, and notices under section 553, may be served by the attorneys in the suit, or by persons employed by them, or by such other persons as the High Court by any rule or order from time to time directs.

Process of High Courts may be served by attorneys in suit.

637. Any non-judicial or quasi-judicial act which this Code requires to be done by a Judge, and any act which may be done by a Commissioner appointed to examine and adjust accounts under section 394, may be done by the Registrar of the Court or by such other officer of the Court as the Court may direct to do such act.

Non-judicial acts may be done by Registrar.

The High Court may from time to time by rule declare what shall be deemed to be non-judicial and quasi-judicial acts within the meaning of this section.

638. The following portions of this Code shall not apply to the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction, namely, sections 16 and 17, sections 54, clauses (*a*) and (*b*), 57, 119, 160, 182 to 185 (both inclusive), 187, 189, 190, 191, 192 (so far as relates to the manner of taking evidence), 198 to 206 (both inclusive), 261, and so much of section 409 as relates to the making of a memorandum,

Sections not applying to High Court in original civil jurisdiction.

and section 579 shall not apply to the High Court in the exercise of its appellate jurisdiction.

Nothing in this Code shall extend or apply to any High Court in the exercise of its jurisdiction as an Insolvent Court.

Code not to affect High Court in exercise of insolvent jurisdiction.

639. The High Court may from time to time frame forms for any proceeding in such Court, and may make rules as to the books, entries and accounts to be kept by its officers.

Power to frame forms.

PART X.

CHAPTER XLIX.

MISCELLANEOUS.

640. Women, who according to the customs and manners of the country ought not to be compelled to appear in public, shall be exempt from personal appearance in court.

Exemption of certain women from personal appearance.

But nothing herein contained shall be deemed to exempt such women from arrest in execution of civil process.

641. The Local Government may, by notification in the official Gazette, exempt from personal appearance in court any person whose rank, in the opinion of such Government, entitles him to the privilege of exemption, and may, by like notification, withdraw such privilege.

Local Government may exempt certain persons from personal appearance.

The names and residences of the persons so exempted shall from time to time be forwarded to the High Court by the Local Government, and a list of such persons shall be kept in such Court, and a list of such persons as reside within the local limits of the jurisdiction of each Court, subordinate to the High Court, shall be kept in such subordinate Court.

List of names of persons exempted to be kept in subordinate Court.

When any person so exempted claims the privilege of such exemption, and it is consequently necessary to examine him by commission, he shall pay the costs of that commission, unless the party requiring his evidence pays such costs.

Costs of commission rendered necessary by claiming privilege.

642. No Judge, Magistrate or other judicial officer shall be liable to arrest under this Code while going to, presiding in, or returning from his Court.

Persons exempt from arrest.

And, except as hereinafter provided, the parties to a suit and their pleaders and recognized agents shall be exempt from arrest under this Code while going to or attending a Civil Court for the purpose of such suit and while returning from such Court. Witnesses acting in obedience to a summons shall be similarly exempt.

643. When in a case pending before any Court, there appears to the Court sufficient ground for sending for investigation to the Magistrate a charge of any such offence as is described in section 193, 196, 199, 200, 205, 206, 207, 208, 209, 210, 463, 471, 474, 475, 476 or 477 of the Indian Penal Code, which may be made in the course of any other suit or proceeding or with respect to any document offered in evidence in the case, the Court may cause the person accused to be detained till the rising of the Court, and may then send him in custody to the Magistrate, or take sufficient bail for his appearance before the Magistrate.

Procedure in case of certain offences.

The Court shall send to the Magistrate the evidence and documents relevant to the charge, and may bind over any person to appear and give evidence before such Magistrate.

The Magistrate shall receive such charge and proceed with it according to law.

644. Subject to the power conferred on the High Court by section 639 and by the twenty-fourth and twenty-fifth of Victoria, chapter 104, section 15, the forms set forth in the fourth schedule hereto annexed, with such variation as the circumstances of each case require, shall be used for the respective purposes therein mentioned.

Use of forms in fourth schedule.

645. The language which, when this Code comes into force, is the language of any Court subordinate to a High Court, shall continue to be the language of such subordinate Court until the Local Government otherwise orders;

Language of subordinate Courts.

but it shall be lawful for the Local Government from time to time to declare what language shall be the language of every such Court.

646. Whenever the Registrar of a Court of Small Causes has any doubt upon any question of law or usage having the force of law, or as to the construction of a document which construction may

Power of Registrars of Small Cause Courts to state cases.

affect the merits of the decision, he may state a case for the opinion of the Judge; and all the provisions herein contained relative to the stating of a case by the Judge shall apply, *mutatis mutandis*, to the stating of a case by the Registrar.

Miscellaneous proceedings.

647. The procedure herein prescribed shall be followed, as far as it can be made applicable, in all proceedings in any Court of civil jurisdiction other than suits and appeals.

Admission of affidavits as evidence.

The High Court may from time to time make rules to provide for the admission, in such proceedings, of affidavits as evidence of the matters to which such affidavits respectively relate; and such rules, on being published in the local official Gazette, shall have the force of law.

Procedure when person to be arrested or property to be attached is outside the District.

648. If any person to be arrested or any property to be attached under this Code, resides or is situate outside the District within which the Court issuing the warrant of arrest or making the order of attachment is situate, such Court shall send to the District Court within the local limits of whose jurisdiction such person or property resides or is situate, a copy of the warrant or order, together with the probable amount of the costs of the arrest or attachment.

The District Court shall, on receipt of such copy and amount, cause the arrest or attachment to be made by its own officers or by a Court subordinate to itself, and shall inform the Court which issued or made such warrant or order of the arrest or attachment,

and the Court making any arrest under this section shall send the person arrested to the Court by which the warrant of arrest was issued.

Rules applicable to all civil process for arrest, sale, or payment.

649. The rules contained in chapter XIX shall apply to the execution of any judicial process for the arrest of a person or the sale of property or payment of money, which may be desired or ordered by a Civil Court in any civil proceeding.

Application of rules as to witnesses.

650. The provisions of chapters XIV and XV relating to witnesses shall apply to all persons required to give evidence, or to produce documents in any proceeding under this Code.

Penalty for escaping from custody under Code.

651. Whoever offers any resistance or illegal obstruction to the lawful apprehension of himself under this Code, or under the warrant of any Court of Civil Judicature, or escapes or attempts to escape from any custody in which he is lawfully detained under this Code or under such warrant, shall, on conviction before a Magistrate, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Power to make subsidiary rules of procedure.

652. The High Court may from time to time make rules consistent with this Code to regulate any matter connected with the procedure of the Courts of Civil Judicature subject to its superintendence. All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

THE FIRST SCHEDULE.

(*See section* 3).

A.—STATUTE REPEALED.

Year and chapter.	Title.	Extent of repeal.
29 Char. II. chap. 7 ...	An Act for the better observance of the Lord's day commonly called Sunday.	The whole.

B.—ACTS REPEALED.

Number and year.	Subject or title.	Extent of repeal.
IX of 1840 ...	For amending the law administered in Her Majesty's Courts of Justice with reference to Arbitrations, Damages, and interested Witnesses.	So much as has not been repealed.
XXIII of 1840 ...	For executing within the local limits of the jurisdiction of Her Majesty's Courts legal Process issued by authorities in the Mufassal.	So far as it relates to the execution of the process of Civil Courts.
VIII of 1841 ...	Interpleader	The whole.
XXVI of 1841 ...	Extending 3 & 4 Wm. IV, c. 42 ...	So much as has not been repealed.
XIV of 1848 ...	Commissions for taking affidavits ...	The whole.
XVII of 1852 ...	Special cases	The whole.
XXXIII of 1852 ...	Enforcement of judgments ...	The whole Act, except so far as it relates to the decrees of Military Courts of Requests.
VI of 1855 ...	Writs of execution	The whole.
XXXIV of 1855. ...	Execution of judgments	The whole.
VIII of 1859 ...	For simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.	So much as has not been repealed.
XXIII of 1861 ...	To amend Act VIII of 1859 ...	So much as has not been repealed.
XX of 1862 ...	To provide for the levy of Fees and Stamp-duties in the High Court, &c.	So much as has not been repealed.
XXIV of 1862 ...	To continue in force Act XX of 1862	So much as has not been repealed.
IX of 1863 ...	To amend the Code of Civil Procedure	The whole.

THE FIRST SCHEDULE.

ACTS REPEALED—*continued.*

Number and year.	Subject or title.	Extent of repeal.
XVIII of 1863 ...	To make provision for the speedy and efficient disposal of the business, &c.	So much as has not been repealed.
XXXII of 1863 ...	To continue in force Act XX of 1862 ...	So much as has not been repealed.
XI of 1865 ...	Mufassal Small Cause Courts Act ...	Sections 8, 9, 10, 11, para. 2, 22, 23, 24, 25, 26, 27, 28, 42 and 47, and in section 32 the words "in the manner prescribed in the twenty-second section of this Act" and "contained in the twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of this Act."
XIV of 1865 ...	Central Provinces Courts Act ...	Sections 17 and 18.
XIX of 1865 ...	Panjáb Courts Act	Sections 13 and 17.
V of 1866 ...	To provide a summary procedure on Bills of Exchange, &c.	In the title, the words '*to provide a summary procedure on Bills of Exchange and*' The preamble down to and including the words 'Notes; and' In section 1, the definitions of 'High Court' and 'Local Government.' Sections two to eight (both inclusive). Section fourteen.
XXIV of 1866 ...	High Court, North-Western Provinces	So much as has not been repealed.
X of 1867 ...	References by Mufassal Small Cause Courts.	The whole.
XXVI of 1867 ...	To amend the law relating to Stamp Duties.	So much as has not been repealed.
XV of 1869 ...	Prisoners' Testimony Act ...	So much of sections 15 and 16 as relates to process issued by a Civil Court.
IX of 1873 ...	Panjáb Appeals Act, 1873 ...	Sections 9 and 10.
VI of 1874 ...	The Privy Council Appeals Act, 1874...	The whole.

C.—REGULATIONS REPEALED.

Bengal Regulation XX of 1810.	Cantonments	So much of section XIX as relates to civil process.
Madras Regulation XIV of 1816.	Vakíls	Section 27.

THE SECOND SCHEDULE.

(See section 5).

Chapters and Sections of this Code extending to Mufassal Courts of Small Causes.

PRELIMINARY: Sections 1, 2, 3 and 5.

CHAPTER I.—Of the Jurisdiction of the Courts and *Res Judicata*, except section 11.
CHAPTER II.—Of the Place of Suing, except section 20, paragraph 4, and sections 22 to 24 (both inclusive).
CHAPTER III.—Of Parties and their Appearances, Applications and Acts.
CHAPTER IV.—Of the Frame of the Suit, except section 42 and section 44, rule *a*.
CHAPTER V.—Of the Institution of Suits.
CHAPTER VI.—Of the Issue and Service of Summons, except section 77.
CHAPTER VII.—Of the Appearance of the Parties and consequence of Non-appearance.
CHAPTER VIII.—Section 111, Set-off.
CHAPTER IX.—Of the Examination of the Parties by the Court, except section 119.
CHAPTER X.—Of Discovery and the Admission, &c., of Documents.
CHAPTER XII.—Section 155, first paragraph, Judgment where either party fails to produce his evidence.
CHAPTER XIII.—Of Adjournments.
CHAPTER XIV.—Of the Summoning and Attendance of Witnesses.
CHAPTER XV.—Of the Hearing of the Suit and Examination of Witnesses, except sections 182 to 188 (both inclusive).
CHAPTER XVII.—Of Judgment and Decree, except sections 204, 207, 211, 212, 213, 214 and 215.
CHAPTER XVIII.—Sections 220, 221 and 222, of Costs.
CHAPTER XIX.—Of the Execution of Decrees, sections 230 to 236 (both inclusive), 239 to 258 (both inclusive), 259 (except so far as relates to the recovery of wives), 266 (except so far as relates to immoveable property), 267 to 272 (both inclusive), 273 (so far as relates to decrees for moveable property), 275 to 280 (both inclusive), 283, 284 (so far as relates to moveable property), 285, 286, 287, 288, 289, 290, 291, 292, 293 (so far as relates to re-sales under 297), 294 to 303 (both inclusive), 328 to 333 (both inclusive, so far as relates to moveable property), 336 to 343 (both inclusive).
CHAPTER XXI.—Of the Death, Marriage and Insolvency of Parties.
CHAPTER XXII.—Of the Withdrawal and Adjustment of Suits.
CHAPTER XXIII.—Of Payment into Court.
CHAPTER XXIV.—Of requiring Security for Costs.
CHAPTER XXV.—Of Commissions.
CHAPTER XXVI.—Suits by Paupers.
CHAPTER XXVII.—Suits by and against Government or Government Servants.
CHAPTER XXVIII.—Suits by Aliens and by and against Foreign and Native Rulers, except the first paragraph of section 433.
CHAPTER XXIX.—Suits by and against Corporations and Companies.
CHAPTER XXX.—Suits by and against Trustees, Executors and Administrators.
CHAPTER XXXI.—Suits by and against Minors and Persons of unsound Mind.
CHAPTER XXXII.—Suits by and against Military Men.
CHAPTER XXXIII.—Interpleader.
CHAPTER XXXIV.—Of Arrest and Attachment before Judgment.
CHAPTER XXXVII.—Reference to Arbitration, sections 506 to 522 (both inclusive).
CHAPTER XXXVIII.—Of proceedings on Agreement of Parties.
CHAPTER XLVI.—Reference to and Revision by High Court.
CHAPTER XLVII.—Of Review of judgment.
CHAPTER XLIX.—Miscellaneous, sections 640 to 647 (both inclusive), section 648 (so far as relates to arrests), sections 649 to 652 (both inclusive).

THE THIRD SCHEDULE.

(See section 7).

Bombay Enactments.

Bombay Regulation XXIX, 1827.
" " VII, 1830.
" " I, 1831.
" " XVI, 1831.
Act XIX of 1835.
" XIII of 1842.

THE FOURTH SCHEDULE.

(*See section* 644.)

FORMS OF PLEADINGS AND DECREES.

A.—PART I. PLAINTS.

No. 1.

FOR MONEY LENT.

IN THE COURT OF AT

Civil Suit No.

A. B. of

against

C. D. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at defendant rupees repayable on demand [*or* on the day of], he lent the

2. That the defendant has not paid the same, except rupees paid on the day of 18 .

[*If the plaintiff claims exemption from any law of limitation, say:*—

3. The plaintiff was a minor [*or* insane] from the day of till the day of].

4. The plaintiff prays judgment for rupees, with interest at per cent. from the day of 18 .

[NOTE.—The object of stating when the debt is to be repaid is merely to fix a date for interest. If, therefore interest is not claimed, the statement may be omitted.]

No. 2.

FOR MONEY RECEIVED TO PLAINTIFF'S USE.

(*Title.*)

A. B., and *G. H.*, the above-named plaintiffs, state as follows:—

1. That on the day of 18 , at defendant received rupees [*or* a cheque on the Bank for Rs.] the from one *E. F.* for the use of the plaintiffs.

2. That the defendant has not paid [*or* delivered] the same accordingly.

3. The plaintiffs pray judgment for rupees, with interest at per cent. from the day of 18 .

No. 3.

FOR PRICE OF GOODS SOLD BY A FACTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at he and *E. F.*, since deceased, delivered to the defendant [*one thousand barrels of flour, five hundred maunds of rice, or as the case may be*] for sale upon commission.

2. That on the day of 18 [*or*, on some day unknown to the plaintiff, before the day of 18], the defendant sold the said merchandise for rupees.

3. That the commission and expenses of the defendant thereon, amount to rupees.

4. That on the day of 18 , the plaintiff demanded from the defendant the proceeds of the said merchandise.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 4.

FOR MONEY RECEIVED BY DEFENDANT THROUGH THE PLAINTIFF'S MISTAKE OF FACT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff agreed to buy and the defendant agreed to sell bars of silver at annas per tola of fine silver.

2. That the plaintiff procured the said bars to be assayed by one *E. F.*, who was paid by the defendant for such assay, and that the said *E. F.* declared each of the said bars to contain 1,500 tolas of fine silver, and that the plaintiff accordingly paid the defendant Rs. annas therefor.

3. That each of the said bars did contain only 1,200 tolas of fine silver.

4. That the defendant has not repaid the sum so overpaid.

[*Demand of judgment.*]

[NOTE.—A demand of repayment is not necessary, but it may affect the question of interest or the costs.]

No. 5.

FOR MONEY PAID TO A THIRD PARTY AT THE DEFENDANT'S REQUEST.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , at the request [*or* by the authority] of the defendant, the plaintiff paid to one *E. F.* rupees.

2. That, in consideration thereof, the defendant promised [*or* became bound] to pay the same to the plaintiff on demand [*or as the case may be.*]

3. That [on the day of 18 , the plaintiff demanded payment of the same from the defendant, but] he has not paid the same.

[*Demand of judgment.*]

[NOTE.—If the request or authority is implied, the plaint should state facts raising the implication.]

No. 6.

FOR GOODS SOLD AT A FIXED PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at *E. F.* of deceased sold and delivered to the defendant [one hundred barrels of flour, *or*, the goods mentioned in the schedule hereto annexed, *or*, sundry goods].

2. That the defendant promised to pay rupees for the said goods on delivery [*or* on the day of *some day before the plaint was filed*].

3. That he has not paid the same.

4. That the said *E. F.* in his lifetime made his will, whereby he appointed the plaintiff executor thereof.

5. That on the day of 187 the said *E. F.* died.

6. That on the day of probate of the said will was granted to the plaintiff by the Court of .

7. The plaintiff as executor as aforesaid [*Demand of judgment*].

[NOTE.—If a day was fixed for payment it should be stated as furnishing a date for the commencement of interest.]

No. 7.

GOODS SOLD AT A REASONABLE PRICE AND DELIVERED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff sold and delivered to the defendant [*sundry articles of house furniture*] but no express agreement was made as to the price.

2. That the same were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—The law implies a promise to pay so much as the goods are reasonably worth.]

No. 8.

FOR GOODS DELIVERED TO A THIRD PARTY AT DEFENDANT'S REQUEST AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff sold to the defendant [*one hundred barrels of flour*] and, at the request of the defendant, delivered the same to one *E. F.*

2. That the defendant promised to pay to the plaintiff rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 9.

FOR NECESSARIES FURNISHED TO THE FAMILY OF DEFENDANT'S TESTATOR WITHOUT HIS EXPRESS REQUEST, AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff furnished to [*Mary Jones*] the wife of *James Jones* deceased, at her request, sundry articles of [*food and clothing*], but no express agreement was made as to the price.

2. That the same were necessary for her.

3. That the same were reasonably worth rupees.

4. That the said *James Jones* refused to pay the same.

5. That the defendant is the executor of the last will of the said *James Jones*.

[*Demand of judgment.*]

No. 10.

FOR GOODS SOLD AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold to *E. F.* of deceased [*all the crops then growing on his farm in*].

2. That the said *E. F.* promised to pay the plaintiff rupees for the same.

3. That he did not pay the same.

4. That the defendant is administrator of the estate of the said *E. F.*

[*Demand of judgment.*]

No. 11.

FOR GOODS SOLD AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of sold to the defendant [*all the fruit growing in his orchard in*], but no express agreement was made as to the price.

2. That the same was reasonably worth rupees.

3. That the defendant has not paid the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the plaintiff committee of his estate with the usual powers for the management thereof.

5. The plaintiff as committee as aforesaid [*Demand of judgment.*]

[NOTE.—When the lunatic's estate is not subject to the ordinary original jurisdiction of a High Court, for paragraphs 4 and 5 substitute the following:—]

4. That on the day of the Civil Court of duly adjudged the said *E. F.* to be of unsound mind and incapable of managing his affairs and appointed the plaintiff Manager of his estate.

5. The plaintiff as Manager as aforesaid [*Demand of judgment.*]

No. 12.

FOR GOODS MADE AT DEFENDANT'S REQUEST, AND NOT ACCEPTED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , *E. F.* of agreed with the plaintiff that the plaintiff should make for him [*six tables and fifty chairs*], and that the said *E. F.* should pay for the same upon delivery thereof rupees.

2. That the plaintiff made the said goods, and on the day of 18 offered to deliver the same to the said *E. F.*, and has ever since been ready and willing so to do.

3. That the said *E. F.* has not accepted the said goods or paid for the same.

4. That on the day of the High Court of Judicature at Fort William duly adjudged the said *E. F.* to be a lunatic and appointed the defendant committee of his estate.

5. The plaintiff prays judgment for rupees with interest from the day of , at the rate of per cent. per annum, to be paid out of the estate of the said *E. F.* in the hands of the defendant.

No. 13.

FOR DEFICIENCY UPON A RE-SALE [GOODS SOLD AT AUCTION].

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff put up at auction sundry [*articles of merchandise*], subject to the condition that all goods not paid for and removed by the purchaser thereof, within [*ten days*] after the sale, should be re-sold by auction on his account of which condition the defendant had notice.

2. That the defendant purchased [*one crate of crockery*] at the said auction at the price of rupees.

3. That the plaintiff was ready and willing to deliver the same to the defendant on the said day and for [*ten days*] thereafter, of which the defendant had notice.

4. That the defendant did not take away the said goods purchased by him, nor pay therefor, within [*ten days*] after the sale, nor afterwards.

5. That on the day of 18 , at , the plaintiff re-sold the said [*crate of crockery*], on account of the defendant, by public auction, for rupees.

6. That the expenses attendant upon such re-sale amounted to rupees.

7. That the defendant has not paid the deficiency thus arising, amounting to rupees.

[*Demand of judgment.*]

NOTE to § 4. Unless the seller agreed to deliver, the purchaser must fetch the goods. See Act IX of 1872, sec. 93.]

No. 14.

FOR THE PURCHASE-MONEY OF LANDS CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff sold [and conveyed] to the defendant [the house and compound No. , in , in the city of *or*, a farm known as *or*, a piece of land lying, *&c.*]

2. That the defendant promised to pay the plaintiff rupees for the said [house and compound, *or* farm, *or* land].

3. That he has not paid the same.

[*Demand of judgment.*]

NOTE.—Where there has been no actual conveyance, say, in § 1, "sold to the defendant the house, &c., and placed him in possession of the same."]

No. 15.

FOR THE PURCHASE-MONEY OF IMMOVEABLE PROPERTY CONTRACTED TO BE SOLD, BUT NOT CONVEYED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff [the house No. , *or* one hundred bighás of land in the town of , in , bounded by the East Indian railroad, and by other lands of the plaintiff] for rupees.

2. That on the day of 18 , at , the plaintiff tendered [*or*, was ready and willing, and offered to execute] a sufficient instrument of conveyance of the said property to the defendant, on payment of the said sum, and still is ready and willing to execute the same.

3. That the defendant has not paid the said sum.

[*Demand of judgment.*]

No. 16.

FOR SERVICES AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [hired plaintiff as a clerk, at the salary of rupees per year].

2. That from the [said day] until the day of 18 , the plaintiff served the defendant as his clerk].

3. That the defendant has not paid the said salary.

[*Demand of judgment.*]

No. 17.

FOR SERVICES AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That between the day of 18 , and the day of 18 , at , plaintiff [executed sundry drawings, designs and diagrams] for the defendant, at his request; but no express agreement was made as to the sum to be paid for such services.

2. That the said services were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 18.

FOR SERVICES AND MATERIALS AT A FIXED PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at plaintiff [furnished the paper for and printed one thousand copies of a book called] for the defendant, at his request [and delivered the same to him].

2. That the defendant promised to pay rupees therefor.

3. That he has not paid the same.

[*Demand of judgment.*]

No. 19.

FOR SERVICES AND MATERIALS AT A REASONABLE PRICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff built a house [known as No. , in], and furnished the materials therefor, for the defendant, at his request; but no express agreement was made as to the price to be paid for such work and materials.

2. That the said work and materials were reasonably worth rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 20.

FOR RENT RESERVED IN A LEASE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into a covenant with the plaintiff, under their hands, a copy of which is hereto annexed.

[*Or state the substance of the agreement.*]

2. That the defendant has not paid the rent of the [month] ending on the day of 18 , amounting to rupees.

[*Demand of judgment.*]

Another Form.

1. That the plaintiff let to the defendant a house No. 27 Chowringhee for seven years to hold from the day of 187 at rupees a year, payable quarterly.

2. That of such rent quarters are due and unpaid.

[*Demand of judgment.*]

No. 21.

FOR USE AND OCCUPATION AT A FIXED RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant hired from the plaintiff [the house No. street], at the rent of rupees, payable on the first days of .

2. That the defendant occupied the said premises from the day of 18 to the day of 18 .

3. That the defendant has not paid rupees, being the part of said rent due on the first day of 18 .

[*Demand of judgment.*]

No. 22.

FOR USE AND OCCUPATION AT A REASONABLE RENT.

(*Title.*)

A. B., the above-named plaintiff, executor of the will of *X. Y.*, deceased, states as follows:—

1. That the defendant occupied the [house No , street], by permission of the said *X. Y.*, from the day of 18 , until the day of 18 and no agreement was made as to payment for the use of the said premises.

2. That the use of the said premises for the said period was reasonably worth rupees.

3. That the defendant has not paid the same.

4. The plaintiff as such executor as aforesaid prays judgment for rupees.

No. 23.

FOR BOARD AND LODGING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That from the day of 18 , until the day of 18 , the defendant occupied certain rooms in the house [No. , street], by permission of the plaintiff, and was furnished by the plaintiff, at his request, with meat, drink, attendance and other necessaries.

2. That in consideration thereof, the defendant promised to pay, [*or* that no agreement was made as to payment for such meat, drink, attendance or necessaries, but the same were reasonably worth] the sum of rupees.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 24.

FOR FREIGHT OF GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff transported in [his barge, *or otherwise*] [one thousand barrels of flour, *or* sundry goods], from to , at the request of the defendant.

2. That the defendant promised to pay the plaintiff the sum of [one rupee per barrel] as freight thereon. [*Or*, that no agreement was made as to payment for such transportation, but that such transportation was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 25.

FOR PASSAGE-MONEY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff conveyed the defendant [in his ship, called the] from to at his request.

2. That the defendant promised to pay the plaintiff rupees therefor. [*or* that no agreement was made as to the price of the said passage; but that the said passage was reasonably worth rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 26.

ON AN AWARD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, having a controversy between them concerning [a demand of the plaintiff for the price of ten barrels of oil, which the defendant refused to pay], agreed to submit the same to the award of *E. F.* and *G. H.*, as arbitrators [*or*, entered into an agreement, a copy of which is hereto annexed.]

2. That on the day of 18 , at , the said arbitrators awarded that the defendant should [pay the plaintiff rupees.]

3. That the defendant has not paid the same.

[*Demand of judgment.*]

[NOTE.—This will apply where the agreement to refer is not filed in Court.]

No. 27.

ON A FOREIGN JUDGMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , in the State [*or* Kingdom] of , the Court of that State [*or* Kingdom], in a suit therein pending between the plaintiff and the defendant, duly adjudged that the defendant should pay to the plaintiff rupees, with interest from the said date.

2. That the defendant has not paid the same.

[*Demand of judgment.*]

PLAINTS UPON INSTRUMENTS FOR THE PAYMENT OF MONEY ONLY.

No. 28.

ON AN ANNUITY BOND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bond became bound to the plaintiff in the sum of rupees to be paid by the defendant to the plaintiff, subject to a condition that if the defendant should pay to the plaintiff rupees half yearly on the day of and the day of in every year during the life of the plaintiff, the said bond should be void.

2. That afterwards, on the day of 187 , the sum of rupees for of the said half-yearly payments of the said annuity, became due to the plaintiff and is still unpaid.

[*Demand of judgment.*]

No. 29.

PAYEE AGAINST MAKER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of , 18 , at , the defendant by his promissory note now overdue, promised to pay to the plaintiff rupees [days] after date.

2. That he has not paid the same [except rupees, paid on the day of 18].

[*Demand of judgment.*]

[NOTE.—*Where the note is payable after notice, for paras.* 1 *and* 2 *substitute*—]

1. That on the day of at the defendant by his promissory note promised to pay to the plaintiff rupees months after notice.

2. That notice was afterwards given by the plaintiff to the defendant to pay the same months after the said notice.

3. That the said time for payment has elapsed, but the defendant has not paid the same.

[*Where the note is payable at a particular place, say*—]

1.—That on the day of 187 at the defendant by his promissory note now overdue promised to pay to the plaintiff [at Messrs. *A. and Co.*, Madras] rupees months after date.

2.—That the said note was duly presented for payment [at Messrs. *A. and Co.*] aforesaid, but has not been paid.

Written statement of the Defendant.

In the Court, &c.

C. D., the above-named defendant, states as follows:—

1. The defendant made the note sued upon under the following circumstances: The plaintiff and defendant had for some years been in partnership as indigo manufacturers, and it had been agreed between them that they should dissolve partnership, that the plaintiff should retire from the business, that the defendant should take over the whole of the partnership assets and liabilities and should pay the plaintiff the value of his share in the assets after deducting the liabilities.

2. The plaintiff thereupon undertook to examine the partnership books and enquire into the state of the partnership assets and liabilities; and he did accordingly examine the said books and make the said enquiries, and he thereupon represented to the defendant that the assets of the firm exceeded Rs. 1,00,000, and that the liabilities of the firm were less than Rs. 30,000, whereas the fact was that the assets of the firm were less than Rs. 50,000 and the liabilities of the firm largely exceeded the assets.

3. The misrepresentations mentioned in the second para. of this statement induced the defendant to make the note now sued on, and there never was any other consideration for the making of such note.

No. 30.

FIRST INDORSEE AGAINST MAKER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by his promissory note, now overdue, promised to pay to the order of *E. F.* [*or* to *E. F.* or order] rupees [days after date].

2. That the said *E. F.* indorsed the same to the plaintiff.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 31.

SUBSEQUENT INDORSEE AGAINST MAKER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form.*]

2. That the same was, by the indorsement of the said *E. F.* and of *G. H.* and *I. J.* [*or* and others] transferred to the plaintiff.

[*Demand of judgment.*]

No. 32.

FIRST INDORSEE AGAINST FIRST INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That *E. F.*, on the day of 18 , at , by his promissory note, now overdue, promised to pay to the defendant or order rupees months after date.

2. That the defendant indorsed the same to the plaintiff.

3. That on the day of 18 the same was duly presented for payment, but was not paid.

[*Or state facts excusing want of presentment.*]

4. That the defendant had notice thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

No. 33.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.* a promissory note, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at , to the order of the defendant, for the sum of rupees [payable days after date].

2. That the same was by the indorsement of the said *E. F.*, [and others] transferred to the plaintiff. [*Or*, that the said *E. F.* indorsed the same to the plaintiff.]

3, 4 *and* 5. [*Same as* 3, 4 *and* 5 *of the preceding form.*]

[*Demand of judgment.*]

No. 34.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to him a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant.

2, 3 *and* 4. [*As in No.* 33.]

[*Demand of judgment.*]

No. 35.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(Title).

A. B., the above-named plaintiff, states as follows:—

1. That a promissory note, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , to the order of one *G. H.*, for the sum of rupees [payable days after date], and indorsed by the said *G. H.* to the defendant, was by the indorsement of the defendant [and others] transferred to the plaintiff.

2, 3 *and* 4. [*As in No* 33.]

[*Demand of judgment.*]

No. 36.

SUBSEQUENT INDORSEE AGAINST MAKER, FIRST AND SECOND INDORSER.

IN THE COURT OF AT

Civil Suit No.

A. B. of
against
C. D. of
E. F. of
and
G. H. of

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his promissory note, now overdue, promised to pay to the order of the defendant, *E. F.*, rupees [months after date].

2. That the said *E. F.* indorsed the same to the defendant, *G. H.*, who indorsed it to the plaintiff.

3. That on the day of 18 , the same was presented [*or state facts excusing want of presentment*] to the said *C. D.* for payment, but was not paid.

4. That the said *E. F.* and *G. H.* had notice thereof.

5. That they have not paid the same.

[*Demand of judgment.*]

No. 37.

DRAWER AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , by his bill of exchange, now overdue, the plaintiff required the defendant to pay to him rupees [days after date, *or* sight thereof].

2. That the defendant accepted the said bill. [*If the bill is payable at a certain time after sight, the date of acceptance should be stated, otherwise it is not necessary.*]

3. That he has not paid the same.

4. That by reason thereof the plaintiff incurred expenses in and about the presenting and noting of the bill, and incidental to the dishonour thereof.

[*Demand of judgment.*]

[NOTE.—Where the bill is payable to a third party, for paras. 1, 2, 3, say—]

1. That on &c., at &c., by his bill of exchange, now overdue, directed to the defendant the plaintiff required the defendant to pay to *E. F.* or order rupees months after date.
2. That the plaintiff delivered the said bill to the said *E. F.* on
3. That the defendant accepted the said bill, but did not pay the same, whereupon the same was returned to the plaintiff.

No. 38.

PAYEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the plaintiff rupees after sight thereof.
2. That he has not paid the same.

[*Demand of judgment.*]

No. 39.

FIRST INDORSEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant accepted a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring the defendant to pay to the order of one *G. H.* rupees after sight thereof.
2. That the said *G. H.* indorsed the same to the plaintiff.
3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 40.

SUBSEQUENT INDORSEE AGAINST ACCEPTOR.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. [*As in the preceding form, to the end of art.* 1.]
2. That by the indorsement of the said *G. H.* [and others], the same was transferred to the plaintiff.
3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 41.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by his bill of exchange, directed to *E. F.*, required the said *E. F.* to pay to the plaintiff rupees [days after sight].
2. That on the day of 18 , the same was duly presented to the said *E. F.* for acceptance, and was dishonoured.
3. That the defendant had due notice thereof.
4. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—Notice of dishonour by non-acceptance must be given at once.]

No. 42.

FIRST INDORSEE AGAINST FIRST INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to the plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at requiring one *G. H.* to pay to the order of the defendant rupees [days] after sight [*or* after date, *or* at sight] thereof, [and accepted by the said *G. H.* on the day of 18 .]
2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.
3. That the defendant had due notice thereof.
4. That he has not paid the same.

[*Demand of judgment.*]

No. 43.

SUBSEQUENT INDORSEE AGAINST FIRST INDORSER; THE INDORSEMENT BEING SPECIAL.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to one *E. F.*, a bill of exchange, now overdue, made [*or* purporting to have been made] by one *G. H.*, on the day of 18 , at requiring one *I. J.* to pay to the order of the defendant rupees days after sight thereof [*or otherwise*], and accepted by the said *I. J.* on the day of 18 . [*This clause may be omitted, if not according to the fact.*]
2. That the same was, by the indorsement of the said *E. F.* [and others], transferred to the plaintiff.
3. That on the day of 18 the same was presented to the said *I. J.* for payment, and was dishonoured.
4. That the defendant had due notice thereof.
5. That he has not paid the same.

[*Demand of judgment.*]

No. 44.

SUBSEQUENT INDORSEE AGAINST HIS IMMEDIATE INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant indorsed to plaintiff a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.* to pay to the order of *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant.
2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.
3. That the defendant had due notice thereof.
4. That he has not paid the same.

[*Demand of judgment.*]

No. 45.

SUBSEQUENT INDORSEE AGAINST INTERMEDIATE INDORSER.

(Title.)

A. B., the above-named plaintiff, states as follows:—

1. That a bill of exchange, now overdue, made [*or* purporting to have been made] by one *E. F.*, on the day of 18 , at , requiring one *G. H.*, to pay to the order of one *I. J.* rupees days after sight thereof [*or otherwise*], [accepted by the said *G. H.*] and indorsed by the said *I. J.* to the defendant, was, by the indorsement of the defendant [and others], transferred to the plaintiff.
2. That on the day of 18 , the same was presented to the said *G. H.* for payment, and was dishonoured.
3. That the defendant had due notice thereof.
4. That he has not paid the same.

[*Demand of judgment.*]

No. 46.

INDORSEE AGAINST DRAWER, ACCEPTOR AND INDORSER.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of
E. F. of
G. H. of

A, B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, *C. D.*, by his bill of exchange, now overdue, directed to the defendant *E. F.*, required the said *E. F.* to pay to the order of the defendant *G. H.*, rupees [days after sight thereof].

2. That on the day of 18 , the said *E. F.* accepted the same.

3. That the said *G. H.* indorsed the same to the plaintiff.

4. That on the day of 18 , the same was presented to the said *E. F.* for payment, and was dishonoured.

5. That the other defendants had due notice thereof.

6. That they have not paid the same.

[*Demand of judgment.*]

No. 47.

PAYEE AGAINST DRAWER FOR NON-ACCEPTANCE OF A FOREIGN BILL.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant by his bill of exchange drawn in Calcutta, required one *E. F.* to pay to the plaintiff in [London] pounds sterling, [sixty days] after sight thereof.

2. That on the day of 18 , the same was presented to the said *E. F.* for acceptance, and was dishonoured, and was thereupon duly protested.

3. That the defendant had due notice thereof.

4. That he has not paid the same.

[5. That the value of pounds sterling, at the time of the service of notice of protest on the defendant, was rupees annas.]

Wherefore the plaintiff demands judgment against the defendant for rupees, with [ten per centum] compensation and interest from the day of 18

No. 48.

PAYEE AGAINST ACCEPTOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.*, by his bill of exchange, now overdue, directed to the defendant, required the defendant to pay to the plaintiff rupees after date [*or* days after sight] thereof.

2. That on the day of 18 , the defendant accepted the said bill.

3. That he has not paid the same.

[*Demand of judgment.*]

[NOTE.—This form omits to state the delivery of the bill to the plaintiff or his title to sue. See *Churchill* v *Gardner*, 7 T. R. 596.]

No. 49.

ON A MARINE [OPEN] POLICY, ON VESSEL LOST BY PERILS OF THE SEA.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] the ship at the time of its loss, as hereafter mentioned.

2. That on the day of 18 , at , the defendants, in consideration of rupees to them paid [*or*, which the plaintiff then promised to pay], executed to him a policy of insurance upon the said ship, a copy of which is hereto annexed; [*or*, whereby they promised to pay to the plaintiff, within days after proof of loss and interest, all loss and damage accruing to him by reason of the destruction or injury of the said ship, during its next voyage from to , whether by perils of the sea or by fire, or by other causes therein mentioned, not exceeding rupees].

3. That the said vessel, while proceeding on the voyage mentioned in the said policy, was on the day of 18 , totally lost by the perils of the sea [*or, otherwise*].

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendants with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendants have not paid the said loss.

[*Demand of judgment.*]

No. 50.

ON CARGO, LOST BY FIRE:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] on board the ship at the time of its loss as hereafter mentioned.

2. That on the day of 18 , at , the defendant, in consideration of rupees which the plaintiff then paid [*or*, promised to pay], executed to him a policy of insurance upon the said goods, a copy of which is hereto annexed; [*or*, whereby it promised to pay to the plaintiff in case of the total loss, by fire or other casualty mentioned, of the said goods before their at ; *or*, in case of partial loss, such damage as the plaintiff might sustain thereby, provided the same should exceed per centum of the whole value of the goods].

3. That on the day of 18 , at , while proceeding on the voyage mentioned in the said policy, the said goods were totally destroyed by fire.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the last preceding Form.*]

Demand of judgment.]

No. 51.

ON FREIGHT:—VALUED POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff had an interest in the freight to be earned by the ship [ ] on her voyage from to , at the time of her loss as hereafter mentioned, and that a large quantity of goods was shipped upon freight in her at that time.

2. That on the day of 18 , at , the defendant in consideration of rupees to it paid, executed to the plaintiff a policy of insurance upon the said freight, a copy of which is hereto annexed [*or state its tenor, as before*].

3. That the said vessel, while proceeding upon the voyage mentioned in the said policy, was, on the day of 18 , totally lost by [the perils of the sea].

4. That the plaintiff has not received any freight from the said vessel, nor did she earn any on the said voyage, by reason of her loss as aforesaid.

5 *and* 6. [*As in Form No.* 50].

[*Demand of judgment.*]

No. 52.

FOR A LOSS BY GENERAL AVERAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff was the owner of [*or*, had an interest in] [one hundred bales of cotton] shipped on board a vessel called the *Y. Z.*, from to , at the time of the loss hereafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [which the plaintiff then promised to pay], the defendant executed to the plaintiff a policy of insurance upon his said goods, a copy of which is hereto annexed [*or state its tenor, as before.*]

3. That on the day of 18 , while proceeding on the voyage mentioned in the said policy, the said vessel was so endangered by perils of the sea, that the master and crew thereof were compelled to, and did, cast into the sea a large part of her rigging and furniture.

4. That the plaintiff was, by reason thereof, compelled to, and did, pay a general average loss of rupees.

5. That on the day of 18 , he furnished the defendant with proof of his loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 53.

FOR A PARTICULAR AVERAGE LOSS.

(*Title.*)

A. B., the above named plaintiff, states as follows:—

1 *and* 2. [*As in the preceding Form.*]

3. That on the day of 18 , while on the high seas, the sea-water broke into the said ship, and damaged the said [cotton] to the amount of rupees.

4 *and* 5. [*As in paragraphs* 5 *and* 6 *of the preceding Form.*]

[*Demand of judgment.*]

No. 54.

ON A FIRE INSURANCE POLICY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff [was the owner of, *or*] had an interest in a [dwelling-house, known as No. , street, in the city of ,] at the time of its destruction [*or*, injury] by fire as hereinafter mentioned.

2. That on the day of 18 , at , in consideration of rupees [to it paid], the defendant executed to the plaintiff a policy of insurance on the said [premises], a copy of which is hereto annexed [*or state its tenor*].

3. That on the day of 18 , the said [dwelling-house] was totally destroyed [*or*, greatly damaged] by fire.

4. That the plaintiff's loss thereby was rupees.

5. That on the day of 18 , he furnished the defendant with proof of his said loss and interest, and otherwise duly performed all the conditions of the said policy on his part.

6. That the defendant has not paid the said loss.

[*Demand of judgment.*]

No. 55.

AGAINST SURETIES FOR PAYMENT OF RENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , one *E. F.* hired from the plaintiff, for the term of years, the [house No. street,], at the annual rent of rupees, payable [monthly].

2. That [at the same time and place] the defendant agreed, in consideration of the letting of the said premises to the said *E. F.*, to guarantee the punctual payment of the said rent.

3. That the rent aforesaid for the month of 18 , amounting to rupees, has not been paid.

[*If, by the terms of the agreement, notice is required to be given to the surety, add:*—]

4. That on the day of 18 , the plaintiff gave notice to the defendant of the non-payment of the said rent, and demanded payment thereof.

5. That he has not paid the same.

[*Demand of judgment.*]

B.—PLAINTS FOR COMPENSATION FOR BREACH OF CONTRACT.

No. 56.

FOR BREACH OF AGREEMENT TO CONVEY LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* That on, &c., the defendant agreed with the plaintiff that, in consideration of a deposit of rupees then paid, and of the further sum of ten thousand rupees payable as hereafter mentioned, he would, on the day of 18 , at , execute to the plaintiff a sufficient conveyance of [the house No. street, in the city of free from all incumbrances; and the plaintiff agreed to pay ten thousand rupees for the same on delivery thereof].

2. That on the day of 18 , the plaintiff demanded the conveyance of the said property from the defendant and tendered rupees to the defendant [*or*, that all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part.]

3. That the defendant has not executed any conveyance of the said property to the plaintiff [*or* That there is a mortgage upon the said property, made by to , for rupees, registered in the office of , on the day of 18 , and still unsatisfied, *or any other defect of title*].

4. That the plaintiff has thereby lost the use of the money paid by him as such deposit as aforesaid and of other moneys provided by him for the completion of the said purchase, and has lost the expenses incurred by him in investigating the title of the defendant and in preparing to perform the agreement on his part, and has incurred expense in endeavouring to procure the performance thereof by the defendant.

The plaintiff prays judgment for rupees compensation.

No. 57.

FOR BREACH OF AGREEMENT TO PURCHASE LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, under their hands, of which a copy is hereto annexed.

[*Or* that on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should sell to the defendant, and that the defendant should purchase from the plaintiff, forty bighás of land in the village of , for rupees].

2. That on the day of 18 , at , the plaintiff being then the absolute owner of the said property [and the same being free from all incumbrances, as was made to appear to the defendant], tendered to the defendant a sufficient instrument of conveyance of the same [*or*, was ready and willing, and offered to convey the same to the defendant by a sufficient instrument,] on the payment by the defendant of the said sum.

3. That the defendant has not paid the same.

[*Demand of judgment.*]

No. 58.

Another Form.

FOR NOT COMPLETING A PURCHASE OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That by an agreement dated the day of 187 , it was agreed by and between the plaintiff and the defendant that the plaintiff should sell to the defendant and the defendant should purchase from the plaintiff a house and land at the price of rupees, upon the terms and conditions following (that is to say)—

(*a*) That the defendant should pay the plaintiff a deposit of rupees in part of the said purchase-money on the signing of the said agreement, and the remainder on the day of 187 , on which day the said purchase should be completed.

(*b*) That the plaintiff should deduce and make a good title to the said premises on or before the day of 187 , and on payment of the said remainder of the said purchase-money as aforesaid should execute to the defendant a proper conveyance of the said premises, to be prepared at the defendant's expense.

2. That all conditions were fulfilled, and all things happened and all times elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part, yet the defendant did not pay the plaintiff the remainder of the said purchase-money as aforesaid on his part.

3. That the plaintiff has thereby lost the expense which he incurred in preparing to perform the said agreement on his part, and has been put to expense in endeavouring to procure the performance thereof by the defendant.

[*Demand of judgment.*]

No. 59.

FOR NOT DELIVERING GOODS SOLD.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the defendant should deliver [one hundred barrels of flour] to the plaintiff [on the day of 18 ,] and that the plaintiff should pay therefor rupees on delivery.

2. That on the [said] day, the plaintiff was ready and willing, and offered, to pay the defendant the said sum upon delivery of the said goods.

3. That the defendant has not delivered the same, whereby the plaintiff has been deprived of the profits which would have accrued to him from such delivery.

[*Demand of judgment.*]

No. 60.

FOR BREACH OF CONTRACT TO EMPLOY.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should serve the defendant as [an accountant, *or* in the capacity of foreman, *or as the case may be*], and that the defendant should employ the plaintiff as such, for the term of [one year], and pay him for his services rupees [monthly].

2. That on the day of 18 , the plaintiff entered upon the service of the defendant as aforesaid, and has ever since been, and still is, ready and willing to continue in such service during the remainder of the said year, whereof the defendant always had notice.

3. That on the day of 18 , the defendant wrongfully discharged the plaintiff, and refused to permit him to serve as aforesaid, or to pay him for his services.

[*Demand of judgment.*]

No 61.

FOR BREACH OF CONTRACT TO EMPLOY, WHERE THE EMPLOYMENT NEVER TOOK EFFECT.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. [*As in last preceding Form.*]

2. That on the day of 18 , at , the plaintiff offered to enter upon the service of the defendant, and has ever since been ready and willing so to do.

3. That the defendant refused to permit the plaintiff to enter upon such service, or to pay him for his services.

[*Demand of judgment.*]

No. 62.

FOR BREACH OF CONTRACT TO SERVE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant mutually agreed that the plaintiff should employ the defendant at [an annual] compensation of rupees, and that the defendant should serve the plaintiff as [an artist] for the term of [one year.]

2. That the plaintiff has always been ready and willing to perform his part of the said agreement [and on the day of 18 offered so to do].

3. That the defendant [entered upon the service of the plaintiff on the above-mentioned day, but afterwards, on the day of 18 , he] refused to serve the plaintiff as aforesaid.

[*Demand of judgment.*]

No. 63.

AGAINST A BUILDER FOR DEFECTIVE WORKMANSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, of which a copy is hereto annexed :

[*Or state the tenor of the contract.*]

[2. That the plaintiff duly performed all the conditions of the said agreement on his part.]

3. That the defendant [built the house referred to in the said agreement in a bad and unworkmanlike manner].

[*Demand of judgment.*]

No. 64.

BY THE MASTER AGAINST THE FATHER OR GUARDIAN OF AN APPRENTICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows :—

1. That on the day of 18 , at , the defendant entered into an agreement, under his hand and seal,* a copy of which is hereto annexed :

[*Or state the tenor of these covenants.*]

2. That after the making of the said agreement the plaintiff received the said [*apprentice*] into his service as such apprentice for the term aforesaid, and has always performed and been ready and willing to perform all things in the said agreement on his part to be performed.

3. That on the day of 18 , the said [*apprentice*] wilfully absented himself from the service of the plaintiff, and continues so to do.

[*Demand of judgment.*]

* The form given in Act XIX of 1850 requires the seal of the father or guardian.

No. 65.

BY THE APPRENTICE AGAINST THE MASTER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant entered into an agreement with the plaintiff and his father, *E. F.*, under their hands and seals, a copy of which is hereto annexed.

2. That after the making of the said agreement the plaintiff entered into the service of the defendant with him after the manner of an apprentice to serve for the term mentioned in the said agreement, and has always performed all things in the said agreement contained on his part to be performed.

3. That the defendant has not [instructed the plaintiff in the business of , *or state any other breach, such as cruelty, failure to provide sufficient food, or other ill-treatment.*]

[*Demand of judgment.*]

No. 66.

ON A BOND FOR THE FIDELITY OF A CLERK.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , plaintiff employed one *E. F.* as a clerk.

2. That on the day of 18 , at , the defendant agreed with the plaintiff, that if the said *E. F.* should not faithfully perform his duties as a clerk to the plaintiff, or should fail to account to the plaintiff for all moneys, evidences of debt, or other property received by him for the use of the plaintiff, the defendant would pay to the plaintiff whatever loss he might sustain by reason thereof, not exceeding rupees.

[*Or*, 2. That at the same time and place, the defendant bound himself to the plaintiff, by a writing under his hand, in the penal sum of rupees, conditioned that if the said *E. F.* should faithfully perform his duties as clerk and cashier to the plaintiff, and should justly account to the plaintiff for all moneys, evidences of debt, or other property which should be at any time held by him in trust for the plaintiff, the same should be void, but not otherwise.]

[*Or*, 2. That at the same time and place, the defendant executed to the plaintiff a bond, a copy of which is annexed.]

3. That between the day of 18 and the day of 18 , the said *E. F.* received money and other property, amounting to the value of rupees, for the use of the plaintiff, for which he has not accounted to him, and the same still remains due and unpaid.

[*Demand of judgment.*]

No. 67.

BY TENANT AGAINST LANDLORD, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, by an instrument in writing, let to the plaintiff [the house No. street,] for the term of years, covenanting with the plaintiff that he, the plaintiff, and his legal representatives should quietly enjoy possession thereof for the said term.

2. That all conditions were fulfilled and all things happened necessary to entitle the plaintiff to maintain this suit.

3. That on the day of during the said term, one *E. F.*, who was the lawful owner of the said house, lawfully evicted the plaintiff therefrom, and still withholds the possession thereof from him.

4. That the plaintiff was thereby [prevented from continuing the business of a tailor at the said place, was compelled to expend rupees in moving, and lost the custom of *G. H.* and *I. J.* by such removal.]

[*Demand of judgment.*]

No. 68.

FOR BREACH OF WARRANTY OF MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant warranted a steam-engine to be in good working order, and thereby induced the plaintiff to purchase the same of him, and to pay him rupees therefor.

2. That the said engine was not then in good working order, whereby the plaintiff incurred expense in having the said engine repaired, and lost the profits which would otherwise have accrued to him while the engine was under repair.

[*Demand of judgment.*]

No. 69.

ON AN AGREEMENT OF INDEMNITY.

(*Title.*)

A. B., the above named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant, being partners in trade under the firm of *A. B.* and *C. D.*, dissolved the said partnership, and mutually agreed that the defendant should take and keep all the partnership property, pay all debts of the firm, and indemnify the plaintiff against all claims that might be made upon him on account of any indebtedness of the said firm.

2. That the plaintiff duly performed all the conditions of the said agreement on his part.

3. That on the day of 18 [a judgment was recovered against the plaintiff and defendant by one *E. F.*, in the High Court of Judicature at , upon a debt due from the said firm to the said *E. F.*, and on the day of 18] the plaintiff paid rupees [in satisfaction of the same].

4. That the defendant has not paid the same to the plaintiff.

[*Demand of judgment.*]

No. 70.

BY SHIP-OWNER AGAINST FREIGHT OR FOR NOT LOADING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the plaintiff and defendant entered into an agreement, a copy of which is hereto annexed.

[*Or*, 1. That on , at , the plaintiff and defendant agreed by charter party that the defendant should deliver to the plaintiff's ship at , on the day of 18 , five hundred tons of merchandise, which she should carry to , and there deliver, on payment of freight; and that the defendant should have days for loading, days for discharge, and days for demurrage, if required, at rupees per day.]

2. That at the time fixed by the said agreement the plaintiff was ready and willing and offered to receive [the said merchandise, *or*, the merchandise mentioned in the said agreement] from the defendant.

3. That the period allowed for loading and demurrage has elapsed, but the defendant has not delivered the said merchandise to the said vessel.

Wherefore, the plaintiff demands judgment for rupees for demurrage and rupees additional for compensation.

C.—PLAINTS FOR COMPENSATION UPON WRONGS.

No. 71.

FOR TRESPASS ON LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant entered upon certain land of the plaintiff, known as [and depastured the same with cattle, trod down the grass, cut the timber, and otherwise injured the same].

[*Demand of judgment.*]

No. 72.

FOR TRESPASS IN ENTERING A DWELLING-HOUSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the defendant entered a dwelling-house of the plaintiff called , and made a noise and disturbance therein for a long time, and broke open the doors of the said dwelling-house, and removed, took and carried away the fixtures and goods of the plaintiff therein, and disposed of the same to the defendant's own use, and expelled the plaintiff and his family from the possession of the said dwelling-house, and kept them so expelled for a long time.

2. That the plaintiff was thereby prevented from carrying on his business, and incurred expense in procuring another dwelling-house for himself and family.

[*Demand of judgment.*]

No. 73.

FOR TRESPASS ON MOVEABLES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant broke open ten barrels of rum belonging to the plaintiff, and emptied their contents into the street [*or* seized and took the plaintiff's goods, that is to say, iron, rice and household furniture, *or as the case may be*], and carried away the same and disposed of them to his own use:

[*or*, seized and took the plaintiff's cows and bullocks, and impounded them and kept them impounded for a long time.]

2. That the plaintiff was thereby deprived of the use of the cows and bullocks during that time, and incurred expense in feeding them and in getting them restored to him; and was also prevented from selling them at fair, as he otherwise would have done, and the said cows and bullocks are diminished in value to the plaintiff [*otherwise state the injury according to the facts*].

[*Demand of judgment.*]

No. 74.

FOR THE CONVERSION OF MOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff was in possession of certain goods described in the schedule hereto annexed [*or* of one thousand barrels of flour].

2. That on that day, at , the defendant converted the same to his own use, and wrongfully deprived the plaintiff of the use and possession of the same.

[*Demand of judgment.*]

The Schedule.

No. 75.

AGAINST A WAREHOUSEMAN FOR REFUSAL TO DELIVER GOODS.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, in consideration of the payment to him of rupees [*or*, rupees per barrel, per month, &c.], agreed to keep in his godown [one hundred barrels of flour], and to deliver the same to the plaintiff on payment of the said sum.

2. That thereupon the plaintiff deposited with the defendant the said [hundred barrels of flour].

3. That on the day of 18 , the plaintiff requested the defendant to deliver the said goods, and tendered him rupees [*or*, the full amount of storage due thereon], but the defendant refused to deliver the same.

4. That the plaintiff was thereby prevented from selling the said goods to *E. F.*, and the same are lost to the plaintiff.

[*Demand of judgment.*]

No. 76.

FOR PROCURING PROPERTY BY FRAUD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant, for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he, the defendant, was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell [and deliver] to the defendant [dry goods] of the value of rupees.

3. That the said representations were false [*or, state the particular falsehoods*], and were then known by the defendant to be so.

4. That the defendant has not paid for the said goods. [*Or, if the goods were not delivered*] That the plaintiff, in preparing and shipping the said goods and procuring their restoration, expended rupees.

[*Demand of judgment.*]

No. 77.

FOR FRAUDULENTLY PROCURING CREDIT TO BE GIVEN TO ANOTHER PERSON.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant represented to the plaintiff, that one *E. F.* was solvent and in good credit, and worth rupees over all his liabilities [*or*, that *E. F.* then held a responsible situation and was in good circumstances, and might safely be trusted with goods on credit].

2. That the plaintiff was thereby induced to sell to the said *E. F.* [rice] of the value of rupees [on month's credit].

3. That the said representations were false and were then known by the defendant to be so, and were made by him with intent to deceive and defraud the plaintiff [*or*, to deceive and injure the plaintiff].

4. That the said *E. F.* [did not pay for the said goods at the expiration of the credit aforesaid, *or*,] has not paid for the said rice, and the plaintiff has wholly lost the same by reason of the premises.

[*Demand of judgment.*]

No. 78.

FOR POLLUTING THE WATER UNDER THE PLAINTIFF'S LAND.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That he is, and at all the times hereinafter mentioned was, possessed of certain land called and situate in , and of a well therein, and of water in the said well, and was entitled to the use and benefit of the said well and of the said water therein, and to have certain springs and streams of water which flowed and ran into the said well to supply the same to flow or run without being fouled or polluted.

2. That on the day of 18 , the defendant wrongfully fouled and polluted the said well and the said water therein and the said springs and streams of water which flowed into the said well.

3. That by reason of the premises the said water in the said well became impure and unfit for domestic and other necessary purposes, and the plaintiff and his family are deprived of the use and benefit of the said well and water.

[*Demand of judgment.*]

No. 79.

FOR CARRYING ON A NOXIOUS MANUFACTURE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at all the times hereinafter mentioned was, possessed of certain lands called situate in

2. That ever since the day of 18 , the defendant has wrongfully caused to issue from certain smelting works carried on by the defendant large quantities of offensive and unwholesome smoke and other vapours and noxious matter, which spread themselves over and upon the said lands, and corrupted the air, and settled on the surface of the said lands.

3. That thereby the trees, hedges, herbage and crops of the plaintiff growing on the said lands were damaged and deteriorated in value, and the cattle and live stock of the plaintiff on the said lands became unhealthy, and divers of them were poisoned and died.

4. That by reason of the premises the plaintiff was unable to depasture the said lands with cattle and sheep, as he otherwise might have done, and was obliged to remove his cattle, sheep and farming stock therefrom, and has been prevented from having so beneficial and healthy a use and occupation of the said lands as he otherwise would have had.

[*Demand of judgment.*]

No. 80.

FOR OBSTRUCTING A WAY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at the time hereafter mentioned was, possessed of [a house in the town of].

2. That he was accustomed to pass [with vehicles, *or*, on foot] along a certain way leading from his said house to [the highway].

3. That on the day of 18 , the defendant obstructed the said way, so that the plaintiff could not pass [with vehicles, *or*, on foot, *or*, in any manner] along the said way [and has ever since obstructed the same].

4. [*State special damage, if any.*]

[*Demand of judgment.*]

Another Form.

1. That the defendant wrongfully dug a trench and heaped up earth and stones in the public highway leading from to so as to obstruct it.

2. That thereby the plaintiff, while lawfully passing along the said highway, fell over the said earth and stones [*or*, into the said trench] and broke his arm, and suffered great pain, and was prevented from attending to his business for a long time, and incurred expense for medical attendance.

[*Demand of judgment.*]

No. 81.

FOR DIVERTING A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and at the time hereinafter mentioned was, possessed of a mill situated on a [stream], known as the , in the village of district of

2. That by reason of such possession the plaintiff was entitled to the flow of the said stream for working the said mill.

3. That on the day of 18 , the defendant, by cutting the bank of the said stream, diverted the water thereof, so that less water ran into the plaintiff's mill.

4. That by reason thereof, the plaintiff has been unable to grind more than sacks per day, whereas, before the said diversion of water, he was able to grind sacks per day.

[*Demand of judgment.*]

No. 82.

FOR OBSTRUCTING A RIGHT TO USE WATER FOR IRRIGATION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff is, and was at the time hereinafter mentioned, possessed of certain lands situate, *&c.*, and entitled to take and use a portion of the water of a certain stream for irrigating the said lands.

2. That on the day of the defendant prevented the plaintiff from taking and using the said portion of the said water as aforesaid, by obstructing and diverting the said stream.

[*Demand of judgment.*]

No. 83.

FOR WASTE BY A LESSEE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant hired from him the [house No. street] for the term of

2. That the defendant occupied the same under such hiring.

3. That during the period of such occupation, the defendant greatly injured the premises [defaced the walls, tore up the floors, and broke down the doors; *or otherwise specify the injuries as far as possible*].

The plaintiff prays judgment for rupees compensation.

No. 84.

FOR ASSAULT AND BATTERY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

That on the day of 18 , at , the defendant assaulted and beat him.

The plaintiff prays judgment for rupees compensation.

No. 85.

FOR ASSAULT AND BATTERY, WITH SPECIAL DAMAGE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted and beat the plaintiff, until he became insensible.

2. That the plaintiff was thereby disabled from attending to his business for [six weeks thereafter], and was compelled to pay rupees for medical attendance, and has been ever since disabled [from using his right arm]. [*Or otherwise state the damage, as the case may be.*]

[*Demand of judgment.*]

No. 86.

FOR ASSAULT AND FALSE IMPRISONMENT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant assaulted the plaintiff and imprisoned him for days [*or* hours]; [*state special damage, if any, thus*:—]

2. That by reason thereof the plaintiff suffered great pain of body and mind and was exposed and injured in his credit and circumstances, and was prevented from carrying on his business and from providing for his family by his personal care and attention, and incurred expense in obtaining his liberation from the said imprisonment, [*or otherwise as the case may be*].

[*Demand of judgment.*]

No. 87.

FOR INJURIES CAUSED BY NEGLIGENCE ON A RAILROAD.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendants were common carriers of passengers by railway between and .

2. That on that day the plaintiff was a passenger in one of the carriages of the defendants on the said road.

3. That while he was such passenger, at [*or*, near the station of ; *or*, between the stations of and], a collision occurred on the said railway, caused by the negligence and unskilfulness of the defendants' servants, whereby the plaintiff was much injured [having his leg broken, his head cut, &c., *and state the special damage, if any, as*], and incurred expense for medical attendance, and is permanently disabled from carrying on his former business as a salesman.

[*Demand of judgment.*]

[*Or thus*:—2. That on that day the defendants by their servants so negligently and unskilfully drove and managed an engine and train of carriages attached thereto upon and along the defendants' railway which the plaintiff was then lawfully crossing, that the said engine and train were driven and struck against the plaintiff, whereby, *&c., as in* § 3.]

No. 88.

FOR INJURIES CAUSED BY NEGLIGENT DRIVING.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. The plaintiff is a shoe-maker, carrying on business at
The defendant is a merchant of

2. On the [23rd May 1875], the plaintiff was walking eastward along Chowringhee, in the city of Calcutta, at about three o'clock in the afternoon. He was obliged to cross Harington street, which is a street running into Chowringhee at right angles. While he was crossing this street, and just before he could reach the foot-pavement on the further side thereof, a carriage of the defendant's drawn by two horses, under the charge and control of the defendant's servants, was negligently, suddenly, and without any warning, turned at a rapid and dangerous pace out of Harington Street into Chowringhee. The pole of the carriage struck the plaintiff, and knocked him down, and he was much trampled by the horses.

3. By the blow and fall and trampling the plaintiff's left arm was broken, and he was bruised and injured on the side and back, as well as internally, and in consequence thereof the plaintiff was for four months ill and in suffering, and unable to attend to his business, and incurred heavy medical and other expenses, and sustained great loss of business and profits.

The plaintiff claims rupees damages.

(*Title.*)

Written Statement of Defendant.

1. The defendant denies that the carriage mentioned in the plaint was the defendant's carriage, or that it was under the charge or control of the defendant's servants. The carriage belonged to [Messrs. *E. F.* and *G. H.*] of Street, Calcutta, livery stable-keepers, employed by the defendant to supply him with carriages and horses; and the person under whose charge and control the said carriage was, was the servant of the said Messrs. *E. F.* and *G. H.*

2. The defendant does not admit that the said carriage was turned out of Harington Street either negligently, suddenly, or without warning, or at a rapid or dangerous pace.

3. The defendant says, that the plaintiff might and could, by the exercise of reasonable care and diligence, have seen the said carriage approaching him, and avoided any collision with it.

4. The defendant does not admit the statements of the third paragraph of the plaint.

No. 89.

FOR LIBEL; THE WORDS BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*], the following words concerning the plaintiff:—

[*Set forth the words used.*]

2. That the said publication was false and malicious.

[*Demand of judgment.*]

NOTE.—If the libel was in a language not the language of the Court, set out the libel *verbatim* in the foreign language in which it was published, and then proceed thus:—"Which said words, being translated into the language, have the meaning and effect following, and were so understood by the persons to whom they were so published, that is to say, [*here set out a literal translation of the libel in the language of the Court.*]

No. 90.

FOR LIBEL; THE WORDS NOT BEING LIBELLOUS IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That the plaintiff [is, and] was, on and before the day of 18 merchant, doing business in the city of

That on the day of 18 , at , the defendant published in a newspaper, called the [*or*, in a letter addressed to *E. F.*, *or otherwise show how published*], the following words concerning the plaintiff:—

["*A. B.*, of this city, has modestly retired to foreign lands. It is said that creditors to the amount of rupees are anxiously seeking his address."]

3. That the defendant meant thereby that [the plaintiff had absconded to avoid his creditors, and with intent to defraud them].

4. That the said publication was false and malicious.

[*Demand of judgment.*]

No. 91.

FOR SLANDER; THE WORDS BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously spoke, in the hearing of *E. F.* [*or*, sundry persons], the following words concerning the plaintiff: "He is a thief"].

2. That, in consequence of the said words, the plaintiff lost his situation as in the employ of

[*Demand of judgment.*]

No. 92.

FOR SLANDER; THE WORDS NOT BEING ACTIONABLE IN THEMSELVES.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant falsely and maliciously said to one *E. F.* concerning the plaintiff: ["He is a young man of remarkably easy conscience"].

2. That the plaintiff was then seeking employment as a clerk, and the defendant meant, by the said words, that the plaintiff was not trustworthy as a clerk.

3. That, in consequence of the said words, [the said *E. F.* refused to employ the plaintiff as a clerk].

[*Demand of judgment.*]

No. 93.

FOR MALICIOUS PROSECUTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant obtained a warrant of arrest from [a magistrate of the said city, *or, as the case may be,*] on a charge of , and the plaintiff was arrested thereon, and imprisoned for [days, *or*, hours, and gave bail in the sum of rupees to obtain his release

2. That in so doing, the defendant acted maliciously and without reasonable or probable cause.

3. That on the day of 18 , the said magistrate dismissed the complaint of the defendant, and acquitted the plaintiff.

4. That many persons, whose names are unknown to the plaintiff, hearing of the said arrest, and supposing the plaintiff to be a criminal, have ceased to do business with him; *or*, that, in consequence of the said arrest, the plaintiff lost his situation as clerk to one *E. F.*, *or*, that by reason of the premises the plaintiff suffered pain of body and mind, and was prevented from transacting his business, and was injured in his credit, and incurred expense in obtaining his release from the said imprisonment and in defending himself against the said complaint.

[*Demand of judgment.*]

D.—PLAINTS IN SUITS FOR SPECIFIC PROPERTY.

No. 94.

BY THE ABSOLUTE OWNER FOR THE POSSESSION OF IMMOVEABLE PROPERTY.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That *X. Y.* was the absolute owner of [the estate, *or*, the share of the estate, called , situate in the District of , the Government revenue of which is rupees and the estimated value rupees *or*, of the house No. , street in the town of Calcutta, the estimated value of which is rupees].

2. That on the day of 18 , *Z* illegally dispossessed the said *X. Y.* of the said estate [*or* share *or* house].

3. That the said *X. Y.* has since died intestate, leaving the plaintiff the said *A. B.* his heir him surviving.

4. That the defendant withholds the possession of the estate [*or* share *or* house] from the plaintiff.

The plaintiff prays judgment:

(1) For the possession of the said premises;

(2) For rupees compensation for withholding the same.

Another Form.

A. B., the above-named plaintiff, states as follows:—

1. On the day of , the plaintiff, by an instrument in writing let to the defendant a house and premises No. 52, Russell Street, in the for a term of five years from the day of , at the monthly rent of rupees 300.

2. By the said instrument the defendant covenanted to keep the said house and premises in good and tenantable repair.

3. The said instrument also contained a clause of re-entry, entitling the plaintiff to re-enter upon the said house and premises, in case the rent thereby reserved, whether demanded or not, should be in arrear for twenty-one days, or in case the defendant should make default in the performance of any covenant upon his part to be performed.

4. On the day of 187 a month's rent became due, and on the day of 187 another month's rent became due; on the day of 187 both had been in arrear for twenty-one days, and both are still due.

5. On the same day of 187 the house and premises were not and are not now in good or tenantable repair, and it would require the expenditure of a large sum of money to re-instate the same in good and tenantable repair, and the plaintiff's reversion is much depreciated in value. The plaintiff claims:

(1) Possession of the said house and premises;
(2) Rupees for arrears of rent;
(3) Rupees compensation for the defendant's breach of his covenant to repair;
(4) Rupees for the occupation of the house and premises from the day of 187 to the day of recovering possession.

No. 95.

BY THE TENANT.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That one *E. F.* is the absolute owner of [a piece of land in the town of Calcutta, , bounded as follows:], the estimated value of which is rupees .

2. That on the day of 18 , the said *E. F.* let the said premises to the plaintiff for years, from

3. That the defendant withholds the possession thereof from the plaintiff.

[*Demand of judgment.*]

No. 96.

FOR MOVEABLE PROPERTY WRONGFULLY TAKEN.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or* was possessed of] one hundred barrels of flour, the estimated value of which is rupees

2. That on that day, at , the defendant took the same.

The plaintiff prays judgment:

(1) For the possession of the said goods, or for rupees in case such possession cannot be had;

(2) For rupees compensation for the detention thereof.

No. 97.

FOR MOVEABLES WRONGFULLY DETAINED.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , plaintiff owned [*or, state facts showing a right to the possession*] the goods mentioned in the schedule hereto annexed [*or describe the goods*], the estimated value of which is rupees .

2. That from that day until the commencement of this suit, the defendant has detained the same from the plaintiff.

3. That before the commencement of this suit, to wit, on the day of 18 , the plaintiff demanded the same from the defendant, but he refused to deliver them.

The plaintiff prays judgment:

(1) For the possession of the said goods, or for rupees, in case such possession cannot be had;

(2) For rupees compensation for the detention thereof.

The schedule.

No. 98.

AGAINST A FRAUDULENT PURCHASER AND HIS TRANSFEREE WITH NOTICE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , at , the defendant [*C. D.*], for the purpose of inducing the plaintiff to sell him certain goods, represented to the plaintiff that [he was solvent, and worth rupees over all his liabilities].

2. That the plaintiff was thereby induced to sell and deliver to the said *C. D.* [one hundred boxes of tea], the estimated value of which is rupees.

3. That the said representations were false, and were then known by the said *C. D.* to be so. [*Or*, That at the time of making the said representations, the said *C. D.* was insolvent, and knew himself to be so.]

4. That the said *C. D.* afterwards transferred the said goods to the defendant *E. F.*, without consideration [*or* who had notice of the falsity of the representation].

The plaintiff prays judgment:

(1) For the possession of the said goods, or for rupees, in case such possession cannot be had;

(2) For rupees compensation for the detention thereof.

E.—PLAINTS IN SUITS FOR SPECIAL RELIEF.

No. 99.

FOR RESCISSION OF A CONTRACT ON THE GROUND OF MISTAKE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant represented to the plaintiff that a certain piece of ground belonging to the defendant, situated at , contained [ten bighás].

2. That the plaintiff was thereby induced to purchase the same at the price of rupees in the belief that the said representation was true, and signed an instrument of agreement, of which a copy is hereto annexed. But no conveyance of the same has been executed to him.

3. That on the day of 18 , the plaintiff paid the defendant rupees as part of such purchase-money.

4. That the said piece of ground contained in fact only [five bighás].

The plaintiff prays judgment:

(1) For rupees, with interest from the day of 18 ;

(2) That the said agreement of purchase be delivered up and cancelled.

No. 100.

FOR AN INJUNCTION RESTRAINING WASTE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is the absolute owner of [*describe the property*].

2. That the defendant is in possession of the same under a lease from the plaintiff.

3. That the defendant has [cut down a number of valuable trees, and threatens to cut down many more for the purpose of sale] without the consent of the plaintiff.

The plaintiff prays judgment, that the defendant be restrained by injunction from committing or permitting any further waste on the said premises.

[*Pecuniary compensation might also be prayed.*]

No. 101.

FOR ABATEMENT OF A NUISANCE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all the times hereinafter mentioned was, the absolute owner of [the house No. , street, Calcutta].

2. That the defendant is, and at all the said times was, the absolute owner of [a plot of ground in the same street].

3. That on the day of 18 , the defendant erected upon his said lot a slaughter-house, and still maintains the same; and from that day until the present time has continually caused cattle to be brought and killed there [and has caused the blood and offal to be thrown into the street opposite the said house of the plaintiff].

4. That [the plaintiff has been compelled, by reason of the premises, to abandon the said house, and has been unable to rent the same].

The plaintiff prays judgment, that the said nuisance be abated.

No. 102.

FOR AN INJUNCTION AGAINST THE DIVERSION OF A WATER-COURSE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

[*As in No.* 81.]

The Plaintiff prays judgment, that the defendant be restrained by injunction from diverting the water as aforesaid.

No. 103.

FOR RESTORATION OF MOVEABLE PROPERTY, THREATENED WITH DESTRUCTION, AND FOR AN INJUNCTION.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That plaintiff is, and at all times hereinafter mentioned was, the owner of [a portrait of his grandfather, which was executed by an eminent painter], and of which no duplicate exists [*or state any facts showing that the property is of a kind that cannot be replaced by money*].

2. That on the day of 18 , he deposited the same for safe-keeping with the defendant.

3. That on the day of 18 , he demanded the same from the defendant, and offered to pay all reasonable charges for the storage of the same.

4. That the defendant refuses to deliver the same to the plaintiff, and threatens to conceal, dispose of, cut or injure the same if required to deliver it up.

5. That no pecuniary compensation would be an adequate compensation to the plaintiff for the loss of the said [painting].

The plaintiff prays judgment:

(1) That the defendant be restrained by injunction from disposing of, injuring, or concealing the said [painting];

(2) That he return the same to the plaintiff.

No. 104.

INTERPLEADER.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That before the date of the claims hereinafter mentioned, one *G. H.* deposited with the plaintiff [*describe the property*] for [safe keeping].

2. That the defendant, *C. D.*, claims the same [under an alleged assignment thereof to him from the said *G. H.*]

3. That the defendant, *E. F.*, also claims the same [under an order of the said *G. H.* transferring the same to him].

4. That the plaintiff is ignorant of the respective rights of the defendants.

5. That he has no claim upon the said property, and is ready and willing to deliver it to such persons as the Court shall direct.

6. That this suit is not brought by collusion with either of the defendants.

The plaintiff prays judgment:

(1) That the defendants be restrained, by injunction, from taking any proceedings against the plaintiff in relation thereto;

(2) That they be required to interplead together concerning their claims to the said property;

[(3) That some person be authorized to receive the said property pending such litigation];

(4) That upon delivering the same to such [person], the plaintiff be discharged from all liability to either of the defendants in relation thereto.

No. 105.

ADMINISTRATION BY CREDITOR.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. *E. F.*, late of , was at the time of his death, and his estate still is, indebted to the plaintiff in the sum of [*here insert nature of debt and security, if any*].

2. The said *E. F.* made his Will, dated the day of and thereof appointed *C. D.* executor [*or*, devised his estate in trust, *&c.*, *or*, died intestate, *as the case may be*].

3. The said Will was proved by the said *C. D.* [*or*, letters of administration were granted, *&c.*].

4. The defendant has possessed himself of the moveable [and immoveable, *or*, the proceeds of the immoveable] property of the said *E. F.*, and has not paid the plaintiff his said debt.

5. The said *E. F.* died on or about the day of

6. The plaintiff prays that an account may be taken of the moveable [and immoveable] property of the said *E. F.*, deceased, and that the same may be administered under the decree of the Court.

No. 106.

ADMINISTRATION BY SPECIFIC LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—]

[*Omit paragraph* 1 *and commence paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of and thereof appointed *C. D.* executor, and by such Will bequeathed to the plaintiff [*here state the specific legacy*].

For paragraph 4, substitute—

The defendant is in possession of the moveable property of the said *E. F.*, and, amongst other things, of the said [*here name the subject of the specific bequest*].

For the commencement of paragraph 6 *substitute*—

The plaintiff prays that the defendant may be ordered to deliver to him the said [*here name the subject of the specific bequest*] or that, &c.

No. 107.

ADMINISTRATION BY PECUNIARY LEGATEES.

(*Title.*)

[*Alter Form* 105 *thus*:—].

[*Omit paragraph* 1 *and substitute for paragraph* 2] *E. F.*, late of , duly made his last Will, dated the day of , and thereof appointed *C. D.* executor, and by such Will bequeathed to the plaintiff a legacy of rupees

In paragraph 4, substitute "legacy" *for* "debt."

Another Form.

Between *E. F.* ... ... *Plaintiff,*

and

G. H. ... ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. *A. B.* of *K* in the duly made his last Will, dated the [first day of March 1873], whereby he appointed the defendant and *M. N.* [who died in the testator's life-time] executors thereof, and bequeathed his property, whether moveable or immoveable, to his executors in trust, to pay the rents and income thereof to the plaintiff for his life; and after his decease, and in default of his having a son who should attain twenty-one, or a daughter who should attain that age or marry, upon trust as to his immoveable property for the person who would be the testator's heir-at-law, and as to his moveable property for the persons who would be the testator's next-of-kin if he had died intestate at the time of the death of the plaintiff, and such failure of his issue as aforesaid.

2. The testator died on the [first day of July 1873], and his Will was proved by the defendant on the [fourth of October 1873]. The plaintiff has not been married.

3. The testator was at his death entitled to moveable and immoveable property; the defendant entered into the receipt of the rents of the immoveable property and got in the moveable property; he has sold some part of the immoveable property.

The plaintiff claims—

(1) To have the moveable and immoveable property of *A. B.* administered in this Court, and for that purpose to have all proper directions given and accounts taken.

(2) Such further or other relief as the nature of the case may require.

Between *E. F.* ... ... *Plaintiff,*

and

G. H. ... ... *Defendant.*

Written Statement of Defendant.

1. *A. B's* Will contained a charge of debts; he died insolvent; he was entitled at his death to some immoveable property which the defendant sold, and which produced the nett sum of rupees and the testator had some moveable property which the defendant got in, and which produced the nett sum of rupees

2. The defendant applied the whole of the said sums and the sum of rupees which the defendant received from rents of the immoveable property in the payment of the funeral and testamentary expenses and some of the debts of the testator.

3. The defendant made up his accounts and sent a copy thereof to the plaintiff on the [tenth of January 1875], and offered the plaintiff free access to the vouchers to verify such accounts, but he declined to avail himself of the defendant's offer.

4. The defendant submits that the plaintiff ought to pay the costs of this suit.

No. 108.

EXECUTION OF TRUSTS.

IN THE COURT OF AT

Civil Regular No.

A. B. of ... *Plaintiff,*

against

C. D. of the beneficiary [*or*, one of the beneficiaries], ... *Defendant.*

A. B., the above-named plaintiff, states as follows:—

1. That he is one of the trustees under an instrument of settlement bearing date on or about the day of made upon the marriage of the said *E. F.* and *G. H.* the father and mother of the defendant [*or*, an instrument of assignment of the estate and effects of *E. F.* for the benefit of *C. D.*, the defendant, and other the creditors of *E. F.*].

2. The said *A. B.* has taken upon himself the burden of the said trust, and is in possession of [*or*, of the proceeds of] the moveable and immoveable property conveyed [*or* assigned] by the before-mentioned deed.

3. The said *C. D.* claims to be entitled to a beneficial interest under the before-mentioned deed.

4. The plaintiff is desirous to account for all the rents and profits of the said immoveable property [and the proceeds of the sale of the said, *or* of part of the said, immoveable property, *or* moveable, *or* the proceeds of the sale of, *or* of part of, the said moveable, property, *or* the profits accruing to the plaintiff as such trustee in the execution of the said trust]; and he prays that the Court will take the accounts of the said trust, and also that the whole of the said trust estate may be administered in the Court for the benefit of the said *C. D.*, the defendant, and all other persons who may be interested in such administration, in the presence of the said *C. D.* and such other persons so interested as the Court may direct, or that the said *C. D.* may shew good cause to the contrary.

N. B.—Where the suit is by a beneficiary, the plaint may be modelled, mutatis mutandis, *on the plaint by a legatee.*]

No. 109.

FORECLOSURE OR SALE.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an instrument of mortgage bearing date on or about the day of 18 , a house with the garden and appurtenances, situated within the jurisdiction of this Court, were conveyed [*or* assigned] by the defendant to him the plaintiff, his heirs [*or* executors, administrators,] and assigns, for securing the principal sum of Rs. together with interest thereon after the rate of Rs. per centum per annum, subject to redemption upon payment by the said defendant of the said principal and interest at a day long since past.

2. There is now due from the defendant to the plaintiff the sum of Rs. for principal and interest on the said mortgage.

3. The plaintiff prays (*a*) that the Court will order the defendant to pay him the said sum of Rs. , with such further interest as may accrue between the filing of the plaint and the day of payment, and also the costs of this suit, on some day to be named by the Court, and in default that the equity of redemption of the said mortgaged premises may be foreclosed and the plaintiff placed in possession of the same premises; or (*b*) that the said premises may be sold, and the proceeds applied in and towards the payment of the amount of the said principal, interest and costs; and (*c*) that if such proceeds shall not be sufficient for the payment in full of such amount, the defendant do pay to the plaintiff the amount of the deficiency with interest thereon at the rate of six per cent. per annum until realization; and (*d*) that for that purpose all proper directions may be given and accounts taken by the Court.

No. 110.

REDEMPTION.

(*Title.*)

[*Alter Form* 109 *thus*:—]

Transpose parties and also the facts in paragraph **1.**

or paragraph 2, *substitute*—

2. There is now due from the plaintiff to the defendant, for principal and interest on the said mortgage, the sum of Rs. which the plaintiff is ready and willing to pay to the defendant, of which the defendant, before filing this plaint, had notice.

For paragraph 3, *substitute*—

The plaintiff prays that he may redeem the said premises and that the defendant may be ordered to re-convey [*or* re-assign] the same to him upon payment of the said sum of Rs. and interest, with such costs (if any), as the Court may order upon a day to be named by the Court, and that the Court will give all proper directions for the preparation and execution of such re-conveyance [*or* assignment], and doing such other acts as may be necessary to put him into possession of the said premises, freed from the said mortgage.

No. 111.

SPECIFIC PERFORMANCE. (No. 1).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. By an agreement dated the day of and signed by the above-named defendant, *C. D.*, he the said *C. D.* contracted to buy of [*or* sell to] him certain immoveable property, therein described and referred to, for the sum of Rs.

2. He has applied to the said *C. D.* specifically to perform the said agreement on his part, but he has not done so.

3. The said *A. B.* has been and still is ready and willing specifically to perform the agreement on his part, of which the said *C. D.* has had notice.

4. The plaintiff prays that the Court will order the said *A. B.* specifically to perform the said agreement, and to do all acts necessary to put the said *A. B.* in full possession of the said property [*or* to accept a conveyance and possession of the said property] and to pay the costs of the suit.

[*N. B.—In suit for delivery up, to be cancelled, of any agreement, omit paragraphs* 2 *and* 3, *and substitute a paragraph stating generally the grounds for requiring the agreement to be delivered up to be cancelled, such as that the plaintiff signed it by mistake, under distress, or by the fraud of the defendant, and alter the prayer according* to the *relief sought.*]

No. 112.

SPECIFIC PERFORMANCE. (No. 2).

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. That on the day of 18 , the defendant was absolutely entitled to certain immoveable property described in the agreement hereto annexed.

2. That on the same day, the plaintiff and defendant entered into an agreement, under their hands, a copy of which is hereto annexed.

3. That on the day of 18 , the plaintiff tendered rupees to the defendant, and demanded a conveyance of the said property.

4. That on the day of 18 , the plaintiff again demanded such conveyance. [*Or*, that the defendant refused to convey the same to the plaintiff.]

5. That the defendant has not executed such conveyance.

6. That the plaintiff is still ready and willing to pay the purchase-money of the said property to the defendant.

The plaintiff prays judgment:

(1) That the defendant execute to the plaintiff a sufficient conveyance of the said property [*following the terms of the agreement*]

(2) For rupees compensation for withholding the same.

No. 113.

PARTNERSHIP.

(*Title.*)

A. B., the above-named plaintiff, states as follows:—

1. He and the said *C. D.*, the defendant, have been for the space of years [*or* months] last past carrying on business together at within the jurisdiction of this Court, under certain articles of partnership in writing, signed by them respectively, [*or*, under a certain deed sealed and executed by them respectively, *or*, under a verbal agreement between them, the said plaintiff and defendant].

2. Divers disputes and differences have arisen between the plaintiff and defendant as such partners, whereby it has become impossible to carry on the said business in partnership with advantage to the partners.

3. The plaintiff desires to have the said partnership dissolved, and he is ready and willing to bear his share of the debts and obligations of the partnership according to the terms of the said articles [*or* deed, *or* agreement].

4. The plaintiff prays the Court to decree a dissolution of the said partnership, and that the accounts of the said partnership trading may be taken by the Court, and the assets thereof realized, and that each party may be ordered to pay into Court any balance due from him upon such partnership-account, and that the debts and liabilities of the said partnership may be paid and discharged, and that the costs of the suit may be paid out of the partnership-assets, and that any balance remaining of such assets, after such payment and discharge, and the payment of the said costs, may be divided between the plaintiff and defendant, according to the terms of the said articles [*or* deed, *or* agreement], or that, if the said assets shall prove insufficient, he the plaintiff and the said defendant may be ordered to contribute in such proportions as shall be just to a fund to be raised for the payment and discharge of such debts, liabilities and costs. And to give such other relief as the Court shall think fit.

This plaint was filed by of

Pleader for the plaintiff, *or* by

[*N. B.—In suits for winding-up of any partnership, omit the prayer for dissolution, but instead thereof insert a paragraph stating the fact of the partnership having been dissolved.*]

No. 114.

FORMS OF CONCISE STATEMENTS.

[Code of Civil Procedure, section 58.]

Money lent.	The plaintiff's claim is rs. for money lent [and interest].
Several demands.	The plaintiff's claim is rs., whereof rs. is for the price of goods sold, and rs. for money lent, and rs. for interest.
Rent.	The plaintiff's claim is rs. for arrears of rent.
Salary, &c.	The plaintiff's claim is rs. for arrears of salary as a clerk [*or, as the case may be*].
Interest.	The plaintiff's claim is rs. for interest upon money lent.
General average.	The plaintiff's claim is rs. for a general average contribution.
Freight, &c.	The plaintiff's claim is rs. for freight and demurrage.
Banker's balance.	The plaintiff's claim is rs. for money deposited with the defendant as a banker.
Fees, &c., as pleader.	The plaintiff's claim is rs. for fees for work done [and rs. money expended] as a pleader.
Commission.	The plaintiff's claim is rs. for commission earned as [*state character, as* auctioneer, cotton-broker, *&c.*].
Medical attendance, &c.	The plaintiff's claim is rs. for medical attendances.
Return of premium.	The plaintiff's claim is rs. for a return of premiums paid upon policies of insurance.
Warehouse rent.	The plaintiff's claim is rs. for the warehousing of goods.
Carriage of goods.	The plaintiff's claim is rs. for the carriage of goods by railway.
Use and occupation of house.	The plaintiff's claim is rs. for the use and occupation of a house.
Hire of goods.	The plaintiff's claim is rs. for the hire of [furniture].
Work done.	The plaintiff's claim is rs. for work done as a [surveyor].
Board and lodging.	The plaintiff's claim is rs. for board and lodging.
Schooling.	The plaintiff's claim is rs. for the [board, lodging and] tuition of *X. Y.*
Money received.	The plaintiff's claim is rs. for money received by the defendant as pleader [*or* factor, *or* collector, *or*, *&c.*] of the plaintiff.
Fees of office.	The plaintiff's claim is rs. for fees received by the defendant under colour of the office of
Money overpaid.	The plaintiff's claim is rs. for a return of money overcharged for the carriage of goods by railway.
	The plaintiff's claim is rs. for a return of fees overcharged by the defendant as
Return of money by stake-holder.	The plaintiff's claim is rs. for a return of money deposited with the defendant as stake-holder.
Money won from stake-holder.	The plaintiff's claim is rs. for money entrusted to the defendant as stake-holder, and become payable to plaintiff.
Money entrusted to agent.	The plaintiff's claim is rs. for a return of *money entrusted to the* defendant as agent of the plaintiff.
Money obtained by fraud.	The plaintiff's claim is rs. for a return of money obtained from the plaintiff by fraud.
Money paid by mistake.	The plaintiff's claim is rs. for a return of money paid to the defendant by mistake.
Money paid for consideration which has failed.	The plaintiff's claim is rs. for a return of money paid to the defendant for [work to be done, *or* work left undone; *or*, a bill to be taken up, *or*, a bill not taken up, *or*, *&c.*] shares to be allotted.
Money paid by surety for defendant.	The plaintiff's claim is rs. for money paid for the defendant as his surety.
Rent paid.	The plaintiff's claim is rs. for money paid for rent due by the defendant.
Money paid on accommodation-bill.	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* indorsed] for the defendant's accommodation.
Contribution by surety.	The plaintiff's claim is rs. for a contribution in respect of money paid by the plaintiff as surety.
By co-debtor.	The plaintiff's claim is rs. for a contribution in respect of a joint debt of the plaintiff and the defendant, paid by the plaintiff.
Money paid for calls.	The plaintiff's claim is rs. for money paid for *calls upon shares*, against which the defendant was bound to indemnify the plaintiff.
Money payable under award.	The plaintiff's claim is rs. for money payable under an award.
Life-policy.	The plaintiff's claim is rs. upon a policy of insurance upon the life of *X. Y.*, deceased.
Money-bond.	The plaintiff's claim is rs. upon a bond to secure payment of rs. and interest.
Foreign judgment.	The plaintiff's claim is rs. upon a judgment of the Court in [the Empire of Russia].
Bills of exchange, &c.	The plaintiff's claim is rs. upon a cheque drawn by the defendant.
	The plaintiff's claim is rs. upon a bill of exchange accepted [*or* drawn, *or* indorsed] by the defendant.
	The plaintiff's claim is rs. upon a promissory note made [*or* indorsed] by the defendant.
	The plaintiff's claim is rs. against the defendant, *A. B.*, as acceptor, and against the defendant, *C. D.*, as drawer [*or* indorser] of a bill of exchange.
Surety.	The plaintiff's claim is rs. against the defendant as surety for the price of goods sold.

	The plaintiff's claim is rs. against the defendant, *A. B.*, as principal, and against the defendant, *C. D.*, as surety, for the price of goods sold [*or* for arrears of rent, *or* for money lent, *or* for money received by the defendant, *A. B.*, as traveller for the plaintiff, *or*, *&c.*].
Calls.	The plaintiff's claim is rs. for calls upon shares.

Indorsement for costs, &c.

[*Add to the above Forms*] and rs. for costs; and if the amount claimed be paid to the plaintiff or his pleader within days [*or, if the summons is to be served out of the jurisdiction, insert the time for appearance limited by the order*] from the service hereof, further proceedings will be stayed.

Damages and other claims.

Agent, &c.	The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.
	The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and rs. for arrears of wages].
	The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.
	The plaintiff's claim is for damages for breach of duty as factor [*or*, *&c.*,] of the plaintiff [and rs. for money received as factor, *or &c.*]
Apprentices.	The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of *X. Y.* to the defendant [*or* plaintiff].
Arbitration.	The plaintiff's claim is for damages for non-compliance with the award of *X. Y.*
Assault, &c.	The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].
By husband and wife.	The plaintiff's claim is for damages for assault and false imprisonment of the plaintiff, *C. D.*
Against husband and wife.	The plaintiff's claim is for damages for assault by the defendant, *C. D.*
Pleader.	The plaintiff's claim is for damages for injury by the defendant's negligence as pleader of the plaintiff.
Bailment.	The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].
Pledge.	The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].
Hire.	The plaintiff's claim is for damages for negligence in the custody of furniture [*or*, a carriage] lent on hire, [and for wrongfully, *&c.*].
Banker.	The plaintiff's claim is for damages for wrongfully neglecting [*or* refusing] to pay the plaintiff's cheque.
Bill.	The plaintiff's claim is for damages for breach of a contract to accept the plaintiff's drafts.
Bond.	The plaintiff's claim is upon a bond conditioned not to carry on the trade of a
Carrier.	The plaintiff's claim is for damages for refusing to carry the plaintiff's goods by railway.
	The plaintiff's claim is for damages for refusing to carry the plaintiff by railway.
	The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of coals by railway.
	The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.
Charter-party.	The plaintiff's claim is for damages for breach of charter-party of ship [*Mary*].
Claim for return of goods; damages.	The plaintiff's claim is for return of household furniture, [*or*, *&c.*,] or their value, and for damages for detaining the same.
Damages for depriving of goods.	The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, &c.
Defamation.	The plaintiff's claim is for damages for libel.
Wrongful distress.	The plaintiff's claim is for damages for slander.
	The plaintiff's claim is for damages for improperly distraining.

[*This Form shall be sufficient whether the distress complained of be wrongful or excessive, or irregular.*]

Ejectment.	The plaintiff's claim is to recover possession of a house, No. in Street, or of a farm called Blackacre, situate in the of in the of
To establish title and recover rents.	The plaintiff's claim is to establish his title to [*here describe property*] and to recover the rents thereof.

[*The two previous Forms may be combined*].

Fishery.	The plaintiff's claim is for damages for infringement of the plaintiff's right of fishing.
Fraud.	The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [*or* a business, *or* shares, *or*, *&c.*].
	The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of *A. B.*
Guarantee.	The plaintiff's claim is for damages for breach of a contract of guarantee for *A. B.*
	The plaintiff's claim is for damages for breach of a contract to indemnify the plaintiff as the defendant's agent to distrain.
Insurance.	The plaintiff's claim is for a loss under a policy upon the ship [*Royal Charter*], and freight of cargo [*or* for return of premiums].

[*This Form shall be sufficient whether the loss claimed be total or partial.*]

	The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.
Fire insurance	The plaintiff's claim is for damages for breach of a contract to insure a house.
	The plaintiff's claim is for damages for breach of a contract to keep a house in repair.
Landlord and tenant.	The plaintiff's claim is for damages for breaches of covenants contained in a lease of a farm.
Medical man.	The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

Mischievous animal. The plaintiff's claim is for damages for injury by the defendant's dog.

Negligence. The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.

The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.

The plaintiff's claim is for damages for injury to the plaintiff at the defendant's railway-station from the defective condition of the station.

Act XIII of 1855. The plaintiff's claim is as executor of *A. B.* deceased, for damages for the death of the said *A. B.*, from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

Promise of marriage. The plaintiff's claim is for damages for breach of promise of marriage.

Sale of goods. The plaintiff's claim is for damages for breach of contract to accept and pay for goods.

Sale of goods. The plaintiff's claim is for damages for non-delivery [*or* short delivery, *or* defective quality, *or other breach of contract of sale*] of cotton [*or, &c.*].

Sale of land. The plaintiff's claim is for damages for breach of warranty of a horse.

The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] land.

The plaintiff's claim is for damages for breach of a contract to let [*or* take] a house.

The plaintiff's claim is for damages for breach of a contract to sell [*or* purchase] the lease, with good-will, fixtures, and stock-in-trade of a public-house.

The plaintiff's claim is for damages for breach of covenant for title [*or* for quiet enjoyment, *or, &c.*] in a conveyance of land.

Trespass on land. The plaintiff's claim is for damages for wrongfully entering the plaintiff's land and drawing water from his well [*or* cutting his grass, *or* felling his timber, *or* pulling down his fences, *or* removing his gate, *or* using his road or path, *or* crossing his field, *or* depositing sand there, *or* carrying away gravel from thence, *or* carrying away stones from his river].

Support. The plaintiff's claim is for damages for wrongfully taking away the support of plaintiff's land [*or* house, *or* mine].

Way. The plaintiff's claim is for damages for wrongfully obstructing a way [public highway, *or* private, way].

Water-course, &c. The plaintiff's claim is for damages for wrongfully diverting [*or* obstructing, *or* polluting, *or* diverting water from] a water-course.

The plaintiff's claim is for damages for wrongfully discharging water upon the plaintiff's land [*or* into the plaintiff's mine].

The plaintiff's claim is for damages for wrongfully obstructing the plaintiff's use of a well.

Pasture. The plaintiff's claim is for damages for the infringement of the plaintiff's right of pasture.

[*This Form shall be sufficient whatever the nature of the right to pasture be.*]

Patent. The plaintiff's claim is for damages for obstructing the access of light to plaintiff's house.

Copy-right. The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

Trade-mark. The plaintiff's claim is for damages for the infringement of the plaintiff's copy-right.

Work. The plaintiff's claim is for damages for wrongfully using [*or* imitating] the plaintiff's trade-mark.

The plaintiff's claim is for damages for breach of a contract to build a ship [*or* to repair a house, *&c.*].

Nuisance. The plaintiff's claim is for damages for breach of a contract to employ the plaintiff to build a ship, &c.

The plaintiff's claim is for damages to his house, trees, crops, &c., caused by noxious vapours from the defendant's factory [*or, &c.*].

The plaintiff's claim is for damages from nuisance by noise from the defendant's works [*or* stables, *or, &c.*].

Injunction. [*Add to indorsement*]:—and for an injunction.

Mesne profits. [*Add to indorsement where claim is to land, or to establish title, or both*]:—and for mesne profits.

Arrears of rent. and for an account of rents or arrears of rent.

Breach of covenant. and for breach of covenant for [repairs].

1. *Creditor to administer Estate.*

The plaintiff's claim is as a creditor of *X. Y.*, of deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the administrator of the said *X. Y.*, [and the defendants, *E. F.* and *G. H.*, as his coheirs at law.]

2. *Legatee to administer Estate.*

The plaintiff's claim is as a legatee under the will dated the day of 18 , of *X. Y.*, deceased, to have the moveable and immoveable property of the said *X. Y.* administered. The defendant, *C. D.*, is sued as the executor of the said *X. Y.* [and the defendants, *E. F.* and *G. H.*, as his devisees].

3. *Partnership.*

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership dated the day of], and to have the affairs of the partnership wound up.

4. *By mortgagee.*

The plaintiff's claim is to have an account taken of what is due to him for principal, interest and costs on a mortgage dated the day of , made between [*parties*] [*or*, by deposit of title-deeds], and that the mortgage may be enforced by foreclosure or sale.

5. *By mortgagor.*

The plaintiff's claim is to have an account taken of what, if anything, is due on a mortgage dated and made between [*parties*], and to redeem the property comprised therein.

6. *Raising Portions.*

The plaintiff's claim is that the sum of rs. which by an indenture of settlement, dated , was provided for the portions of the younger children of may be raised.

7. *Execution of Trusts.*

The plaintiff's claim is to have the trusts of an indenture dated and made between [*parties*] carried into execution.

8. *Cancellation, or Rectification.*

The plaintiff's claim is to have a deed dated and made between [*parties*] set aside or rectified.

9. *Specific Performance.*

The plaintiff's claim is for specific performance of an agreement dated the day of for the sale by the plaintiff to the defendant of certain [freehold] hereditaments at

No. 115.

PROBATE.

1. *By an executor or legatee propounding a will in solemn form.*

The plaintiff claims to be executor of the last will dated the day of of *C. W.* late of deceased, who died on the day of and to have the said will established. This summons is issued against you as one of the next-of-kin of the said deceased [*or, as the case may be*].

2. *By an executor or legatee of a former will, or a next-of-kin, &c., of the deceased seeking to obtain the revocation of a probate granted in common form.*

The plaintiff claims to be executor of the last will dated the day of of *C.D.*, late of deceased, who died on the day of and to have the probate of a pretended will of the said deceased, dated the day of revoked. This summons is issued against you as the executor of the said pretended will [*or, as the case may be*].

3. *By an executor or legatee of a will when letters of administration have been granted as in an intestacy.*

The plaintiff claims to be executor of the last will of *C. D.*, late of deceased, who died on the day of dated the day of .

The plaintiff claims that the grant of letters of administration of the estate of the said deceased obtained by you should be revoked, and probate of the said will granted to him.

4. *By a person claiming a grant of administration as a next-of-kin of the deceased, but whose interest as next-of-kin is disputed.*

The plaintiff claims to be the brother and sole next-of-kin of *C.D.* of deceased, who died on the day of intestate, and to have as such a grant of administration to the personal estate of the said intestate. This writ is issued against you because you have entered a caveat, and have alleged that you are the sole next-of-kin of the deceased [*or, as the case may be*].

Indorsements of character of Parties.

The plaintiff's claim is as executor [*or* administrator] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A. B.*, as executor [*or, &c.*] of *C.D.*, deceased, for, *&c.*

The plaintiff's claim is against the defendant, *A.B.*, as executor of *X. Y.* deceased, and against the defendant, *C.D*, in his personal capacity, for, *&c.*

The claim of the plaintiff, *C D.*, is as executrix of *X. Y.*, deceased, and the claim of the

By husband and wife-executrix. plaintiff, *A.B.*, as her husband, for

Trustees. The plaintiff's claim is as [*or*, the plaintiff's claim is against the defendant as] trustee under the will of *A.B.* [*or* under the settlement upon the marriage of *A.B.* and *X. Y.* his wife].

Public officer. The plaintiff's claim is as public officer of the Bank, for

The plaintiff's claim is against the defendant as public officer of the Bank, for

The plaintiff's claim is against the defendant, *A.B.*, as principal, and against the defendant, *C.D.*, as public officer, of the Bank, as surety, for

Heir and devisee. The plaintiff's claim is against the defendant as heir-at-law of *A.B.*, deceased.

The plaintiff's claim is against the defendant, *C.D.*, as heir-at-law, and against the defendant, *E.F.*, as devisee, of lands under the will of *A.B.*

F.—MISCELLANEOUS.

No. 116.

Section 58 of the Code of Civil Procedure.

COURT of the of holden at

REGISTER OF CIVIL SUITS in the year 18 .

Date of presentation of plaint.	No. of Suit.	PLAINTIFF.			DEFENDANT.			CLAIM.			APPEARANCE.			JUDGMENT.			APPEAL.		EXECUTION.				RETURN OF EXECUTION.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Particulars.	Amount or value.	When the Cause of Action accrued.	Day for parties to appear.	Plaintiff.	Defendant.	Date.	For whom.	For what, or amount.	Date of Appeal.	Judgment in Appeal.	Date of application.	Date of Order.	Against whom.	For what, and amount if money.	Amount of Costs.	Amount paid into Court.	Arrested.	Minute of other Return than payment of Arrest, and date of every Return.

No. 117.

SUMMONS FOR DISPOSAL OF SUIT.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any documents on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18 .

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 118.

SUMMONS FOR SETTLEMENT OF ISSUES.

Sections 64 and 68 of the Code of Civil Procedure.

(*Title.*)

To

dwelling at

WHEREAS has instituted a suit against you for you are hereby summoned to appear in this Court in person or by a duly authorized Pleader of the Court, duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions, on the day of 18 , at o'clock in the forenoon, to answer the above-named plaintiff; and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the issues will be settled in your absence; and you will bring with you, or send by your Pleader , which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

GIVEN under my hand and the seal of the Court this day of 18

L. S.

Judge.

NOTICE.—1. Should you apprehend your witnesses will not attend of their own accord, you can have subpœnas from this Court to compel the attendance of any witness, and the production of any document that you have a right to call on the witness to produce, on applying to the Court at any time before the trial, on your depositing their necessary subsistence-money.

2. If you admit the demand, you should pay the money into Court with the costs of the suit, to avoid the summary execution of the decree, which may be against your person or property, or both, if necessary.

NOTE.—*If written statements are required, say*—You are (*or* such a party is, *as the case may be*) required to put in a written statement by the day of

No. 119.

SUMMONS TO APPEAR.

Section 68 of the Code of Civil Procedure.

NO. OF SUIT.

IN THE COURT OF AT

Plaintiff.
Defendant.

To (*Name, description and address.*)

WHEREAS [*here enter the name, description and address of the plaintiff*] has instituted a suit in this Court against you [*here state the particulars of the claim as in the register*]: you are hereby summoned to appear in this Court in person on the day of at in the forenoon [*If not specially required to appear in person, state*—"in person or by a pleader of the Court duly instructed and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions"] to answer the above-named plaintiff. [*If the summons be for the final disposal of the suit, this further direction shall be added here*; "and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day"]: and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you (or send by your agent) [*here mention any document the production of which may be required by the plaintiff*] which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

No. 120.

ORDER FOR TRANSMISSION OF SUMMONS FOR SERVICE IN THE JURISDICTION OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

The day of 18 .

WHEREAS it is stated in the plaint that , the defendant in the above suit is at present residing in , but that the right to sue accrued within the jurisdiction of this Court: it is ordered that a summons returnable on the day of 18 be forwarded for service on the said defendant, to the Court of with a duplicate of this proceeding.

L. S.

Judge.

No. 121.

TO ACCOMPANY RETURN OF SUMMONS OF ANOTHER COURT.

Section 85 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil suit No. of 18 .

The day of 18 .

A. B. of
against
C. D. of

Read proceeding from the forwarding for service on in Civil No. of that Court.

Read bailiff's endorsement on the back of the process stating that the and proof of the above having been duly taken by me on the [oath *or*] affirmation of and it is ordered that the be returned to the with a copy of this proceeding.

L. S.

Judge.

NOTE.—This form will be applicable to process other than summons, the service of which may have to be effected in the same manner.

No. 122.

DEFENDANT'S STATEMENT.

Section 110 of the Code of Civil Procedure.

(*Title.*)

I, the undersigned defendant [*or* one of the defendants], disclaim all interest under the will of the said *E. F.* in the plaint named [*or*, as heir-at-law of, *or*, as next-of-kin, *or* one of the next-of-kin, of *E. F.*, deceased, in the said plaint named].

Or, I the undersigned defendant state, that I admit [*or* deny] [*here repeat in the language of the plaint the statements admitted or denied*].

Or, I the undersigned defendant submit that, upon the facts stated in the plaint, it does not appear that there is any agreement which can be legally enforced [*or*, that it appears upon the said plaint that I am jointly liable with one *E. F.*, who is not a party to the suit, and not severally liable as by the plaint appears, *or*, that it appears by the said plaint that *G. H.* should have been a joint plaintiff with the said *A. B.* in the said suit, *or, as the case may be*].

Or, that the plaintiff has conveyed [*or* assigned] his interest in the said mortgage [*or* equity of redemption] to one *I. J.* [*or*, that I have conveyed or assigned to *H. L.* by way of further charge for securing the sum of Rs. , the equity of redemption in the property sought by the suit to be foreclosed].

Or, that since the dissolution of the partnership the plaintiff has executed an instrument, whereby the plaintiff covenants to discharge all debts and liabilities of the partnership, and generally to release me from all claims and liabilities either by or to himself and others in respect of the said partnership trading [*or, as the case may be*].

(*Signed*) *C. D.*,
Defendant.

No. 123.

INTERROGATORIES.

Section 121 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B.
against
C. D., E. F. and *G. H.*

Interrogatories on behalf of the above-named *A. B.* [*or C. D.*] for the examination of the above-named [*E. F.* and *G. H.*, *or A. B.*].

1. Did not &c.

2. Has not &c.

The defendant *E. F.* is required to answer the interrogatories numbered

The defendant *G. H.* is required to answer the interrogatories numbered

No. 124.

FORM OF NOTICE TO PRODUCE DOCUMENTS.

Section 131 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B.
against
C. D.

Take notice that the plaintiff [*or* defendant] requires you to produce for his inspection the following documents referred to in your plaint [*or* written statement, *or* affidavit], dated the day of 18 .

Describe documents required.

X. Y. Pleader for the plaintiff [*or* the defendant].

To *Z.*

Pleader for the defendant [*or* plaintiff].

No. 125.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Sections 159 and 163 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS your attendance is required to on behalf of the in the above cause, you are hereby required [personally to appear before this Court] on the day of 18 , at the hour of A. M. [and] to bring with you or to send to this Court

A sum of Rs. , being your travelling and other expenses and subsistence-allowance for one day, is herewith sent. If you do not comply with this order, you will be subject to the consequence of non-attendance laid down in the Code of Civil Procedure, section 170.

Notice—(1). If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

(2). If you are to be detained beyond the day aforesaid, a sum of Rs. will be tendered to you for each day's attendance beyond the day specified.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 126.

SUMMONS TO ATTEND AND GIVE EVIDENCE.

Sections 159 and 163 of the Code of Civil Procedure.

Another Form.

No. OF SUIT.

IN THE COURT OF AT

Plaintiff.

Defendant.

To (*Name, description and address.*)

You are hereby summoned to appear in this Court in person on the day of at in the forenoon, to give evidence on behalf of the plaintiff [*or* the defendant] in the above-mentioned suit, and to produce [***here describe with convenient certainty any document the production of which may be required. If the summons be only to give evidence, or if it be only to produce a document, it must be expressed accordingly***] and you are not to depart thence until you have been examined [*or* have produced the document] and the Court has risen, or unless you have obtained the leave of the Court.

FORMS OF DECREES.

No. 127.

SIMPLE MONEY-DECREE.

(*Title.*)

Claim for

THIS cause coming on for final disposal before in the presence of , on the part of the plaintiff, and on the part of the defendant, it is ordered that the do pay to the the sum of Rs. , with interest thereon at the rate of per cent. per . from to the date of realization of the said sum, and do also pay to the the costs of this suit as taxed by the officer of the Court, with interest thereon at the rate aforesaid from the date of taxation to the date of realization.

Costs of suit.

PLAINTIFF.	Rs.	A.	P.	DEFENDANT.	Rs.	A.	P.
1. Stamp for plaint ...				Stamp for power ...			
2. Do. for power ...				Do. petition ...			
3. Do. exhibits ...				Pleader's fee			
4. Pleader's fees on Rs. ...				Subsistence for witnesses ...			
5. Translation fee ...				Service of process ...			
6. Subsistence for witness for attendance ...				Translation fee ...			
7. Commissioner's fee ...				Commissioner's fee ...			
8. Service of process ...							
9. &c.							
TOTAL ...				TOTAL ...			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 128.

DECREE FOR SALE IN A SUIT BY A MORTGAGEE OR PERSON ENTITLED TO A LIEN.

(*Title.*)

It is ordered that it be referred to the Registrar [*or* Taxing Officer] to take an account of what is due to the plaintiff for principal and interest on the mortgage [*or* lien] mentioned in the plaint, and to tax the plaintiff's costs of this suit, and that the Registrar do certify to the Court on the day of what he shall find to be due for principal and interest as aforesaid, and for costs; And upon the defendant paying into Court what shall be certified to be due to the plaintiff for principa and interest as aforesaid, together with the said costs, within six months after the Registrar [*or* Taxing Officer] shall have presented his certificate; it is ordered that the plaintiff do reconvey the said mortgaged premises free and clear from all incumbrances done by him, or any claiming by, from, or under him, and do deliver up to the Registrar [*or* Taxing Officer] all deeds and writings in his custody or power relating thereto, and that upon such reconveyance being made, and deeds and writings being delivered up, the Registrar [*or* Taxing Officer] shall pay out to the plaintiff the said sum so paid in as aforesaid for principal, interest and costs; but in default of the defendant paying into Court such principal, interest and costs as aforesaid by the time aforesaid, then it is ordered that the said mortgaged premises [*or* the premises subject to the said lien] be sold with the approbation of the Registrar [*or* Taxing Officer]. And it is ordered that the money to arise by such sale be paid into Court, to the end that the same may be duly applied in payment of what shall be found due to the plaintiff for principal, interest and costs as aforesaid, and that the balance (if any) shall be paid to the defendant.

No. 129.

FINAL DECREE FOR FORECLOSURE.

(*Title.*)

Whereas it appears to the Court that the defendant has not paid into Court the sum which was on the day of last certified by the Registrar to be due to the Plaintiff for principal and interest upon the mortgage in the plaint mentioned, and for costs, pursuant to the order made in this suit on the day of last, and that the period of six months has elapsed since the said day of

It is ordered that the Defendant do stand absolutely debarred and foreclosed of and from all equity of redemption of, in, and to, the said mortgaged premises.

No. 130.

PRELIMINARY ORDER—ADMINISTRATION SUIT.

Section 213 of the Code of Civil Procedure.

(*Title.*)

It is ordered that the following accounts and inquiries be taken and made; that is to say:—

In creditor's suit—

1. That an account be taken of what is due to the Plaintiff and all other the creditors of the deceased.

In suits by legatees—

2. An account be taken of the legacies given by the testator's will.

In suits by next-of-kin—

An inquiry be made and account taken of what, or of what share, if any, the plaintiff is entitled to as next-of-kin [*or* one of the next-of-kin] of the intestate.

[*After the first paragraph, the Order will, where necessary, order, in a creditor's suit, inquiry and accounts for legatees, heirs-at-law, and next-of-kin. In suits by claimants other than creditors, after the first paragraph, in all cases, an order to inquire and take an account of creditors, will follow the first paragraph, and such of the others as may be necessary will follow, omitting the first formal words. The form is continued as in a creditor's suit.*]

3. An account of the funeral and testamentary expenses.

4. An account of the moveable property of the deceased come to the hands of the Defendant, or to the hands of any other person by his order or for his use.

5. An inquiry what part (if any) of the moveable property of the deceased is outstanding and undisposed of.

6. And it is further ordered, that the Defendant do, on or before the day of next, pay into Court all sums of money which shall be found to have come to his hands, or to the hands of any person by his order or to his use.

7. And that if the *Registrar* shall find it necessary for carrying out the objects of the suit to sell any part of the moveable property of the deceased, that the same be sold accordingly, and the proceeds paid into Court.

8. And that Mr. *E. F.* be Receiver in the suit [*or* proceeding], and receive and get in all outstanding debts and outstanding moveable property of the deceased, and pay the same into the hands of the Registrar [and shall give security by bond for the due performance of his duties to the amount of rupees].

9. And it is further ordered, that if the moveable property of the deceased be found insufficient for carrying out the objects of the suit, then the following further inquiries be made, and accounts taken, that is to say,—

(*a*) an inquiry what immoveable property the deceased was seised of or entitled to at the time of his death;

(*b*) an inquiry what are the incumbrances (if any) affecting the immoveable property of the deceased, or any part thereof;

(*c*) an account, so far as possible, of what is due to the several incumbrancers, and to include a statement of the priorities of such of the incumbrancers as shall consent to the sale hereinafter directed.

10. And that the immoveable property of the deceased, or so much thereof as shall be necessary to make up the fund in Court sufficient to carry out the object of the suit, be sold with the approbation of the Judge, free from incumbrances (if any) of such incumbrancers as shall consent to the sale, and subject to the incumbrances of such of them as shall not consent.

11. And it is ordered, that *G. H.* shall have the conduct of the sale of the immoveable property, and shall prepare the conditions and contracts of sale subject to the approval of the Registrar, and that in case any doubt or difficulty shall arise the papers shall be submitted to the Judge to settle.

12. And it is further ordered, that, for the purpose of the inquiries hereinbefore directed, the Registrar shall advertise in the newspapers according to the practice of the Court, or shall make such inquiries in any other way which shall appear to the Registrar to give the most useful publicity to such inquiries.

13. And it is ordered, that the above inquiries and accounts be made and taken, and that all other acts ordered to be done be completed, before the day of and that the Registrar do certify the result of the inquiries, and the accounts, and that all other acts ordered are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

14. And, lastly, it is ordered, that this suit [*or* matter] stand adjourned for making final decree to the day of

[*Such part only of this order is to be used as is applicable to the particular case.*]

No. 131.

FINAL DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE.

Section 213 of the Code of Civil Procedure.

1. It is ordered that the defendant do on or before the day of pay into Court the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the estate of , the testator, and also the sum of Rs. for interest, at the rate of Rs. per centum per annum, from the day of to the day of amounting together to the sum of Rs.

2. Let the Registrar [*or* Taxing Officer] of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said costs, when so taxed, be paid out of the said sum of Rs. ordered to be paid into Court as aforesaid, as follows:—

(*a.*)—The costs of the plaintiff to Mr. , his attorney [*or* pleader], and the costs of the defendant to Mr. , his attorney [*or* pleader].

(*b.*)—And (*if any debts are due*), with the residue of the said sum of Rs. after payment of the plaintiff's and defendant's costs as aforesaid, let the sums found to be owing to the several creditors mentioned in the schedule to the Registrar's certificate, together with subsequent interest on such of the debts as bear interest, be paid; and after making such payments, let the amount coming to the several legatees mentioned in the schedule, together with subsequent interest (to be verified as aforesaid), be paid to them.

3. And if there should then be any residue, let the same be paid to the residuary legatee.

DECREE IN AN ADMINISTRATION SUIT BY A LEGATEE, WHERE AN EXECUTOR IS HELD PERSONALLY LIABLE FOR THE PAYMENT OF LEGACIES.

Section 213 of the Code of Civil Procedure.

1. Declare that the defendant is personally liable to pay the legacy of Rs. bequeathed to the plaintiff;

2. And it is ordered, that an account be taken of what is due for principal and interest on the said legacy;

3. And it is also ordered, that the defendant do within weeks after the date of the Registrar's certificate, pay to the plaintiff the amount of what the Registrar shall certify to be due for principal and interest;

4. And it is ordered, that the defendant do pay the plaintiff his costs of suit, the same to be taxed in case the parties differ.

FINAL DECREE IN AN ADMINISTRATION SUIT BY NEXT-OF-KIN.

Section 213 of the Code of Civil Procedure.

1. Let the Registrar of the said Court tax the costs of the plaintiff and defendant in this suit, and let the amount of the said plaintiff's costs, when so taxed, be paid by the defendant to the plaintiff out of the sum of Rs. , the balance by the said certificate found to be due from the said defendant on account of the personal estate of *E. F.*, the intestate, within one week after the taxation of the said costs by the said Registrar, and let the defendant retain for her own use out of such sum her costs, when taxed.

2. And it is ordered, that the residue of the said sum of Rs. , after payment of the plaintiffs' and defendant's costs as aforesaid, be paid and applied by defendant as follows:—

(*a.*)—Let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay one-third share of the said residue to the plaintiffs, *A. B.*, and *C.*, his wife, in her right, as the sister and one of the next-of-kin of the said *E. F.*, the intestate.

(*b.*)—Let the defendant retain for her own use one other third share of the said residue, as the mother, and one other of the next-of-kin of the said *E. F.*, the intestate.

(*c.*)—And let the defendant, within one week after the taxation of the said costs by the Registrar as aforesaid, pay the ramaining one-third share of the said residue to *G. H.*, as the brother and the other next-of-kin of the said *E. F.*, the intestate.

No. 132.

ORDER—DISSOLUTION OF PARTNERSHIP.

Section 215 of the Code of Civil Procedure.

(*Title.*)

It is declared that the partnership in the plaint mentioned between the plaintiff and defendant ought to stand dissolved as from the day of , and it is ordered that the dissolution thereof as from that day be advertised in the *Gazette, &c.*

And it is ordered that be the Receiver of the partnership-estate and effects in this suit, and do get in all the outstanding book-debts and claims of the partnership.

And it is ordered that the following accounts be taken:—

1. An account of the credits, property and effects now belonging to the said partnership;

2. An account of the debts and liabilities of the said partnership;

3. An account of all dealings and transactions between the plaintiff and defendant, from the foot of the settled account exhibited in this suit and marked (A), and not disturbing any subsequent settled accounts.

And it is ordered that the goodwill of the business heretofore carried on by the plaintiff and defendant as in the plaint mentioned, and the stock-in-trade, be sold on the premises, and that the Registrar may, on the application of any of the parties, fix a reserved bidding for all or any of the lots at such sale, and that either of the parties is to be at liberty to bid at the sale.

And it is ordered that the above accounts be taken and all the other acts required to be done be completed before the day of , and that the Registrar do certify the result of the accounts, and that all other acts are completed, and have his certificate in that behalf ready for the inspection of the parties on the day of

And, lastly, it is ordered that this suit stand adjourned for making a final decree to the day of

No. 133.

PARTNERSHIP. FINAL DECREE.

Section 215 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Regular No.

A. B. of
against
C. D. of

It is ordered that the fund now in Court, amounting to the sum of Rs. be applied as follows:—

1. In payment of the debts due by the partnership set forth in the Registrar's certificate amounting in the whole to Rs.

2. In payment of the costs of all parties in this suit, amounting to Rs.
[*These costs must be ascertained before the decree is drawn up*].

3. In payment of the sum of Rs. to the plaintiff as his share of the partnership-assets, of the sum of Rs. , being the residue of the said sum of Rs. now in Court to the defendant as his share of the partnership-assets.

[*Or*, And that the remainder of the said sum of Rs. be paid to the said plaintiff (*or* defendant) in part payment of the sum of Rs. certified to be due to him in respect of the partnership-accounts.

And that the defendant (*or* plaintiff) do on or before the day of pay to the plaintiff (*or* defendant) the sum of Rs. being the balance of the said sum of Rs. due to him, which will then remain due].

No. 134.

CERTIFICATE OF NON-SATISFACTION OF DECREE.

Section 224 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D of

CERTIFIED that no [*or* partial, *as the case may be, and if partial, state to what extent*] satisfaction of the decree of this Court, in Civil Suit No. of 18 a copy of which is hereunto attached, has been obtained by execution within the jurisdiction of this Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 135.

NOTICE TO SHOW CAUSE WHY EXECUTION SHOULD NOT ISSUE.

Section 248 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for execution of decree in Civil Suit No. 18 , this is to give you notice that you are to appear before this Court on the day of 18 , either in person or by a Pleader of this Court, or agent duly authorized and instructed to show cause, if any, why execution should not be granted.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 136.

WARRANT OF ATTACHMENT OF MOVEABLE PROPERTY IN DEFENDANT'S POSSESSION IN EXECUTION OF A DECREE FOR MONEY.

Section 254 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS was ordered, by decree of this Court, passed on the day of 18 , in Suit No. of 18 , to pay to the plaintiff the sum of Rs. as noted in the margin; and whereas the said sum of Rs. has not been paid

DECREE.			
Principal			
Interest			
Costs			
Costs of decree . .	—	—	—
Interest thereon . .			
Total of attachment	—	—	—
TOTAL . .			

THESE ARE TO COMMAND YOU to attach the moveable property of the said as set forth in the list hereunto annexed, or which shall be pointed out to you by the said , and unless the said shall pay to you the said sum of Rs. together with Rs. , the costs of this attachment, to hold the same until further orders from this Court.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 , with an endorsement certifying the date and manner in which it has been executed, or why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18

SCHEDULE.

L. S.

Judge.

No. 137.

WARRANT TO THE BAILIFF TO GIVE POSSESSION OF LAND, &c.

Section 263 of the Code of Civil Procedure.

(*Title.*)

TO THE BAILIFF OF THE COURT.

WHEREAS , in the occupancy of has been decreed to , the plaintiff in this suit: you are hereby directed to put the said in possession of the same, and you are hereby authorized to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 138.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSON TO THE IMMEDIATE POSSESSION THEREOF.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 in favour of for Rs. it is ordered that the defendant be, and is hereby, prohibited and restrained, until the further order of this Court, from

receiving from the following property in the possession of the said that is to say, to which the defendant is entitled, subject to any claim of the said , and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any person or persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 139.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF DEBTS NOT SECURED BY NEGOTIABLE INSTRUMENTS

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Suit No. of 18 , in favour of for Rs. : it is ordered that the defendant be, and hereby, prohibited and restrained, until the further order of this Court, from receiving from you a certain debt alleged now to be due from you to the said defendant, namely, and that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from making payment of the said debt, or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 140.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &C.

Section 268 of the Code of Civil Procedure.

(*Title.*)

To

Defendant, and to , Manager of Company

WHEREAS has failed to satisfy a decree passed against on the day of 18 , in Civil Suit No. of 18 in favour of for Rs. it is ordered that you, the defendant, be, and you are hereby, prohibited and restrained, until the further order of this Court, from making any transfer of shares in the aforesaid Company, namely, or from receiving payment of any dividends thereof; and you , the Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 141.

ATTACHMENT IN EXECUTION.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 274 of the Code of Civil Procedure.

(*Title.*)

To

Defendant.

WHEREAS you have failed to satisfy a decree passed against you on the day of 18 , in Civil Suit No. of 18 , in favour of for Rs. : it is ordered that you, the said , be, and you are hereby, prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18

SCHEDULE.

L. S.

Judge.

No. 142.

ATTACHMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY OR OF ANY SECURITY IN THE HANDS OF A COURT OF JUSTICE OR OFFICER OF GOVERNMENT.

Sections 272 and 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

SIR,

THE plaintiff having applied, under section of the Code of Civil Procedure, for an attachment of certain money now in your hands (*here state how the money is supposed to be in the hands of the person addressed, on what account, &c.*), I request that you will hold the said money subject to the further order of this Court.

I have the honour to be,
SIR,
Your most obedient Servant,

L. S.

Dated the day of 18 . *Judge.*

No. 143.

ORDER FOR PAYMENT TO THE PLAINTIFF, &C., OF MONEY, &C., IN THE HANDS OF A THIRD PARTY.

Section 277 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

Miscellaneous No. of 18 .

A. B. of

against

C. D. of

TO THE BAILIFF OF THE COURT AND TO

WHEREAS the following property has been attached in execution of a decree in Civil Suit No. of 18 , passed on the day of 18 , in favour of for Rs. : it is ordered

that the property so attached, consisting of Rs. in money, and Rs. in Bank Notes, or a sufficient part thereof to satisfy the said decree, shall be paid over by you the said , to , and that the said property, so far as may be necessary for the satisfaction of the said decree, shall be sold by you, the Bailiff of the Court, by public auction in the manner prescribed for sale in execution of decrees, and that the money which may be realized by such sale, or a sufficient part thereof to satisfy the said decree, shall be paid over to the said , and the remainder, if any, shall be paid to you, the said

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 144.

NOTICE TO ATTACHING CREDITOR.

Section 278 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS has made application to this Court for the removal of attachment on placed at your instance in execution of the decree in Civil Suit No. of 18 this is to give you notice to appear before this Court on , the day of , 18 , either in person or by a Pleader of the Court duly instructed, to support your claim as attaching creditor.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 145.

WARRANT OF SALE OF PROPERTY IN EXECUTION OF A DECREE FOR MONEY.

Section 287 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
Miscellaneous No. of 18 .
A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

THESE ARE TO COMMAND YOU to sell by auction, after giving days' previous notice, by affixing the same in this Court-house, and after making due proclamation,* the property attached under a Warrant from this Court dated the of 18 in execution of a decree in favour of in suit No. of 18 or so much of the said property as shall realize the sum of Rs. , being the of the said decree and costs still remaining unsatisfied.

YOU ARE FURTHER COMMANDED to return this Warrant on or before the day of 18 with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

* This proclamation shall specify the time, the place of sale, the property to be sold, the revenue assessed, should the property consist of land paying revenue to Government, and the amount for the recovery of which the sale is ordered.

No. 146.

NOTICE TO PERSON IN POSSESSION OF MOVEABLE PROPERTY SOLD IN EXECUTION.

Section 300 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS has been the purchaser at a sale by auction in execution of the decree in the above suit of now in your possession, you are hereby prohibited from delivering possession of the said to any persons except the said .

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 147.

PROHIBITORY ORDER AGAINST PAYMENT OF DEBTS SOLD IN EXECUTION TO ANY OTHER THAN THE PURCHASER.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

and to

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain debt due from you to you , that is to say , it is ordered that you be and you are hereby prohibited from receiving, and you from making payment of, the said debt to any person or persons except the said .

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 148.

PROHIBITORY ORDER AGAINST THE TRANSFER OF SHARES SOLD IN EXECUTION.

Section 301 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

and Manager of Company.

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of certain shares in the above Company, that is to say of standing in the name of you it is ordered

that you be, and you are hereby, prohibited from making, any transfer of the said shares to any person except the said the purchaser aforesaid, or from receiving any dividends thereon: and you , Manager of the said Company, from permitting any such transfer or making any such payment to any person except the said , the purchaser aforesaid.

GIVEN under my hand and the seal of the Court, this day of 18 .

Judge.

No. 149.

ORDER CONFIRMING SALE OF LAND, &c.

Section 312 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

WHEREAS the following land (or immoveable property) was on the day of 18 sold by the Bailiff of this Court in execution of the decree in this suit; and whereas thirty days have elapsed and no application has been made (*or* objection allowed) to the said sale, it is ordered that the said sale be, and the said sale is hereby, confirmed.

GIVEN under my hand and the seal of the Court, this day of 18

SCHEDULE.

L. S.

Judge.

No. 150.

CERTIFICATE OF SALE OF LAND.

Section 316 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

THIS is to certify that has been declared the purchaser at a sale by public auction on the day of 18 of the in execution of decree in this suit, and that the said sale has been duly confirmed by the Court.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 151.

ORDER FOR DELIVERY TO CERTIFIED PURCHASER OF LAND AT A SALE IN EXECUTION.

Section 318 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has become the certified purchaser of at a sale in execution of decree in Civil Regular No. of 18 , and whereas such land is in the possession of you are hereby ordered to put the said , the certified purchaser, as aforesaid, into possession of the said and if need be, to remove any person who may refuse to vacate the same.

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

No. 152.

AUTHORITY TO THE COLLECTOR TO STAY PUBLIC SALE OF LAND ON SECURITIES BEING GIVEN.

Section 326 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

Collector of

SIR,

In answer to your communication No. , dated representing that the sale in execution of decree in this suit of land, lying within your district, paying revenue to Government, is objectionable, I have the honour to inform you that you are authorized, on security to the amount of Rs. decreed to the in the above suit, being given to your satisfaction, to make provision for the satisfaction of the said decree in the manner recommended by you instead of proceeding to a public sale of

I have the honour to be,
SIR,
Your obedient Servant,

L. S.

Judge.

No. 153.

ORDER FOR COMMITTAL FOR RESISTING, &c., EXECUTION OF DECREE FOR LAND.

Section 329 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS it appears to the Court that has without just cause resisted (*or* obstructed) the execution of the decree of the Court

passed against on the day of 18
in Civil Suit, No. of 18 , whereby certain land or immoveable property
was adjudged to , it is ordered that the said
be committed to custody for a period of days.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 154.

WARRANT OF ARREST IN EXECUTION.

Section 337 of the Code of Civil Procedure.

IN THE COURT OF AT
Civil Suit No. of 18 .
Miscellaneous No. of 18 .
A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS was adjudged by a decree of the Court, in No. of 18 , dated 18 , to pay to the plaintiff the sum of Rs. as noted in the margin, and whereas the said sum of Rs. has not been paid to the said plaintiff in satisfaction of the said decree, these are to command you to arrest the said defendant, and unless the said defendant shall pay to you the said sum of Rs. , together with Rs. for the costs of executing this process, to bring the said defendant before the Court with all convenient speed. You are further commanded to return this warrant on or before the day of 18 , with an endorsement certifying the day and manner in which it has been executed, or the reason why it has not been executed.

Principal			
Interest			
Costs			
Execution			
TOTAL .			

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 155.

NOTICE OF PAYMENT INTO COURT.

Section 377 of the Code of Civil Procedure.

IN THE 187 .
B. No.
A. B. v. *C. D.*

TAKE notice that the defendant has paid into Court Rs. and says that that sum is enough to satisfy the plaintiff's claim [*or* the plaintiff's claim for, *&c.*].

To Mr. *X. Z.*,
the Plaintiff's Pleader,
Z.,
Defendant's Pleader.

No. 156.

COMMISSION TO EXAMINE ABSENT WITNESSES.

Section 386 of the Code of Civil Procedure.

IN THE COURT OF AT
Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS the evidence o is required by the
n the above suit; and whereas you are requested to take the

examination on interrogatories [*or* viva voce] of such witnesses and you are hereby appointed a Commissioner for that purpose, and you are further requested to make return of such examination so soon as it may be taken [Process to require the attendance of the witness will be issued by this Court on your application.]*

GIVEN under my hand and the seal of the Court, this day of

L. S.

Judge.

* Not necessary where the commission goes to another Court.

No. 157.

COMMISSION FOR A LOCAL INVESTIGATION, OR TO EXAMINE ACCOUNTS.

Sections 392 and 395 of the Code of Civil Procedure.

IN THE COURT OF AT
Civil Suit No. of 18 .
A. B. of
against
C. D. of

To

WHEREAS it is deemed requisite, for the purposes of this suit, that a commission for should be issued; you are hereby appointed Commissioner for the purpose of
[process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on your application.]†

A sum of Rs. , being your fee in the above, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

† Not necessary where the commission goes to another Court.

No. 158.

WARRANT OF ARREST BEFORE JUDGMENT.

Section 478 of the Code of Civil Procedure.

IN THE COURT OF AT
Civil Suit No. of 18 .
A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the plaintiff in the above suit, has proved to the satisfaction of the Court that there is probable cause for believing that the defendant is about to these are to command you to take the said into custody, and to bring before the Court, in order that he may show cause why he should not furnish security to the amount of rupees for personal appearance before the Court, until such time as the said suit shall be fully and finally disposed of, and until execution or satisfaction of any decree that may be passed against in the suit.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 159.

ORDER FOR COMMITTAL.

Section 481 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS , Plaintiff in this suit, has made application to the Court that security be taken for the appearance of the Defendant to answer any judgment that may be passed against in the suit; and whereas the Court has called upon the Defendant to furnish such security, or to offer a sufficient deposit in lieu of security, which has failed to do; it is ordered that the said Defendant be committed to custody until the decision of the suit; or if judgment be given against until the execution of the decree.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 160.

ATTACHMENT BEFORE JUDGMENT, WITH ORDER TO CALL FOR SECURITY FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS has proved to the satisfaction of the Court that the Defendant in the above suit these are to command you to call upon the said Defendant on or before the day of either to furnish security for the sum of rupees to produce and place at the disposal of this Court when required or the value thereof, or such portion of the value as may be sufficient to fulfil any decree that may be passed against or to appear and show cause why should not furnish security; and you are further ordered to attach the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to the Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 161.

ATTACHMENT BEFORE JUDGMENT, ON PROOF OF FAILURE TO FURNISH SECURITY.

Section 485 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

TO THE BAILIFF OF THE COURT.

WHEREAS , the Plaintiff in this suit, has applied to the Court to call upon , the Defendant, to furnish security to fulfil any decree that may be passed against in the suit, and whereas the Court has called upon

the said to furnish such security which has failed to do ; these are to command you to attach the property of the said and keep the same under safe and secure custody until the further order of the Court, and in what manner you shall have executed this warrant make appear to this Court immediately after the execution hereof, and have you here then this Warrant.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 162.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY TO BE ATTACHED CONSISTS OF MOVEABLE PROPERTY, TO WHICH THE DEFENDANT IS ENTITLED, SUBJECT TO A LIEN OR RIGHT OF SOME OTHER PERSONS TO THE IMMEDIATE POSSESSION THEREOF.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

Defendant.

IT is ordered that you the said be, and you are hereby, prohibited and restrained until the further order of this Court from receiving from the following property in the possession of the said that is to say to which the defendant is entitled, subject to any claim of the said and the said is hereby prohibited and restrained, until the further order of this Court, from delivering the said property to any persons whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 163.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF IMMOVEABLE PROPERTY.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

Defendant.

IT is ordered that you the said be, and you are hereby prohibited and restrained, until the further order of this Court, from alienating the property specified in the schedule hereunto annexed, by sale, gift, or otherwise, and that all persons be, and that they are hereby, prohibited from receiving the same by purchase, gift, or otherwise.

GIVEN under my hand and the seal of the Court, this day of 18 .

SCHEDULE.

L. S.

Judge.

No. 164.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF MONEY IN THE HANDS OF OTHER PERSONS, OR OF DEBTS NOT BEING NEGOTIABLE INSTRUMENTS.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To

IT is ordered that the defendant be, and he is hereby, prohibited and restrained, until the further order of this Court, from receiving from the [money now in hands belonging to the said defendant *or* debts, *as the case may be, describing them*] and that the said be and hereby prohibited and restrained, until the further order of this Court, from making payment of the said [money, *&c.*], or any part thereof, to any person whomsoever.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 165.

ATTACHMENT BEFORE JUDGMENT.

PROHIBITORY ORDER, WHERE THE PROPERTY CONSISTS OF SHARES IN A PUBLIC COMPANY, &C.

Section 486 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of

against

C. D. of

To Defendant and

to

Manager of Company.

It is ordered that , the defendant. be and hereby prohibited and restrained, until the further order of the Court, from making any transfer of shares being in the aforesaid Company, or from receiving payment of any dividends thereof, and you Manager of the said Company, are hereby prohibited and restrained from permitting any such transfer, or making any such payment.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 166.

TEMPORARY INJUNCTIONS.

Section 492 of the Code of Civil Procedure.

Upon motion made unto this Court by Pleader of (*or* Counsel for) the plaintiff *A. B.*, and upon reading the petition of the said plaintiff in this matter filed (this day) [*or* the plaint filed in this cause on the day of , *or* the written statement of the said plaintiff filed on the day of] and upon hearing the evidence of and in support thereof, [*if after notice and defendant not appearing, add,* and also the evidence of as to service of notice of this motion upon the defendant *C.D.*] This Court doth order that an injunction be awarded to restrain the

defendant *C. D.*, his servants, workmen and agents from pulling down, or suffering to be pulled down the house in the plaint in the said suit of the plaintiff mentioned [*or* in the written statement *or* petition of the plaintiff and evidence at the hearing of this motion mentioned] being No. 9, Oilmongers Street, Hindúpur, in the Taluq of and from selling the materials whereof the said house is composed, until the hearing of this cause or until the further order of this Court.

Dated this day of 187 .

Civil Judge.

[*Where the injunction is sought to restrain the negotiation of a bill, note or security, the ordering part of the order may run thus* :—] to restrain the defendants and from parting with out of the custody of them or any of them, or endorsing, assigning or negotiating the promissory note in question, dated on or about the *&c.*, mentioned in the plaintiff's plaint [*or* petition] and the evidence heard at this motion, until the hearing of this cause, or until the further order of this Court.

[*In copyright cases*] to restrain the defendant, *C. D.*, his servants, agents, or workmen from printing, publishing, or vending a book, called , or any part thereof, until the, *&c.*

[*Where part only of a book is to be restrained*] to restrain the defendant, *C. D.*, his servants, agents, or workmen, from printing, publishing, selling, or otherwise disposing of such parts of the book in the plaint [*or* petition and evidence, *&c.*,] mentioned to have been published by the defendant as hereinafter specified, namely, that part of the said book which is entitled and also that part which is entitled (*or* which is contained in p. to p. both inclusive) until the *&c.*

[*In patent cases*] to restrain the defendant, *C. D.*, his agents, servants and workmen, from making or vending any perforated bricks (*or, as the case may be*) upon the principle of the inventions in the plaintiff's plaint [*or* petition, *&c.*, *or* written statement, *&c.*,] mentioned, belonging to the plaintiffs, or either of them, during the remainder of the respective terms of the patents in the plaintiff's plaint (*or, as the case may be*) mentioned, and from counterfeiting, imitating or resembling the same inventions, or either of them, or making any addition thereto, or subtraction therefrom, until the hearing, &c.

[*In cases of trade-marks*] to restrain the defendant, *C. D.*, his servants, agents or workmen, from selling, or exposing for sale, or procuring to be sold, any composition or blacking (*or, as the case may be*) described as or purporting to be blacking manufactured by the plaintiff, *A. B.*, in bottles having affixed thereto such labels as in the plaintiff's plaint [*or* petition, *&c.*] mentioned, or any other labels so contrived or expressed as, by colorable imitation or otherwise, to represent the composition or blacking sold by the defendant to be the same as the composition or blacking manufactured and sold by the plaintiff, *A. B.*, and from using trade-cards so contrived or expressed as to represent that any composition or blacking sold or proposed to be sold by the defendant is the same as the composition or blacking manufactured or sold by the plaintiff, *A. B.*, until the, &c.

[*To restrain a partner from in any way, interfering in the business*] to restrain the defendant, *C. D.*, his agents and servants, from entering into any contract, and from accepting, drawing, endorsing or negotiating any bill of exchange, note or written security, in the name of the partnership firm of *B. & D.*, and from contracting any debt, buying and selling any goods, and from making or entering into any verbal or written promise, agreement or undertaking, and from doing or causing to be done, any act, in the name or on the credit of the said partnership firm of *B. & D.*, or whereby the said partnership firm can or may in any manner become or be made liable to or for the payment of any sum of money, or for the performance of any contract, promise or undertaking, until the, &c.

No. 167.

NOTICE OF APPLICATION FOR INJUNCTION.

Section 494 of the Code of Civil Procedure.

IN THE COURT OF AT

A. B. of

against

C. D. of

Take notice that I, *A. B.*, intend to apply at the sitting of the Court at aforesaid, on the day of for an injunction to restrain *C. D.* from further prosecuting a suit which he has commenced against me in to recover damages for the breach of the contract for the specific performance of which this suit was commenced [*or* to restrain him from receiving and giving discharges for any of the debts due to the partnership in the matter of the partnership between us for the winding up of which the suit was commenced, *or* from digging the turf from the land which was agreed to be sold by him to me by the agreement, the specific performance of which this suit is commenced to enforce, *or, as the case may be*].

Dated this day of 18 .

To *C.D.* *A. B.*

[*N. B.—Where the injunction is to be applied for against a party whose name and address does not appear upon any proceeding already filed in the suit, it must be stated in full to enable the proper officer to serve the notice.*]

No. 168.

APPOINTMENT OF A RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of 18 .

A. B. of
against
C. D. of

To

WHEREAS has been attached in execution of a decree passed in the above suit on the day of 18 , in favour of : you are hereby (subject to your giving security to the satisfaction of the Registrar) appointed Receiver of the said property under section 503 of the Code of Civil Procedure, with full powers under the provisions of that section.

YOU are required to render a due and proper account of your receipts and disbursements in respect of the said property on . You will be entitled to remuneration at the rate of per cent. upon your receipts under the authority of this appointment

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

Judge.

No. 169.

BOND TO BE GIVEN BY RECEIVER.

Section 503 of the Code of Civil Procedure.

IN THE COURT OF AT

Civil Suit No. of

A. B. of
against
C. D. of

KNOW all men by these presents, that we, *A. B.* of, &c., and *C. D.* of, &c., and *E. F.* of, &c., are jointly and severally bound to *G. H.*, Registrar of the Court of in Rs. , to be paid to the said *G. H.* or his attorney, executors, administrators or assigns. For which payment to be made we bind ourselves, and each of us, in the whole, our and each of our heirs, executors and administrators, jointly and severally, by these presents.

Dated this day of 18 .

And whereas a plaint has been filed in this Court by *A. B.* against *C. D.* for the purpose of (*here insert object of suit*).

And whereas the said *A. B.* has been appointed, by order of the above-mentioned Court, to receive the rents and profits of the immoveable property, and to get in the outstanding moveable property of *C. D.*, the testator in the said plaint named.

Now the condition of this obligation is such, that if the above-bounden *A. B.* shall duly account for all and every the sum and sums of money which he shall so receive on account of the rents and profits of the immoveable property, and in respect of the moveable property of the said *C. D.* [*or, as may be*] at such periods as the said Court shall appoint, and shall duly pay the balances which shall from time to time be certified to be due from him as the said Court hath directed or shall hereafter direct, then this obligation shall be void, otherwise it shall remain in full force.

A. B.
C. D.

Signed and delivered by the above-bounden in the presence of

NOTE.—*If deposit of money be made, the memorandum thereof should follow the terms of the condition of the bond.*

No. 170.

ORDER OF REFERENCE TO ARBITRATION UNDER AGREEMENT OF PARTIES.

Section 508 of the Code of Civil Procedure.

(*Title.*)

To

WHEREAS the above-mentioned plaintiff and defendant have agreed to refer the matters in difference between them in the above suit to your arbitration and award, you are hereby appointed accordingly to determine all the said matters in difference between the parties, and with power, by consent of the parties, to determine which party shall pay the costs of this reference.

You are required to deliver your award in writing to this Court on or before the day of 18 , or such other day as this Court may further fix.

Process to compel the attendance before you of any witnesses, or for the production of any documents which you may desire to examine or inspect, will be issued by this Court on our application, and you are empowered to administer to such witnesses oath or affirmation.

A sum of Rs. , being your fee in the above suit, is herewith forwarded.

GIVEN under my hand and the seal of the Court, this day of 18

L. S.

No. 171.

ORDER OF REFERENCE TO ARBITRATION BY COURT, WITH CONSENT.

Section 508 of the Code of Civil Procedure.

(Title.)

UPON reading a petition of the plaintiff, filed this day, and on the consent of for the defendant, and upon hearing for the plaintiff and for the defendant, it is ordered, by and with the consent of all the parties, that all matters in difference in this suit, including all dealings and transactions between all parties, be referred to the final determination of , who is to make his award in writing and submit the same to this Court, together with all proceedings, depositions, and exhibits in this suit, within one month from the date hereof. And it is ordered further, by and with the like consent, that the said arbitrator is to be at liberty to examine the parties and their witnesses upon oath or affirmation, which he is empowered to administer, and that the said arbitrator shall have all such powers or authorities as are vested in arbitrators under the Code of Civil Procedure, including therein power to call for all books of account that he may consider necessary. And it is further ordered, by and with the like consent, that the costs of this suit, together with the costs of reference to arbitration, up to and including the award of the said arbitrator, and the enforcement thereof, do abide the result of the finding of the said arbitrator. And it is further ordered, by and with the like consent, that the said arbitrator be at liberty to appoint a competent accountant to assist him in the investigation of the several matters referred to him as aforesaid, and that the remuneration of such accountant and other charges attending thereto be in the discretion of the said arbitrator.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 172.

SUMMONS IN SUMMARY SUIT ON NEGOTIABLE INSTRUMENT.

Section 532 of the Code of Civil Procedure.

No. OF SUIT.

IN THE COURT OF AT .

Plaintiff.
Defendant.

To [*Here enter the defendant's name, description and address.*]

Whereas [*here enter the plaintiff's name, description and address*] has instituted a suit in this Court against you under Chapter XXXIX of the Code of Civil Procedure for Rs. principal and interest [*or* Rs. balance of principal and interest] due to him as the payee [*or* indorsee] of a bill of exchange [*or* hundí *or* promissory note], of which a copy is hereto annexed, you are hereby summoned to obtain leave from the Court within seven days from the service hereof, inclusive of the day of such service, to appear and defend the suit, and within such time to cause an appearance to be entered for you. In default whereof the plaintiff will be entitled at any time after the expiration of such seven days to obtain a decree for any sum not exceeding the sum of Rs. [*here state the sum claimed*] and the sum of Rs. for costs.

Leave to appear may be obtained on an application to the Court supported by affidavit or declaration showing that there is a defence to the suit on the merits, or that it is reasonable that you should be allowed to appear in the suit.

Here copy the bill of exchange, hundí or promissory note, and all endorsements upon it.]

No. 173.

MEMORANDUM OF APPEAL.

Section 540 of the Code of Civil Procedure.

MEMORANDUM OF APPEAL.

(*Name, &c., as in Register.*) Plaintiff—Appellant.
(*Name, &c., as in Register.*) Defendant—Respondent.

[*Name of Appellant*] [plaintiff *or* defendant] above-named appeals to the High Court at [*or* District Court at , *as the case may be*] against the decree of in the above suit, dated the day of for the following reasons, namely [*here state the grounds of objection*].

No. 174.

REGISTER OF APPEALS.

Section 550 of the Code of Civil Procedure.

COURT (OR HIGH COURT) AT

REGISTER OF APPEALS FROM DECREES in the year 18 .

No. of appeal.	Date of Memorandum.	Appellant.			Respondent.			Decree Appealed from.				Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Court.	No. of Original Suit.	Particulars.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 175.

NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL.

Section 553 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

APPEAL from the of the Court of dated the day of 18 .

Respondent.

To

Take notice that an appeal from the decree of in this case has been presented by and registered in this Court, and that the day of 18 has been fixed by this Court for the hearing of this appeal.

IF no appearance is made on your behalf by yourself, your pleader, or by some one by law authorized to act for you in this appeal, it will be heard and decided *ex parte* in your absence.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

NOTE.—If a stay of execution has been ordered, intimation should be given of the fact on this notice.]

No. 176.

DECREE ON APPEAL.

Section 579 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Appellant*, v. , *Respondent*.

Appeal from the of the Court of dated the day of 18 .

Memorandum of Appeal.

, *Plaintiff*.

, *Defendant*.

Plaintiff [*or* defendant] above-named appeals to the Court at against the decree of in the above suit, dated the day of 18 , for the following reasons, namely;

[*here state the reasons*]

This appeal coming on for hearing on the day of 18 , before , in the presence of for the Appellant, and of for the Respondent, it is ordered—

[*here state the relief granted*]

The costs of this appeal, amounting to , are to be paid by
The costs of the original suit are to be paid by

GIVEN under my hand, this day of 18 .

No. 177.

REGISTER OF APPEALS FROM APPELLATE DECREES.

Section 587 of the Code of Civil Procedure.

HIGH COURT AT

REGISTER OF APPEALS FROM APPELLATE DECREES.

Date of Memorandum.	No. of Appeal.	Appellant.			Respondent.			Decree Appealed from.					Appearance.			Judgment.		
		Name.	Description.	Place of abode.	Name.	Description.	Place of abode.	Of what Court.	No. of Original suit and of Appeal.	Particulars.	Amount or Value.	Day for parties to appear.	Appellant.	Respondent.	Date.	Confirmed, reversed or altered.	For what, or Amount.

No. 178.

NOTICE TO SHOW CAUSE WHY A REVIEW SHOULD NOT BE GRANTED.

Section 626 of the Code of Civil Procedure.

IN THE COURT OF AT

, *Plaintiff*, v. , *Defendant*.

To

TAKE notice that has applied to this Court for a review of its judgment passed on the day of 18 in the above case. The day of 18 is fixed for you to show cause why the Court should not grant a review of its judgment in this case.

GIVEN under my hand and the seal of the Court, this day of 18 .

L. S.

Judge.

No. 179.

NOTICE OF CHANGE OF PLEADER.

IN THE COURT OF AT

A. B. of
against
C. D. of

TO THE REGISTRAR OF THE COURT.

TAKE notice that I, *A. B.* [*or C. D.*], have hitherto employed as my pleader *G. H.* of in the above-mentioned cause, but that I have ceased to employ him, and that my present pleader is *J. K.* of

A. B. [*or C. D.*]

No. 180.

MEMORANDUM TO BE PLACED AT FOOT OF EVERY SUMMONS, NOTICE, DECREE, OR ORDER OF COURT, OR ANY OTHER PROCESS OF THE COURT.

Hours of attendance at the office of the Registrar [*place of office*] from *ten* till *four*, except on [*here insert the day on which the office will be closed*], when the office will be closed at *one*.

WHITLEY STOKES,

Secretary to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 2, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the thirty-first May 1877, and is hereby promulgated for general information:—

ACT No. XI OF 1877.

An Act to facilitate the admission of Military Lunatics into Asylums.

WHEREAS it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics; It is hereby enacted as follows:— Preamble.

1. This Act may be called the "Military Lunatics Act, 1877:" Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty; Local extent.

And it shall come into force on the passing thereof. Commencement.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed. Repeal of Act XXI of 1872.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor General in Council; Procedure in respect of European officer or soldier declared lunatic.

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving. Report in case of Native officer or soldier appearing to be insane.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part. Examination of Native by committee.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure on Native being found by committee to be insane.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Payment of expenses of lunatic.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

Legalization of past receptions in asylum.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 9, 1877. {Register No. 33.

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

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LEGISLATIVE DEPARTMENT.

[Second publication.]

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Preamble.

1. This Act may be called the "Military Lunatics Act, 1877:"

Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty;

Local extent.

And it shall come into force on the passing thereof.

Commencement.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed.

Repeal of Act XXI of 1872.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor General in Council;

Procedure in respect of European officer or soldier declared lunatic.

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving.

Report in case of Native officer or soldier appearing to be insane.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part.

Examination of Native by committee.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure on Native being found by committee to be insane.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Payment of expenses of lunatic.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

Legalization of past receptions in asylum.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 16, 1877. { Register No. 33.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the thirty-first May 1877, and is hereby promulgated for general information:—

ACT No. XI OF 1877.

An Act to facilitate the admission of Military Lunatics into Asylums.

WHEREAS it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics; It is hereby enacted as follows:—

Preamble.

1. This Act may be called the "Military Lunatics Act, 1877:"

Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty;

Local extent.

And it shall come into force on the passing thereof.

Commencement.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed.

Repeal of Act XXI of 1872.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor General in Council;

Procedure in respect of European officer or soldier declared lunatic.

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving.

Report in case of Native officer or soldier appearing to be insane.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part.

Examination of Native by committee.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure on Native being found by committee to be insane.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Payment of expenses of lunatic.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

Legalization of past receptions in asylum.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th June 1877, and is hereby promulgated for general information :—

ACT No. XII OF 1877.

An Act to amend the Chutia Nágpur Encumbered Estates Act, 1876.

For the purpose of amending the Chutia Nágpur Encumbered Estates Act No. VI of 1876; It is hereby enacted as follows :—

Preamble.

1. For the word "six" shall be substituted the word "twelve" in the second clause of the twelfth section of the said Act.

Amendment of Act VI of 1876, section 12, clause 2.

A. PHILLIPS,
Secy. to the Govt. of India.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th June 1877, and is hereby promulgated for general information :—

ACT No. XIII OF 1877.

An Act to provide for the execution of works urgently required in connection with embankments in British Burma.

WHEREAS it is expedient to provide for the execution of works urgently required in connection with embankments in British Burma; It is hereby enacted as follows :—

Preamble.

1. This Act may be called "The Burma Embankment Act, 1877:"

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma;

Local extent.

And it shall come into force on the passing thereof.

Commencement.

2. In this Act—

Interpretation-clause.

"Embankment" means any embankment constructed for the purpose of excluding, regulating or retaining water, and includes all earthen walls, dams, canals, drains, piers, groins, sluices, roadways, water-gauges, bench-marks, and other works ancillary to any such embankment; and

"Embankment."

"Embankment-officer," used with reference to an embankment, means the officer appointed by the Chief Commissioner, by notification in the *British Burma Gazette*, to carry out this Act in respect of such embankment.

"Embankment-officer."

3. Whenever the embankment-officer has reason to believe that unless some work is quickly executed in connection with an embankment, loss of life or extensive damage to property will ensue, and that the labourers or materials required for the execution of such work cannot be obtained in the ordinary course in time to enable him to execute such work with the expedition necessary in order to avert such loss or damage, he may, by order under his hand, direct that the provisions of this Act shall be put into operation for the execution of such work; and thereupon

Circumstances under which this Act may be put in operation.

(*a*) every able-bodied person who resides in the neighbourhood of such embankment, and whose name appears in the list hereto after mentioned, shall, if required to do so by such officer or by any person authorized by him in this behalf, be bound to assist in the execution of such work by labouring thereon as such officer or any person authorized by him in this behalf may direct; and

Power to impress labour.

(*b*) such officer or any person authorized by him in this behalf may enter into and upon any immoveable property in the said neighbourhood and take possession of, appropriate and remove any trees or bamboos, whether standing or not, and any timber, mats, rope or other materials found in or upon such property, and use the same for the purposes of such work.

Power to take materials.

4. Subject to such rules as the Local Government may from time to time, with the previous sanction of the Governor General in Council, prescribe in this behalf, the Deputy Commissioner shall prepare a list of the persons liable to be required under section 3, clause (*a*), to assist as aforesaid, and may from time to time add to or alter such list or any part thereof.

List of labourers.

5. All persons labouring, or detained for the purpose of labouring, in compliance with a requisition made under section three, or whose materials may be taken under that section, shall, as soon as may be reasonably practicable, be paid by the embankment-officer for their labour and detention, or for such materials (as the case may be), at such rates, not being less than the highest market rates for similar labour or materials for the time being prevailing in the said neighbourhood, as the Chief Commissioner may, from time to time, by written order direct.

Payment for labour impressed and materials taken.

6. When from the removal of any trees, bamboos or other materials under section three, any damage, over and above the price payable for such materials under section five, results directly to any person, the embankment-officer shall pay to such person such sum as may be agreed upon as compensation for such damage, or, in case of dispute as to the amount so to be paid, as the Deputy Commissioner of the district may award, subject to such rules, as to appeal or otherwise, as the Chief Commissioner may from time to time prescribe in this behalf.

Compensation for damage done in taking materials.

7. Where an embankment-officer has been appointed for any embankment, any person who, without the permission of such officer,—

Penalties for trespass on embankments, &c.

(*a*) grazes any cattle or allows any cattle under his charge to trespass on such embankment, or

(*b*) cuts or roots out any trees, shrubs or grass growing on such embankment, or

(*c*) obstructs any drain or sluice connected with such embankment,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Explanation.—In this section, clause (*a*), "cattle" includes also elephants, buffalos, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids.

8. Every embankment-officer and every person authorized by an embankment-officer to act under section three, shall be deemed to be a "public servant" within the meaning of the Indian Penal Code; and nothing in the British Burma Labour Law, 1876, section 71, shall apply to any such officer or person acting under section three of this Act.

Certain persons to be deemed public servants.

A. PHILLIPS,
Secy. to the Govt. of India.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th June 1877, and is hereby promulgated for general information:—

ACT No. XIV OF 1877.

THE BROACH AND KAIRA INCUMBERED ESTATES ACT, 1877.

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An Act to relieve from Incumbrances the estates of Thákurs in Broach and Kaira.

WHEREAS many Thákurs in the districts of Broach and Kaira are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1877:"

Short title.

And it shall come into force on the passing thereof.

Commencement.

2. Act No. XV of 1871 (*to relieve from incumbrances the estates of Thákurs in Broach*) is repealed: but all applications and appointments and rules made, all notices published, and all other things duly done, under the said Act, shall be deemed to have been respectively made, published and done under this Act.

Act No. XV of 1871 repealed.

3. In this Act—

Interpretation-clause.

"Thákur" means also talukdár, jágírdár, and kasbátí, and such other classes of holders of estates as the Local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act:

"Thákur."

"Heir" means the person for the time being entitled as heir to a Thákur:

"Heir."

"Commissioner" means the Revenue Commissioner of the Northern Division of the Presidency of Bombay.

"Commissioner."

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within twelve months after the passing of this Act, any Thákur,

Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate,

may apply, in writing, to the Commissioner, stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

Order to enquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

6. When an enquiry has been directed under section 5, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer, subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

7. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

Report of enquiry and proceedings thereon.

On receipt of such report, the Commissioner may—

(*a*) direct a further enquiry, or

(*b*) dismiss the application, or

(*c*) by order published in the *Bombay Government Gazette*, direct that the immoveable property of the debtor shall be managed, and that his debts shall be liquidated, in the manner hereinafter provided, by a manager.

The Taluqdárí Settlement Officer for the time being shall, unless the Local Government in any case otherwise directs, be such manager.

III.—OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

"Order of management" to what it extends.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:

Effect of order of management.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section 8 shall be stayed; and the operation of all processes, executions and attachments then in force, for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent—

The debtor incompetent—

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms, consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

Manager to have powers of owner and to receive rents and profits,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for securing and recovering land-revenue due to Government:

to have powers of Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section 10, the manager shall pay—

Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs;

costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

Government revenue, &c.,

Thirdly, the rent (if any) due to any superior holder in respect of the said property;

rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance and other necessary expenses of the debtor and of such members of his family as the Commissioner directs;

allowance for maintenance and expenses of debtor and family,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and as are approved by the Commissioner.

cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereafter provided, of the debts and liabilities mentioned in section 8 other than those so due or incurred to Government.

Residue how disposed of.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujaráthí calling upon all persons having claims against the debtor or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlátdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies. The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Power to exclude documents not produced with claim.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section 19, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section 12, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Admission of claims within further period of six months.

15. The manager shall inquire into the history and merits of every claim received under sections 12 and 14, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section 11, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

18. The Commissioner may—

Proceedings of Commissioner on submission of scheme.

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

19. At any time before he has sanctioned a liquidation-scheme under section 18, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section 10;

(*c*) any residue of the rents and profits of the said property, retained under the last clause of section 11, shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section 9, and the debts and liabilities barred by section 14, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section 9 shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Part IV of this Act.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

23. Subject to the rules made under section 31, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to lease.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

Power to raise money by mortgage or sale.

(*a*) by mortgaging the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by charging the whole or any part of such property; or

(*c*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient.

25. The manager's receipt for any moneys, rents, or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt a discharge.

26. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged as therein provided, or in such other manner as the Commissioner thinks fit, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section 24, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections 10, 23 and 24.

Restoration of owner.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section 9; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

28. When a Thákur has been restored under section 26 to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored Thákur valid only for his life.

VI.—OF APPEAL AND REVISION.

29. An appeal against any decision or order under sections 14, 15, 16 and 22 or imposing a fine or imprisonment in exercise of the powers conferred

Appeal.

by section 35, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

Power to call for proceedings and pass order thereon.

VII.—MISCELLANEOUS.

31. The Local Government may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

32. The Local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Power to appoint new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

33. Every manager appointed under this Act and every agent of such manager shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers and their agents to be public servants.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

35. For the purposes of this Act, the manager and any officer making an enquiry under section 5 may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Power to summon witnesses and compel production of documents.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Bar of suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

38. Nothing in section 9 shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej, and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section 28 apply to any of the said Thákurs:

Exemption of certain Thákurs from certain provisions of Act.

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the Local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

39. And whereas doubts have been raised as to the validity of Bombay Act No. VI of 1862 (*for the amelioration of the condition of Taluqdárs in the Ahmedabad Collectorate, and for their relief from debt*) so far as it purports to affect the High Court of Judicature at Bombay, for the purpose of precluding such doubts, it is hereby further enacted that the said Act, so far as it purports to affect the said High Court, shall be deemed to be and to have been valid.

Amendment of Bombay Act VI of 1862.

40. The said Taluqdári Settlement Officer for the time being shall, unless the Local Government in any case otherwise directs, be—

Taluqdári Settlement Officer to be—

(*a*) deemed to be an officer appointed under section 1 of the said Bombay Act No. VI of 1862, to manage all estates with respect to which a declaration is or has been made and published under the said section;

deemed an officer under Bombay Act VI of 1862, section 1.

Assistant to certain Collectors.

(*b*) an Assistant to the respective Collectors of Ahmedabad, Kaira and Broach.

Acts of Taluqdári Settlement Officer valid.

41. Nothing heretofore done by any Taluqdári Settlement Officer shall be deemed to be or to have been invalid by reason only of his not having been duly appointed,

(*a*) under section 1 of the said Bombay Act No. VI of 1862, to manage any estates with respect to which a declaration has been made under the said section, or

(*b*), to be a manager under the said Act No. XV of 1871, or

(*c*), to be an Assistant to the respective Collectors of Ahmedabad, Kaira and Broach.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 3, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in two months:—

No. 1 OF 1877.

THE INDIAN FOREST BILL, 1877.

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A Bill to amend the law relating to the management and preservation of Government forests, to the transit of forest-produce and to the duty leviable on timber.

WHEREAS it is expedient to amend the law relating to the management and preservation of Government forests, to the transit of forest-produce and to the duty leviable on timber; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act shall be called "The Indian Forest Act, 1877:" Short title.

It shall come into force at once; Commencement.

And the Local Government may from time to time, with the previous sanction of the Governor General in Council, extend, by notification in the official Gazette, all or any of the provisions herein contained to all or any of the territories for the time being under its administration. Extension.

2. In this Act—unless there be something repugnant in the subject or context— Interpretation-clause.

"Forest officer" means any person whom the Local Government may from time to time appoint by name, or as holding an office, to do "Forest officer."

(1) anything required by this Act or under any rule made under this Act to be done by a Forest officer:

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree." "Tree" includes bamboos and brushwood:

"Timber." "Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes or other purposes:

"Forest-produce." "Forest-produce" includes the following when found in, or brought from, a forest, that is to say—

limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, roots, juice, cutch, bark, honey, wax, lac, caoutchouc, gum, wood-oil, resin, varnish, skins and horns:

"Forest-offence." "Forest-offence" means an offence punishable under this Act, or under any rule made under this Act:

"Cattle." "Cattle" includes elephants, camels, buffaloes, bullocks, cows, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"River." "River" includes streams, canals, creeks and other channels, natural or artificial.

CHAPTER II.

OF RESERVED FORESTS.

3. The local Government may from time to time constitute any forest or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a Reserved Forest in the manner hereinafter provided. Power to reserve forests.

4. Whenever it is proposed to constitute a Reserved Forest, and the limits of such Forest have not been defined by boundary-marks, and are not, in the opinion of the Local Government, already sufficiently defined by roads, rivers or other such boundaries, the Local Government may cause such limits to be demarcated in such manner as it thinks fit. Demarcation of boundaries.

5. When the Local Government has ascertained that the limits of such Forest are already sufficiently defined as aforesaid, or when such limits have been demarcated under section 4, it may publish a notification in the official Gazette— Notification by Local Government.

(*a*) declaring that it is proposed to reserve such Forest under this Act;

(*b*) specifying the limits of such Forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce.

6. During the interval between the publication of such notification and the date fixed by the notification under section 17, no right shall be acquired to, over, or in respect of the Forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued; and no fresh clearings for cultivation or any other purpose shall be made in such forest. Bar of accrual of forest-rights.

7. When a notification has been issued under section 5, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country:— Proclamation by Forest Settlement Officer.

(*a*) specifying the limits of such forest;

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

8. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished, unless the person claiming such right satisfies the Forest Settlement Officer that he had sufficient cause for not presenting the notice within such period. Rights not claimed, extinguished.

9. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, in the case of a claim to or over any land, if he considers it proved and if he thinks fit to do so, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, and may, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 10 and 11. Power to acquire land over which right is claimed.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act; and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

10. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights and shall pass an order, admitting, rejecting or modifying the claim. Enquiry into claims.

11. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the Record to be made by Forest Settlement Officer.

designation and position of all buildings, in respect of which the exercise of such rights is claimed.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 5, in the habitual exercise of the right claimed, and

(*b*) the exercise of the right is required for the beneficial use of the land or premises or of the person claiming the same.

Record where he admits claim.

12. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required. He shall also record whether the produce obtained by the exercise of such rights may be sold or bartered.

Exercise of rights admitted or modified.

13. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

(*a*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted; or

(*b*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*c*) record an order, conferring upon such claimants a right to pasture or to forest-produce (as the case may be), to the extent so admitted, at such seasons, within such portions of the Reserved Forest and under such rules as may from time to time be prescribed by the Local Government.

Commutation of rights.

14. In case the Forest Settlement Officer finds it impossible, having due regard to the maintenance of the Reserved Forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Local Government may from time to time prescribe in this behalf) commute such rights, either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from order passed under section 9, 10 or 13.

15. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Local Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest Settlement Officer under section 9, 10 or 13, present an appeal from such order to such of the officers who hear appeals in cases relating to land-revenue as the Local Government may from time to time appoint by notification in the official Gazette: Provided that, where the Local Government has appointed (as it is hereby empowered to do) three persons (hereinafter called the Forest Court) to hear appeals from such orders, the appeal shall lie to such persons.

Every appeal under this section shall be made by petition in writing, and shall be delivered to and forwarded by the Forest Settlement Officer.

If the appeal be to the officer so appointed, the order passed thereon shall be communicated to the Forest Settlement Officer who shall forthwith carry out the same.

If the appeal be to the Forest Court, the Court shall fix a day for hearing the appeal and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Local Government) be final, and the Forest Settlement Officer shall forthwith carry out such order.

Power to appoint pleader on behalf of Government.

16. The Local Government may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the appellate Court in the course of any inquiry or appeal under this Act.

Notification declaring forest reserved.

17. When the following events have occurred (namely)—

(*a*) the period fixed under section 7 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer; and

(*b*) (if any such claims have been made) the period limited by section 15 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate Court; and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 9, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Local Government may publish a notification in the official Gazette declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a Reserved Forest.

Publication of such notification in neighbourhood of forest.

18. The Forest officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

Reserved Forests constituted previous to passing of Act.

19. Any forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, shall be deemed to have been constituted a Reserved Forest under this Act:

Provided that, if any rights to or over any land or forest-produce are claimed in such Reserved Forest, the Local Government may direct that such claims shall be inquired into and settled in the manner provided by this Act.

Formation and extension of Reserved Forests under Land Acquisition Act.

20. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

No right acquired over Reserved Forest, except as here provided.

21. No right of any description shall be acquired to, over, or in respect of, a Reserved Forest, except under a grant or contract in writing made by or on behalf of the Government.

Rights not to be alienated.

22. No right conferred under section 13, clause (*c*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Local Government, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 12.

Power to stop ways and water-courses in such forests.

23. The Forest officer may from time to time, with the previous sanction of the Local Government, stop any public or private way or water-course in a Reserved Forest, provided that he has already assigned or constructed another way or water-course (as the case may be) in lieu thereof, and that such other way or water-course is a reasonably convenient substitute for the way or water-course so stopped.

Acts prohibited in such forests.

24. Any person who—

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same;

(*b*) kindles, keeps or carries any fire therein at such seasons as the Local Government may from time to time notify in this behalf;

(*c*) burns any lime, bricks or charcoal therein;

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein;

(*e*) causes any damage therein by negligence in felling any tree or cutting or dragging any timber;

(*f*) fells, girdles, lops, taps or burns any tree therein, or strips off the bark or leaves from, or otherwise interferes with, the same;

(*g*) collects therein or removes therefrom any forest-produce;

(*h*) clears or breaks up any land therein for cultivation or any other purpose;

(*i*) hunts, shoots, fishes or sets snares therein in contravention of any rules which the Local Government may from time to time prescribe,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest officer, or the exercise of any right conferred under section 13, clause (*a*), or created by written grant or contract made by or on behalf of Government.

In any case of fire which has been caused wilfully, or which there is reason to believe has been so caused, in a Reserved Forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that the forest or any portion thereof may be closed for such period as it thinks fit. During the period of such closure the exercise of all rights to pasture or other forest-produce shall be suspended.

Power to declare forest no longer reserved.

25. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not revive in consequence of such cessation.

CHAPTER III.

OF VILLAGE-FORESTS.

Demarcation of village-forests.

26. The Local Government may assign any Reserved-forest or portion thereof, or any forest the property of Government, for the use of any villages situated in the vicinity of such forest. All forests so assigned shall be called Village-forests. The Local Government may make rules for regulating the management of Village-forests, prescribing the conditions under which the inhabitants of the villages for the use of which any such assignment is made may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to Village-forests.

CHAPTER IV.

OF DISTRICT-FORESTS.

"District-forests" defined.

27. The Local Government may from time to time, by notification in the official Gazette, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest; but which is the property of Government, or is a forest over which the Government has proprietary rights.

The forests and waste-lands comprised in any such notification shall be called "District-Forests."

Power to issue notification—

28. The Local Government may from time to time, by notification in the official Gazette,

(*a*) declare any class of trees in a district-forest reserving trees, or any trees in any such forest, to be reserved from a date fixed by such notification;

(*b*) prohibit, from a date fixed as aforesaid, the prohibiting collection of forest-produce, quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof; and

(*c*) the breaking up or clearing for cultivation, and breaking up or clearing of land, for building, for herding cattle or for any other purposes, any land in any such forest.

29. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district of every notification issued under section 28 to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Publication of such notification in neighbourhood.

30. The Local Government may from time to time make rules to regulate the following matters:—

Power to make rules regulating disposal of produce of district-forests.

(*a*) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce from the district-forests;

(*b*) the granting of permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade and the production and return of such permits by such persons;

(*d*) the fees (if any) payable by the persons mentioned in clauses (*b*) and (*c*) for permission to cut such trees, or to collect and remove such timber or forest-produce;

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made;

(*f*) the examination of produce passing out of the forest;

(*g*) the clearing and breaking up of land for cultivation or other purposes;

(*h*) the protection from fire of timber lying in district-forests;

(*i*) the cutting of grass and pasturing of cattle;

(*j*) hunting, shooting, fishing and setting snares in such forests.

Penalties for acts in contravention of notification under section 28.

31. Any person who—

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 28, or strips off the bark or leaves from, or otherwise interferes with, any such tree; or

(*b*) breaks up or clears for cultivation or any other purpose, any land in any forest containing trees reserved as aforesaid, or sets fire to such forests; or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity; or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber; or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid; or

(*f*) permits cattle belonging to him or under his charge to injure any such tree; or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce, when such quarrying, burning or collecting has been prohibited by a notification under section 28; or

(*h*) infringes any rule under section 30,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

32. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of the Forest officer, or in accordance with rules made under section 30, or in the exercise of any right.

Nothing in this chapter to prohibit acts done in certain cases.

CHAPTER V.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE PROPERTY OF GOVERNMENT.

33. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, regulate or prohibit the breaking up of land for cultivation or the clearing of the growth in any forest, when such regulation or prohibition appears necessary for any of the following purposes:

Protection of forests for special purposes

First.—For protection against storms, winds, rolling stones and avalanches:

Second.—For the preservation of the soil on the ridges and slopes, and in the valleys of mountain-ranges, the prevention of landslips and of the formation of ravines and torrents, and the protection of land against shifting and moving sands:

Third.—For the maintenance of a water-supply in springs, rivers and tanks:

Fourth.—For the protection of roads, bridges, railways, and other lines of communication:

Fifth.—For the preservation of the public health.

34. In case of neglect of, or wilful disobedience to, any prohibition under section 33, the Local Government may, after notice in writing to the proprietor or other person interested in the forest, and considering his objections (if any), place the same under the control of a Forest officer, and may declare that all or any of the provisions of this Act relating to Reserved Forests shall apply to such forest.

Power to assume management of such forests.

The nett profits (if any) arising from the management of such forest shall be paid to the said proprietor or other person.

35. In any case under this chapter in which the Local Government considers that, in lieu of placing the forest under the control of a Forest officer, the forest should be acquired for public purposes, the Local Government may proceed to acquire the same in the manner prescribed by the Land Acquisition Act, 1870.

Expropriation of forests in certain cases.

CHAPTER VI.

OF THE DUTY ON TIMBER.

36. On all timber the produce of forests situated within British India or brought from any forest situated beyond the frontier, a duty may be levied in such manner, at such places and at such rates, as the Local Government, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the official Gazette.

Power to impose duty on timber.

In every case in which such duty is directed to be levied *ad valorem*, the Local Government may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

Power to fix value for *ad valorem* duty.

37. Nothing in this chapter shall be deemed to limit the amount chargeable as purchase-money or royalty on any timber or forest-produce, notwithstanding that the same be levied on such timber or produce while in transit, in the same manner as duty is levied.

Limit not to apply to royalty or purchase-money.

CHAPTER VII.

OF THE CONTROL OF TIMBER AND FOREST-PRODUCE IN TRANSIT.

38. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and forest-produce in transit by land or sea, is vested in the Local Government, and it may from time to time make rules to regulate the transit of all timber and other forest-produce.

Power to make rules to regulate transit of forest-produce.

Such rules may (among other matters)—

(*a*) prescribe the routes by which only timber and other forest produce may be imported, exported or moved, into, from, or within, British India;

(*b*) prohibit the import, export or moving of such timber or other produce without a pass from the Forest officer, authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage, reporting and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof, or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it; the conditions under which timber shall be brought to, stored at, and removed from, such depôts;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed;

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal;

(*h*) prohibit absolutely or subject to conditions, within specified local limits, the establishment of saw-pits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking-hammers or other implements used for marking timber;

(*i*) regulate the use of property-marks for timber, provide for the registration of such marks and the time for which such registration shall hold good limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

39. The Local Government may prescribe penalties for the infringement of any rule made under section 38, by imprisonment for a term not exceeding six months, or by fine not exceeding five hundred rupees, or by both. Double penalties may be prescribed in cases where the offence is committed between sunset and sunrise, after preparation for resistance to lawful authority, or if the offender has been previously convicted of the same offence.

Penalty for breach of rules made under section 38.

40. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 38, or while detained elsewhere for the purposes of this Act, and no Forest officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

Government and its officers not liable for damage to forest-produce at depôt.

41. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall render assistance to any Forest or Police officer demanding his aid in averting such danger and securing such property from damage.

All persons bound to aid in case of accident at depôt.

CHAPTER VIII.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

42. All timber and wood found adrift or stranded on any river, or off the sea-coast of any province to which this Act shall be extended, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered or defaced by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto. Such timber may be collected by any Forest officer or other person entitled to collect the same by virtue of any rule made under section 48 and may be brought to such depôts as the Forest officer may from time to time notify as depôts for the reception of drift-timber.

Drift or stranded timber or timber unmarked, or with marks obliterated to become property of Government until title thereto proved, and may be collected accordingly.

43. Public notice shall from time to time be given by the Forest officer, of timber collected under section 42. Such notice shall contain a description of the timber and shall require any person having a claim to the possession of the same to present to such officer within three months from the date of such notice a written statement of such claim.

Notice to claimants of drift-timber.

44. When any such statement is presented as aforesaid, the Forest officer may, after making such enquiry as he thinks fit, either reject the claim or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

45. If no such statement is presented as aforesaid or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 43, or on such claim having been so preferred by him, and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 44, the ownership of such timber shall vest in the Government, or when such timber has been delivered to another person under section 44, in such other person free from all encumbrances of every description.

Disposal of unclaimed timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42, and no Forest officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Government and its officers not liable for damage to such timber.

47. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest officer or other person entitled to receive it such sums on account of the collection thereof as may be due under any rule made in pursuance of section 48.

Payments to be made by claimant before timber is delivered to him.

48. The Local Government may from time to time make rules to regulate the following matters, (namely) :—

Power to make rules and prescribe penalties.

(*a*) the salving and collection of timber or of certain kinds of timber which may be floating loose and unrafted, or may be sunk, stranded or beached in any river or on the sea-coast;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amounts to be paid for salving, collecting and storing such timber;

(*d*) the use and registration of marking-hammers.

The Local Government may from time to time prescribe for the infringement of any rule made under this section the penalty of imprisonment for a term which may extend to six months, or a fine which may extend to five hundred rupees, or both.

CHAPTER IX.

GENERAL.

A.—Of Penalties.

49. When the trial of any forest-offence is concluded, the Court may make such order as it thinks fit for the disposal of any timber or forest-produce, the property of Government, in respect of which any offence has been committed.

Disposal of property connected with cases under trial.

50. All timber or forest-produce which is not the property of Government and in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Forest-produce, tools, &c., when liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

51. When there is reason to believe that any property is liable to confiscation under section 50 for any offence, it may be seized by any Police or Forest officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

Application for confiscation.

52. If on receiving an application under section 51, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a summons to be served in manner prescribed by the Code of Criminal Procedure on the owner or person found in possession of such property, and on his appearance pursuant to such summons, or in default thereof, shall examine into the cause of the seizure and, after hearing such evidence as the parties respectively may produce, may pass an order for the confiscation of the property or for its release.

Procedure on such application, when summons can be served.

53. Where the summons cannot be served, the Magistrate shall cause a notice of the application for confiscation to be affixed at such place as he thinks fit.

Procedure when summons cannot be served.

54. Within one month from the date on which such notice was affixed, any person may present a petition to the Magistrate claiming to be heard in opposition to the application.

Persons interested may oppose confiscation.

55. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any articles seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such articles if they had not been sold.

56. The officer who made the seizure under section 51, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of such order, appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

57. When an order for the confiscation of any property has been passed under section 52 or 55, as the case may be, and the period limited by section 56 for an appeal from such order has elapsed and no such appeal has been preferred, or when on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

58. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Local Government from directing at any time the immediate release of any property seized under section 51.

Saving of power to release property seized.

59. Any Police or Forest officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

60. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest officer; or

(*c*) alters, moves, detroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.—Of Criminal Procedure.

61. Any Police or Forest officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

62. Every Police and Forest officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

63. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

64. The Magistrate of the district and any Magistrate of the first class specially empowered in this behalf by the Local Government may try in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the rules made under this Act: Provided that no person shall be punished twice for the same offence.

Operation of other laws not barred.

66. The Local Government may from time to time, by notification in the official Gazette, empower any Forest officer of such grade as the Local Government may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 60 or section 61 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

67. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

68. Cattle trespassing in a reserved forest, or doing damage to any trees reserved under section 32, shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Police or Forest officer.

Cattle-trespass Act, 1871, to apply.

69. The Local Government may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 68 of this Act, such fines as it thinks fit, but not exceeding the following, that is to say :—

Power to alter fines fixed by that Act.

For each elephant	Ten rupees.
For each buffalo	Two "
For each camel, horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	One rupee.
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	Eight annas.

D.—Miscellaneous.

70. Every person who exercises any right in a district-forest or in a forest reserved under this Act or under any law in force previous to the date on which this Act is extended, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

Persons interested in forest bound to assist Forest and Police officers.

and every person who is employed by any such person in such forest,

shall be bound to furnish without unnecessary delay to the nearest Forest or Police officer any information he may possess respecting the commission of, or intention to commit, any forest-offence, and shall assist any Police or Forest officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence;

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

71. The Local Government may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any Forest officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any territory to which this Act has been extended, or in any class of cases, that is to say:—

Local Government may confer additional powers.

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same;

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals;

(*c*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

72. The Local Government may invest any Forest officer by name, or as holding an office, with the following powers, that is to say:—

Local Government may invest Forest officers with certain powers.

(*a*) to issue a search-warrant under chapter XXVII of the Code of Criminal Procedure;

(*b*) to hold an enquiry into forest-offences, and, in the course of such enquiry, to record evidence on oath.

Such evidence shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

73. In addition to the other rules which the Local Government is hereby empowered to make, it may from time to time make rules:—

Additional powers to make rules.

(*a*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*b*) generally to carry out the provisions of this Act.

74. The Local Government may, in making any rule under this Act for breach of which no special penalty is provided, attach to the breach of it, in addition to any other consequences that would ensue therefrom, the punishment on conviction before a Magistrate of imprisonment which may extend to one month, or fine which may extend to two hundred rupees, or both.

Power to impose penalties for breach of rules.

75. All rules made by the Local Government under this Act shall, when sanctioned by the Governor General in Council, be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when to have force of law.

76. If the Government and any person be jointly interested in any forest, or in the whole or any part of the produce thereof, the Government may from time to time either

Management of forests the joint property of Government and other persons.

(*a*) undertake the management of such forest or produce, accounting to such person for his interest in the same; or

(*b*) issue such regulations for the management of the forest or produce by the person so jointly interested as it deems necessary for the conservation of the forest or produce and the interests of all parties therein.

When the Government undertakes under clause (*a*) of this section the management of any forest, it may, from time to time, by notification in the official Gazette, declare that all or any of the provisions herein contained as to Reserved Forests shall apply to such forest, and thereupon such provisions shall apply accordingly.

77. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear of land-revenue under the law for the time being in force.

Recovery of money due to Government.

78. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

79. All Forest officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Bribing Forest officers.

80. No suit shall lie against any public servant for anything done by him in good faith under this Act.

Indemnity for acts done in good faith.

81. Except with the permission in writing of the Local Government no Forest officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or Foreign territory.

Forest officers not to trade.

STATEMENT OF OBJECTS AND REASONS.

The insufficiency of the present general Forest-law (Act VII of 1865) is universally admitted.

The necessity for legislation regarding forests in the Bombay Presidency, to which Act VII of 1865 has never been applied, has long been apparent, and has been urged by the Local Government. Thus, the want of legal powers to control timber in transit, to require it to be covered by a pass, and to levy duty on foreign timber, causes the loss of several lákhs of rupees annually, and a regular machinery for enquiring into and adjudicating upon private rights claimed in forests and reserves would be equally advantageous to the Government and the people.

The case of the Madras Presidency is generally similar to that of the other Provinces, and there is no doubt that the application to it of an improved Forest-law will be very beneficial.

A general Forest Bill has been under consideration since 1868, and more than one draft has been circulated to the various Local Governments. The present draft is for the most part the work of the Inspector General of Forests with the assistance of the Forest Conservators of Bengal and the Panjáb.

It will be observed that this Bill follows in a great measure the Bill for Burma, which has recently been introduced into the Legislative Council of the Governor General, and that provision is made in section 1 for the non-extension to particular Provinces of any portions of it which may have no local application or utility. The present Bill is divided into nine Chapters, dealing respectively with the following matters:—I, Preliminary; II, Reserved Forests; III, Village-Forests; IV, District-Forests; V, Forests not the property of Government; VI, Duty on Timber; VII, Control of Timber and Forest-produce in Transit; VIII, Collection of drift and stranded Timber; IX, Penalties, Procedure, etc.

In Chapter II will be found provisions for ascertaining, securing and commuting the rights of private persons in any forest which it is deemed necessary to reserve.

Chapters III and IV contain provisions regarding forest-lands belonging to Government or in which Government has proprietary rights, which it is deemed necessary to subject, as District or Village-forests, to regulations less stringent than those indispensable for Reserved Forests.

Chapter V regulates, in a manner analogous to that of the law of France and other European nations, forests and lands not the property of Government for objects affecting the safety and well-being of the public at large.

Chapters VI and VII provide for the levy of duty on timber in transit in certain parts of India, and for the prevention of illicit abstraction of timber from the Government forests.

T. C. HOPE.

The 22nd January 1877.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 2 OF 1877.

THE BROACH AND KAIRA INCUMBERED ESTATES BILL, 1877.

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A Bill to relieve from Incumbrances the estates of Thákurs in Broach and Kaira.

WHEREAS many Thákurs in Broach and Kaira are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1877:"

Short title.

Commencement.

And it shall come into force on the passing thereof.

2. Act No. XV of 1871 (*to relieve from incumbrances the estates of Thákurs in Broach*) is repealed: but all applications and appointments and rules made, all notices published, and all other things duly done, under the said Act shall be deemed to have been respectively made, published and done under this Act.

Act No. XV of 1871 repealed.

Interpretation-clause.

3. In this Act—

"Thákur" means also taluqdár, jágírdár, kasbátí, and such other classes of holders of estates as the Local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act:

"Thákur."

"Heir" means the person for the time being entitled as heir to a Thákur:

"Heir."

"Commissioner" means the Commissioner in Broach or Kaira, as the case may be.

"Commissioner."

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within twelve months after the passing of this Act, any Thákur,

Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate,

may apply, in writing, to the Commissioner, stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

Order to enquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

6. When an enquiry has been directed under section 4, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer, subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

7. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

Report of enquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the

Bombay Government Gazette, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

"Order of management" to what it extends.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:

Effect of order of management.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section 7 shall be stayed; and the operation of all processes, executions and attachments then in force, for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent

The debtor incompetent—

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms, consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

Manager to have powers of owner and to acquire rents and profits.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for securing and recovering land-revenue due to Government:

to have powers of Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section 10, the manager shall pay—

Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs;

costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

Government revenue, &c.,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property;

rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family;

allowance for maintenance of debtor,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section 8 other than those so due or incurred to Government.

Residue how disposed of.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujarátí calling upon all persons having claims against the debtor or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies.

Entries in books.

The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section 18, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section 11 the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections 12 and 14, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section 11, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section 18, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section 10;

(*c*) any residue of the rents and profits of the said property, retained under the last clause of section 10, shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section 9, and the debts and liabilities barred by section 14, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—Of the Proceedings subsequent to sanction of the Liquidation-scheme.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section 9 shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Part IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section 31, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient.

Manager's receipt a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section 24, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections 10, 23 and 24.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section 9; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section 26 to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

VI.—Of Appeal and Revision.

Appeal.

29. An appeal against any decision or order under sections 14, 15, 16 and 22 and imposing a fine or imprisonment in exercise of the powers conferred by section 35, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

VII.—Miscellaneous.

Power to make rules.

31. The Local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The Local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bond fide* pursuant to this Act.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from *entertaining and disposing of such suits*; but to all such suits the manager of such property shall be made a party.

Amendment of Bombay Act VI of 1862.

38. And whereas doubts have been raised as to the validity of Bombay Act No. VI of 1862 (*for the amelioration of the condition of Talukdárs in the Ahmedabad Collectorate, and for their relief from debt*) so far as it purports to affect the High Court of Judicature at Bombay, for the purpose of precluding such doubts, it is hereby further enacted that the said Act, so far as it purports to affect the said High Court, shall be deemed to be and to have been valid.

Exemption of certain Thákurs from certain provisions of Act.

39. Nothing in section 9 shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Debej and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section 28 apply to any of the said Thákurs:

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the Local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to relieve from incumbrances the estates of Thákurs in Kaira. The reasons for the measure are substantially the same as those which led to the introduction of similar measures for the relief of landholders in Oudh, Chutiá Nágpur, Ahmadábád, Broach, and Sindh.

The Bill repeals and re-enacts the substance of the Broach Act XV of 1871.

T. C. HOPE.

The 24th January 1877.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in one month:—

No. 3 OF 1877.

A Bill to restrict the transport of Salt by Sea.

Preamble.

WHEREAS it is expedient to restrict the transport of salt by sea in manner hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Transport of Salt Act, 1877:"

Extent.

It extends to the whole of British India and, further, applies—

(*a*) to all European British subjects of Her Majesty within the territorial jurisdiction of Princes and States in India in alliance with Her Majesty;

(*b*) to all Native Indian subjects of Her Majesty, wherever they may be;

Commencement.

And it shall come into force on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Penalty for carrying salt in certain vessels.

2. When any salt is carried by sea in any vessel other than a square-rigged vessel of the burden of three hundred tons and upwards, the owner and master of such vessel shall each be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Exceptions.

3. Nothing in section two applies to—

(*a*) salt covered by a permit granted under section twenty-eight or section thirty-one of the Act of the Governor of Bombay in Council No. VII of 1873;

(*b*) salt covered by a pass granted by any officer whom the Governor General in Council may appoint in this behalf;

(*c*) such amount of salt carried on board any vessel for consumption by her crew or by the passengers or animals (if any) on board as the Governor General in Council may from time to time exempt from the operation of section two.

Power of stoppage, search and arrest.

4. When any officer of Government empowered by the Governor General in Council or the Local Government, whether by name or office, to act under this section, has reason to suspect that any salt is being carried, or is about to be, or has recently been, carried, in any vessel so as to render the owner or master of such vessel liable to the penalties prescribed by section two, he may—

(*a*) require such vessel to be brought to and enter and search the same;

(*b*) require the master of such vessel to produce any documents in his possession relating to such vessel or the cargo thereof;

(*c*) arrest without a warrant any person on board of such vessel who he has reason to suspect is punishable under section two.

Penalties for resisting officer.

5. Any master of a vessel refusing or neglecting to bring to or to produce his papers when required to do so by an officer acting under section four,

and any person obstructing any such officer in the performance of his duty,

may be arrested by such officer without a warrant, and shall be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Confiscation of vessel and cargo.

6. Every vessel in which salt is carried in contravention of this Act, and the cargo on board such vessel, shall be liable to confiscation.

The confiscation of any vessel under this section shall include her tackle, apparel and furniture.

Confiscations under this section may be adjudged (*a*) by the Collector of Customs, or (*b*) by such other officer as the Local Government may from time to time appoint in this behalf.

Whenever any Customs officer is satisfied that any article is liable to confiscation under this section, he may seize such article and shall at once report the seizure to his superior officer for the information of the Collector of Customs or such other officer as aforesaid, who may, if satisfied on such report, or after making such enquiry as he thinks fit, that the article so seized is liable to confiscation, either declare it to be confiscated or impose a fine in lieu thereof not exceeding the value of the article.

Adjudication of offences.

7. All offences against this Act shall be punishable in a summary manner by a Magistrate.

Jurisdiction.

8. For the purpose of the adjudication of penalties under section two, every offence thereunder may be deemed to have been committed within the limits of the jurisdiction of the Magistrate of any place where the offender is found, or to which, if arrested under section four or section five, he may be brought.

STATEMENT OF OBJECTS AND REASONS.

There is no law at present to prevent salt shipped from Bombay without payment of duty and destined for Madras or Calcutta, being surreptitiously landed at any port on the coast and smuggled salt being taken in lieu thereof and carried on to the port for which the vessel was cleared.

Moreover, there is nothing to prevent foreign salt or any other salt on which no duty has been made, being landed at any of our ports throughout our seaboard. Both of these defects have led to an immense amount of smuggling, which it is important to check without further delay. The present Bill therefore proposes that no vessel of less than three hundred tons shall be allowed to carry salt except under certain very strict conditions, and that vessels may be brought to and searched, regarding which suspicion exists that they are engaged in carrying on contraband traffic.

T. C. HOPE.

The 24th January 1877.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in a week:—

No. 4 OF 1877.

A Bill to amend Act No. XIII of 1875.

Preamble.

WHEREAS it is expedient to define the expression 'High Court' as used in Act No. XIII of 1875 *(to amend the law relating to Probates and Letters of Administration)*, sections 2, 3 and 4; It is hereby enacted as follows:—

'Chief Court' defined in Act XIII of 1875, sections 2, 3 and 4.

1. The expression 'High Court' in each of the said sections shall mean, and be deemed to have always meant—

(*a*) a High Court for the time being established under the twenty-fourth and twenty-fifth of Victoria, chapter 104:

(*b*) the Chief Court of the Panjáb:

(*c*) the Court of the Recorder of Rangoon.

STATEMENT OF OBJECTS AND REASONS.

Act XIII of 1875 provides that probates or letters of administration granted by a 'High Court' shall (unless otherwise directed by the grant) have like effect throughout the whole of British India, and that, whenever such a grant is made, the Registrar shall send to each of the other High Courts a certificate of the grant.

It has been found that the burden thus imposed on the High Courts is excessive. For 'High Court' is defined to mean (both in the Succession Act and in the General Clauses Act, 1868) 'the highest Civil Court of Appeal,' and of such Courts there are, besides the High Courts properly so called, a large number in outlying parts of British India.

The remedy which the present Bill proposes to apply is to limit, in Act XIII of 1875, the expression 'High Court' to (*a*) the four High Courts properly so called, (*b*) the Panjáb Chief Court, and (*c*) the Court of the Recorder of Rangoon.

A. HOBHOUSE.

The 8th January 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 10, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in two months:—

No. 1 OF 1877.

THE INDIAN FOREST BILL, 1877.

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A Bill to amend the law relating to the management and preservation of Government forests, to the transit of forest-produce and to the duty leviable on timber.

WHEREAS it is expedient to amend the law relating to the management and preservation of Government forests, to the transit of forest-produce and to the duty leviable on timber; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act shall be called "The Indian Forest Act, 1877:" Short title.

It shall come into force at once; Commencement.

And the Local Government may from time to time, with the previous sanction of the Governor General in Council, extend, by notification in the official Gazette, all or any of the provisions herein contained to all or any of the territories for the time being under its administration. Extension.

2. In this Act—unless there be something repugnant in the subject or context— Interpretation-clause.

"Forest officer" means any person whom the Local Government may from time to time appoint by name, or as holding an office, to do "Forest officer."

(1) anything required by this Act or under any rule made under this Act to be done by a Forest officer:

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree" includes bamboos and brushwood: "Tree."

"Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes or other purposes: "Timber."

"Forest-produce" includes the following when found in, or brought from, a forest, that is to say— "Forest-produce."

limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, roots, juice, cutch, bark, honey, wax, lac, caoutchouc, gum, wood-oil, resin, varnish, skins and horns:

"Forest-offence" means an offence punishable under this Act, or under any rule made under this Act: "Forest-offence."

"Cattle" includes elephants, camels, buffaloes, bullocks, cows, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids: "Cattle."

"River" includes streams, canals, creeks and other channels, natural or artificial. "River."

CHAPTER II.

OF RESERVED FORESTS.

3. The Local Government may from time to time constitute any forest or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a Reserved Forest in the manner hereinafter provided. Power to reserve forests.

4. Whenever it is proposed to constitute a Reserved Forest, and the limits of such Forest have not been defined by boundary-marks, and are not, in the opinion of the Local Government, already sufficiently defined by roads, rivers or other such boundaries, the Local Government may cause such limits to be demarcated in such manner as it thinks fit. Demarcation of boundaries.

5. When the Local Government has ascertained that the limits of such Forest are already sufficiently defined as aforesaid, or when such limits have been demarcated under section 4, it may publish a notification in the official Gazette— Notification by Local Government.

(*a*) declaring that it is proposed to reserve such Forest under this Act;

(*b*) specifying the limits of such Forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce.

6. During the interval between the publication of such notification and the date fixed by the notification under section 17, no right shall be acquired to, over, or in respect of the Forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued; and no fresh clearings for cultivation or any other purpose shall be made in such forest. Bar of accrual of forest-rights.

7. When a notification has been issued under section 5, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country:— Proclamation by Forest Settlement Officer.

(*a*) specifying the limits of such forest;

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

8. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished, unless the person claiming such right satisfies the Forest Settlement Officer that he had sufficient cause for not presenting the notice within such period. Rights not claimed, extinguished.

9. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, in the case of a claim to or over any land, if he considers it proved and if he thinks fit to do so, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, and may, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 10 and 11. Power to acquire land over which right is claimed.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act; and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

10. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights and shall pass an order, admitting, rejecting or modifying the claim. Enquiry into claims.

11. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the Record to be made by Forest Settlement Officer.

designation and position of all buildings, in respect of which the exercise of such rights is claimed.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 5, in the habitual exercise of the right claimed, and

(*b*) the exercise of the right is required for the beneficial use of the land or premises or of the person claiming the same.

Record where he admits claim.

12. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required. He shall also record whether the produce obtained by the exercise of such rights may be sold or bartered.

Exercise of rights admitted or modified.

13. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

(*a*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted; or

(*b*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*c*) record an order, conferring upon such claimants a right to pasture or to forest-produce (as the case may be), to the extent so admitted, at such seasons, within such portions of the Reserved Forest and under such rules as may from time to time be prescribed by the Local Government.

Commutation of rights.

14. In case the Forest Settlement Officer finds it impossible, having due regard to the maintenance of the Reserved Forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Local Government may from time to time prescribe in this behalf) commute such rights, either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from order passed under section 9, 10 or 13.

15. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Local Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest Settlement Officer under section 9, 10 or 13, present an appeal from such order to such of the officers who hear appeals in cases relating to land-revenue as the Local Government may from time to time appoint by notification in the official Gazette: Provided that, where the Local Government has appointed (as it is hereby empowered to do) three persons (hereinafter called the Forest Court) to hear appeals from such orders, the appeal shall lie to such persons.

Every appeal under this section shall be made by petition in writing, and shall be delivered to and forwarded by the Forest Settlement Officer.

If the appeal be to the officer so appointed, the order passed thereon shall be communicated to the Forest Settlement Officer who shall forthwith carry out the same.

If the appeal be to the Forest Court, the Court shall fix a day for hearing the appeal and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Local Government) be final, and the Forest Settlement Officer shall forthwith carry out such order.

Power to appoint pleader on behalf of Government.

16. The Local Government may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the appellate Court in the course of any inquiry or appeal under this Act.

Notification declaring forest reserved.

17. When the following events have occurred (namely)—

(*a*) the period fixed under section 7 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer; and

(*b*) (if any such claims have been made) the period limited by section 15 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate Court; and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 9, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Local Government may publish a notification in the official Gazette declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a Reserved Forest.

Publication of such notification in neighbourhood of forest.

18. The Forest officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

Reserved Forests constituted previous to passing of Act.

19. Any forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, shall be deemed to have been constituted a Reserved Forest under this Act:

Provided that, if any rights to or over any land or forest-produce are claimed in such Reserved Forest, the Local Government may direct that such claims shall be inquired into and settled in the manner provided by this Act.

Formation and extension of Reserved Forests under Land Acquisition Act.

20. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

No right acquired over Reserved Forest, except as here provided.

21. No right of any description shall be acquired to, over, or in respect of, a Reserved Forest, except under a grant or contract in writing made by or on behalf of the Government.

Rights not to be alienated.

22. No right conferred under section 13, clause (*c*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Local Government, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 12.

Power to stop ways and water-courses in such forests.

23. The Forest officer may from time to time, with the previous sanction of the Local Government, stop any public or private way or water-course in a Reserved Forest, provided that he has already assigned or constructed another way or water-course (as the case may be) in lieu thereof, and that such other way or water-course is a reasonably convenient substitute for the way or water-course so stopped.

Acts prohibited in such forests.

24. Any person who—

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same;

(*b*) kindles, keeps or carries any fire therein at such seasons as the Local Government may from time to time notify in this behalf;

(*c*) burns any lime, bricks or charcoal therein;

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein;

(*e*) causes any damage therein by negligence in felling any tree or cutting or dragging any timber;

(*f*) fells, girdles, lops, taps or burns any tree therein, or strips off the bark or leaves from, or otherwise interferes with, the same;

(*g*) collects therein or removes therefrom any forest-produce;

(*h*) clears or breaks up any land therein for cultivation or any other purpose;

(*i*) hunts, shoots, fishes or sets snares therein in contravention of any rules which the Local Government may from time to time prescribe,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest officer, or the exercise of any right conferred under section 13, clause (*a*), or created by written grant or contract made by or on behalf of Government.

In any case of fire which has been caused wilfully, or which there is reason to believe has been so caused, in a Reserved Forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that the forest or any portion thereof may be closed for such period as it thinks fit. During the period of such closure the exercise of all rights to pasture or other forest-produce shall be suspended.

Power to declare forest no longer reserved.

25. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not revive in consequence of such cessation.

CHAPTER III.

OF VILLAGE-FORESTS.

Demarcation of village-forests.

26. The Local Government may assign any Reserved-forest or portion thereof, or any forest the property of Government, for the use of any villages situated in the vicinity of such forest. All forests so assigned shall be called Village-forests. The Local Government may make rules for regulating the management of Village-forests, prescribing the conditions under which the inhabitants of the villages for the use of which any such assignment is made may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to Village-forests.

CHAPTER IV.

OF DISTRICT-FORESTS.

"District-forests" defined.

27. The Local Government may from time to time, by notification in the official Gazette, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest; but which is the property of Government, or is a forest over which the Government has proprietary rights.

The forests and waste-lands comprised in any such notification shall be called "District-Forests."

Power to issue notification—

28. The Local Government may from time to time, by notification in the official Gazette,

reserving trees,

(*a*) declare any class of trees in a district-forest or any trees in any such forest, to be reserved from a date fixed by such notification;

prohibiting collection of forest-produce,

(*b*) prohibit, from a date fixed as aforesaid, the quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof; and

and breaking up or clearing of land.

(*c*) the breaking up or clearing for cultivation, for building, for herding cattle or for any other purposes, any land in any such forest.

29. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district of every notification issued under section 28 to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Publication of such notification in neighbourhood.

Power to make rules regulating disposal of produce of district-forests.

30. The Local Government may from time to time make rules to regulate the following matters:—

(*a*) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce from the district-forests;

(*b*) the granting of permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade and the production and return of such permits by such persons;

(*d*) the fees (if any) payable by the persons mentioned in clauses (*b*) and (*c*) for permission to cut such trees, or to collect and remove such timber or forest-produce;

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made;

(*f*) the examination of produce passing out of the forest;

(*g*) the clearing and breaking up of land for cultivation or other purposes;

(*h*) the protection from fire of timber lying in district-forests;

(*i*) the cutting of grass and pasturing of cattle;

(*j*) hunting, shooting, fishing and setting snares in such forests.

Penalties for acts in contravention of notification under section 28.

31. Any person who—

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 28, or strips off the bark or leaves from, or otherwise interferes with, any such tree; or

(*b*) breaks up or clears for cultivation or any other purpose, any land in any forest containing trees reserved as aforesaid, or sets fire to such forests; or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity; or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber; or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid; or

(*f*) permits cattle belonging to him or under his charge to injure any such tree; or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce, when such quarrying, burning or collecting has been prohibited by a notification under section 28; or

(*h*) infringes any rule under section 30,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Nothing in this chapter to prohibit acts done in certain cases.

32. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of the Forest officer, or in accordance with rules made under section 30, or in the exercise of any right.

CHAPTER V.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE PROPERTY OF GOVERNMENT.

Protection of forests for special purposes

33. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, regulate or prohibit the breaking up of land for cultivation or the clearing of the growth in any forest, when such regulation or prohibition appears necessary for any of the following purposes:

First.—For protection against storms, winds, rolling stones and avalanches:

Second.—For the preservation of the soil on the ridges and slopes, and in the valleys of mountain-ranges, the prevention of landslips and of the formation of ravines and torrents, and the protection of land against shifting and moving sands:

Third.—For the maintenance of a water-supply in springs, rivers and tanks:

Fourth.—For the protection of roads, bridges, railways, and other lines of communication:

Fifth.—For the preservation of the public health.

Power to assume management of such forests.

34. In case of neglect of, or wilful disobedience to, any prohibition under section 33, the Local Government may, after notice in writing to the proprietor or other person interested in the forest, and considering his objections (if any), place the same under the control of a Forest officer, and may declare that all or any of the provisions of this Act relating to Reserved Forests shall apply to such forest.

The nett profits (if any) arising from the management of such forest shall be paid to the said proprietor or other person.

Expropriation of forests in certain cases.

35. In any case under this chapter in which the Local Government considers that, in lieu of placing the forest under the control of a Forest officer, the forest should be acquired for public purposes, the Local Government may proceed to acquire the same in the manner prescribed by the Land Acquisition Act, 1870.

CHAPTER VI.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

36. On all timber the produce of forests situated within British India or brought from any forest situated beyond the frontier, a duty may be levied in such manner, at such places and at such rates, as the Local Government, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the official Gazette.

Power to fix value for *ad valorem* duty.

In every case in which such duty is directed to be levied *ad valorem*, the Local Government may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

Limit not to apply to royalty or purchase-money.

37. Nothing in this chapter shall be deemed to limit the amount chargeable as purchase-money or royalty on any timber or forest-produce, notwithstanding that the same be levied on such timber or produce while in transit, in the same manner as duty is levied.

CHAPTER VII.

OF THE CONTROL OF TIMBER AND FOREST-PRODUCE IN TRANSIT.

Power to make rules to regulate transit of forest-produce.

38. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and forest-produce in transit by land or sea, is vested in the Local Government, and it may from time to time make rules to regulate the transit of all timber and other forest-produce.

Such rules may (among other matters)—

(*a*) prescribe the routes by which only timber and other forest-produce may be imported, exported or moved, into, from, or within, British India;

(*b*) prohibit the import, export or moving of such timber or other produce without a pass from the Forest officer, authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage, reporting and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof, or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it; the conditions under which timber shall be brought to, stored at, and removed from, such depôts;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed;

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal;

(*h*) prohibit absolutely or subject to conditions, within specified local limits, the establishment of saw-pits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking-hammers or other implements used for marking timber;

(*i*) regulate the use of property-marks for timber, provide for the registration of such marks and the time for which such registration shall hold good, limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

Penalty for breach of rules made under section 38.

39. The Local Government may prescribe penalties for the infringement of any rule made under section 38, by imprisonment for a term not exceeding six months, or by fine not exceeding five hundred rupees, or by both. Double penalties may be prescribed in cases where the offence is committed between sunset and sunrise, after preparation for resistance to lawful authority, or if the offender has been previously convicted of the same offence.

Government and its officers not liable for damage to forest-produce at depôt.

40. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 38, or while detained elsewhere for the purposes of this Act, and no Forest officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons bound to aid in case of accident at depôt.

41. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall render assistance to any Forest or Police officer demanding his aid in averting such danger and securing such property from damage.

CHAPTER VIII.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

Drift or stranded timber or timber unmarked, or with marks obliterated to become property of Government until title thereto proved, and may be collected accordingly.

42. All timber and wood found adrift or stranded on any river, or off the sea-coast of any province to which this Act shall be extended, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered or defaced by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto. Such timber may be collected by any Forest officer or other person entitled to collect the same by virtue of any rule made under section 48 and may be brought to such depôts as the Forest officer may from time to time notify as depôts for the reception of drift-timber.

Notice to claimants of drift-timber.

43. Public notice shall from time to time be given by the Forest officer, of timber collected under section 42. Such notice shall contain a description of the timber and shall require any person having a claim to the possession of the same to present to such officer within three months from the date of such notice a written statement of such claim.

Procedure on claim preferred to such timber.

44. When any such statement is presented as aforesaid, the Forest officer may, after making such enquiry as he thinks fit, either reject the claim or deliver the timber to the claimant.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

45. If no such statement is presented as aforesaid or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 43, or on such claim having been so preferred by him, and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 44, the ownership of such timber shall vest in the Government, or when such timber has been delivered to another person under section 44, in such other person free from all encumbrances of every description.

Disposal of unclaimed timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42, and no Forest officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Government and its officers not liable for damage to such timber.

47. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest officer or other person entitled to receive it such sums on account of the collection thereof as may be due under any rule made in pursuance of section 48.

Payments to be made by claimant before timber is delivered to him.

48. The Local Government may from time to time make rules to regulate the following matters, (namely) :—

Power to make rules and prescribe penalties.

(*a*) the salving and collection of timber or of certain kinds of timber which may be floating loose and unrafted, or may be sunk, stranded or beached in any river or on the sea-coast;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amounts to be paid for salving, collecting and storing such timber;

(*d*) the use and registration of marking-hammers.

The Local Government may from time to time prescribe for the infringement of any rule made under this section the penalty of imprisonment for a term which may extend to six months, or a fine which may extend to five hundred rupees, or both.

CHAPTER IX.

GENERAL.

A.—Of Penalties.

49. When the trial of any forest-offence is concluded, the Court may make such order as it thinks fit for the disposal of any timber or forest-produce, the property of Government, in respect of which any offence has been committed.

Disposal of property connected with cases under trial.

50. All timber or forest-produce which is not the property of Government and in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Forest-produce, tools, &c., when liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

51. When there is reason to believe that any property is liable to confiscation under section 50 for any offence, it may be seized by any Police or Forest officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

Application for confiscation.

52. If on receiving an application under section 51, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a summons to be served in manner prescribed by the Code of Criminal Procedure on the owner or person found in possession of such property, and on his appearance pursuant to such summons, or in default thereof, shall examine into the cause of the seizure and, after hearing such evidence as the parties respectively may produce, may pass an order for the confiscation of the property or for its release.

Procedure on such application, when summons can be served.

53. Where the summons cannot be served, the Magistrate shall cause a notice of the application for confiscation to be affixed at such place as he thinks fit.

Procedure when summons cannot be served.

54. Within one month from the date on which such notice was affixed, any person may present a petition to the Magistrate claiming to be heard in opposition to the application.

Persons interested may oppose confiscation.

55. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any articles seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such articles if they had not been sold.

56. The officer who made the seizure under section 51, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of such order, appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

57. When an order for the confiscation of any property has been passed under section 52 or 55, as the case may be, and the period limited by section 56 for an appeal from such order has elapsed and no such appeal has been preferred, or when on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

58. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Local Government from directing at any time the immediate release of any property seized under section 51.

Saving of power to release property seized.

59. Any Police or Forest officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

60. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest officer; or

(*c*) alters, moves, detroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.—Of Criminal Procedure.

61. Any Police or Forest officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

62. Every Police and Forest officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

63. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

64. The Magistrate of the district and any Magistrate of the first class specially empowered in this behalf by the Local Government may try in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the rules made under this Act: Provided that no person shall be punished twice for the same offence.

Operation of other laws not barred.

66. The Local Government may from time to time, by notification in the official Gazette, empower any Forest officer of such grade as the Local Government may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 60 or section 61 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

67. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

68. Cattle trespassing in a reserved forest, or doing damage to any trees reserved under section 32; shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Police or Forest officer.

Cattle-trespass Act, 1871, to apply.

69. The Local Government may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 68 of this Act, such fines as it thinks fit, but not exceeding the following, that is to say :—

Power to alter fines fixed by that Act.

For each elephant	Ten rupees.
For each buffalo	Two „
For each camel, horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	One rupee.
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	Eight annas.

D.—Miscellaneous.

70. Every person who exercises any right in a district-forest or in a forest reserved under this Act or under any law in force previous to the date on which this Act is extended, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

Persons interested in forest bound to assist Forest and Police officers.

and every person who is employed by any such person in such forest,

shall be bound to furnish without unnecessary delay to the nearest Forest or Police officer any information he may possess respecting the commission of, or intention to commit, any forest-offence, and shall assist any Police or Forest officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence;

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

71. The Local Government may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any Forest officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any territory to which this Act has been extended, or in any class of cases, that is to say:—

Local Government may confer additional powers.

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same;

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals;

(*c*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

72. The Local Government may invest any Forest officer by name, or as holding an office, with the following powers, that is to say:—

Local Government may invest Forest officers with certain powers.

(*a*) to issue a search-warrant under chapter XXVII of the Code of Criminal Procedure;

(*b*) to hold an enquiry into forest-offences, and, in the course of such enquiry, to record evidence on oath.

Such evidence shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

73. In addition to the other rules which the Local Government is hereby empowered to make, it may from time to time make rules:—

Additional powers to make rules.

(*a*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*b*) generally to carry out the provisions of this Act.

74. The Local Government may, in making any rule under this Act for breach of which no special penalty is provided, attach to the breach of it, in addition to any other consequences that would ensue therefrom, the punishment on conviction before a Magistrate of imprisonment which may extend to one month, or fine which may extend to two hundred rupees, or both.

Power to impose penalties for breach of rules.

75. All rules made by the Local Government under this Act shall, when sanctioned by the Governor General in Council, be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when to have force of law.

76. If the Government and any person be jointly interested in any forest, or in the whole or any part of the produce thereof, the Government may from time to time either

Management of forests the joint property of Government and other persons.

(*a*) undertake the management of such forest or produce, accounting to such person for his interest in the same; or

(*b*) issue such regulations for the management of the forest or produce by the person so jointly interested as it deems necessary for the conservation of the forest or produce and the interests of all parties therein.

When the Government undertakes under clause (*a*) of this section the management of any forest, it may, from time to time, by notification in the official Gazette, declare that all or any of the provisions herein contained as to Reserved Forests shall apply to such forest, and thereupon such provisions shall apply accordingly.

77. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear of land-revenue under the law for the time being in force.

Recovery of money due to Government.

78. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

79. All Forest officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Bribing Forest officers.

80. No suit shall lie against any public servant for anything done by him in good faith under this Act.

Indemnity for acts done in good faith.

81. Except with the permission in writing of the Local Government no Forest officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or Foreign territory.

Forest officers not to trade.

STATEMENT OF OBJECTS AND REASONS.

The insufficiency of the present general Forest-law (Act VII of 1865) is universally admitted.

The necessity for legislation regarding forests in the Bombay Presidency, to which Act VII of 1865 has never been applied, has long been apparent, and has been urged by the Local Government. Thus, the want of legal powers to control timber in transit, to require it to be covered by a pass, and to levy duty on foreign timber, causes the loss of several lákhs of rupees annually, and a regular machinery for enquiring into and adjudicating upon private rights claimed in forests and reserves would be equally advantageous to the Government and the people.

The case of the Madras Presidency is generally similar to that of the other Provinces, and there is no doubt that the application to it of an improved Forest-law will be very beneficial.

A general Forest Bill has been under consideration since 1868, and more than one draft has been circulated to the various Local Governments. The present draft is for the most part the work of the Inspector General of Forests with the assistance of the Forest Conservators of Bengal and the Panjáb.

It will be observed that this Bill follows in a great measure the Bill for Burma, which has recently been introduced into the Legislative Council of the Governor General, and that provision is made in section 1 for the non-extension to particular Provinces of any portions of it which may have no local application or utility. The present Bill is divided into nine Chapters, dealing respectively with the following matters:—I, Preliminary; II, Reserved Forests; III, Village-Forests; IV, District-Forests; V, Forests not the property of Government; VI, Duty on Timber; VII, Control of Timber and Forest-produce in Transit; VIII, Collection of drift and stranded Timber; IX, Penalties, Procedure, etc.

In Chapter II will be found provisions for ascertaining, securing and commuting the rights of private persons in any forest which it is deemed necessary to reserve.

Chapters III and IV contain provisions regarding forest-lands belonging to Government or in which Government has proprietary rights, which it is deemed necessary to subject, as District or Village-forests, to regulations less stringent than those indispensable for Reserved Forests.

Chapter V regulates, in a manner analogous to that of the law of France and other European nations, forests and lands not the property of Government for objects affecting the safety and well-being of the public at large.

Chapters VI and VII provide for the levy of duty on timber in transit in certain parts of India, and for the prevention of illicit abstraction of timber from the Government forests.

T. C. HOPE.

The 22nd January 1877.

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

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 2 OF 1877.

THE BROACH AND KAIRA INCUMBERED ESTATES BILL, 1877.

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A Bill to relieve from Incumbrances the estates of Thákurs in Broach and Kaira.

WHEREAS many Thákurs in Broach and Kaira are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1877:"

Short title.

And it shall come into force on the passing thereof.

Commencement.

2. Act No. XV of 1871 (*to relieve from incumbrances the estates of Thákurs in Broach*) is repealed: but all applications and appointments and rules made, all notices published, and all other things duly done, under the said Act shall be deemed to have been respectively made, published and done under this Act.

Act No. XV of 1871 repealed.

Interpretation-clause.

3. In this Act—

"Thákur" means also taluqdár, jágírdár, kasbátí, and such other classes of holders of estates as the Local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act:

"Thákur."

"Heir" means the person for the time being entitled as heir to a Thákur:

"Heir."

"Commissioner" means the Commissioner in Broach or Kaira, as the case may be.

"Commissioner."

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within twelve months after the passing of this Act, any Thákur,

Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate,

may apply, in writing, to the Commissioner, stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

Order to enquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

6. When an enquiry has been directed under section 4, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer, subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

7. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

Report of enquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the

Bombay Government Gazette, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

"Order of management" to what it extends.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:

Effect of order of management.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section 7 shall be stayed; and the operation of all processes, executions and attachments then in force, for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent

The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or

to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to encumber or alienate property,

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

to grant receipts for rent.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms, consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

Manager to have powers of owner and to receive rents and profits,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for securing and recovering land-revenue due to Government:

to have powers of Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section 10, the manager shall pay—

Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs;

costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

Government revenue, &c.,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property;

rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family;

allowance for maintenance of debtor,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section 8 other than those so due or incurred to Government.

Residue how disposed of.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujarátí calling upon all persons having claims against the debtor or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies.

Entries in books.

The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section 18, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section 11 the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections 12 and 14, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section 11, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section 18, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section 10;

(*c*) any residue of the rents and profits of the said property, retained under the last clause of section 10, shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section 9, and the debts and liabilities barred by section 14, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—Of the Proceedings subsequent to sanction of the Liquidation-scheme.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section 9 shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Part IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section 31, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient.

Manager's receipt, a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section 24, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections 10, 23 and 24.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section 9; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section 26 to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

VI.—Of Appeal and Revision.

Appeal.

29. An appeal against any decision or order under sections 14, 15, 16 and 22 and imposing a fine or imprisonment in exercise of the powers conferred by section 35, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

VII.—Miscellaneous.

Power to make rules.

31. The Local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The Local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Amendment of Bombay Act VI of 1862.

38. And whereas doubts have been raised as to the validity of Bombay Act No. VI of 1862 (*for the amelioration of the condition of Talukdárs in the Ahmedabad Collectorate, and for their relief from debt*) so far as it purports to affect the High Court of Judicature at Bombay, for the purpose of precluding such doubts, it is hereby further enacted that the said Act, so far as it purports to affect the said High Court, shall be deemed to be and to have been valid.

Exemption of certain Thákurs from certain provisions of Act.

39. Nothing in section 9 shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section 28 apply to any of the said Thákurs:

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the Local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to relieve from incumbrances the estates of Thákurs in Kaira. The reasons for the measure are substantially the same as those which led to the introduction of similar measures for the relief of landholders in Oudh, Chutiá Nágpur, Ahmadábád, Broach, and Sindh.

The Bill repeals and re-enacts the substance of the Broach Act XV of 1871.

T. C. HOPE.

The 24th January 1877.

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

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in one month:—

No. 3 OF 1877.

A Bill to restrict the transport of Salt by Sea.

Preamble.

WHEREAS it is expedient to restrict the transport of salt by sea in manner hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Transport of Salt Act, 1877:"

Extent.

It extends to the whole of British India and, further, applies—

(*a*) to all European British subjects of Her Majesty within the territorial jurisdiction of Princes and States in India in alliance with Her Majesty;

(*b*) to all Native Indian subjects of Her Majesty, wherever they may be;

Commencement.

And it shall come into force on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Penalty for carrying salt in certain vessels.

2. When any salt is carried by sea in any vessel other than a square-rigged vessel of the burden of three hundred tons and upwards, the owner and master of such vessel shall each be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Exceptions.

3. Nothing in section two applies to—

(*a*) salt covered by a permit granted under section twenty-eight or section thirty-one of the Act of the Governor of Bombay in Council No. VII of 1873;

(*b*) salt covered by a pass granted by any officer whom the Governor General in Council may appoint in this behalf;

(*c*) such amount of salt carried on board any vessel for consumption by her crew or by the passengers or animals (if any) on board as the Governor General in Council may from time to time exempt from the operation of section two.

Power of stoppage, search and arrest.

4. When any officer of Government empowered by the Governor General in Council or the Local Government, whether by name or office, to act under this section, has reason to suspect that any salt is being carried, or is about to be, or has recently been, carried, in any vessel so as to render the owner or master of such vessel liable to the penalties prescribed by section two, he may—

(*a*) require such vessel to be brought to and enter and search the same;

(*b*) require the master of such vessel to produce any documents in his possession relating to such vessel or the cargo thereof;

(*c*) arrest without a warrant any person on board of such vessel who he has reason to suspect is punishable under section two.

Penalties for resisting officer.

5. Any master of a vessel refusing or neglecting to bring to or to produce his papers when required to do so by an officer acting under section four,

and any person obstructing any such officer in the performance of his duty,

may be arrested by such officer without a warrant, and shall be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Confiscation of vessel and cargo.

6. Every vessel in which salt is carried in contravention of this Act, and the cargo on board such vessel, shall be liable to confiscation.

The confiscation of any vessel under this section shall include her tackle, apparel and furniture.

Confiscations under this section may be adjudged (*a*) by the Collector of Customs, or (*b*) by such other officer as the Local Government may from time to time appoint in this behalf.

Whenever any Customs officer is satisfied that any article is liable to confiscation under this section, he may seize such article and shall at once report the seizure to his superior officer for the information of the Collector of Customs or such other officer as aforesaid, who may, if satisfied on such report, or after making such enquiry as he thinks fit, that the article so seized is liable to confiscation, either declare it to be confiscated or impose a fine in lieu thereof not exceeding the value of the article.

Adjudication of offences.

7. All offences against this Act shall be punishable in a summary manner by a Magistrate.

Jurisdiction.

8. For the purpose of the adjudication of penalties under section two, every offence thereunder may be deemed to have been committed within the limits of the jurisdiction of the Magistrate of any place where the offender is found, or to which, if arrested under section four or section five, he may be brought.

STATEMENT OF OBJECTS AND REASONS.

There is no law at present to prevent salt shipped from Bombay without payment of duty and destined for Madras or Calcutta, being surreptitiously landed at any port on the coast and smuggled salt being taken in lieu thereof and carried on to the port for which the vessel was cleared.

Moreover, there is nothing to prevent foreign salt or any other salt on which no duty has been made, being landed at any of our ports throughout our seaboard. Both of these defects have led to an immense amount of smuggling, which it is important to check without further delay. The present Bill therefore proposes that no vessel of less than three hundred tons shall be allowed to carry salt except under certain very strict conditions, and that vessels may be brought to and searched, regarding which suspicion exists that they are engaged in carrying on contraband traffic.

T. C. HOPE.

The 24th January 1877.

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

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in a week:—

No. 4 OF 1877.

A Bill to amend Act No. XIII of 1875.

Preamble.

WHEREAS it is expedient to define the expression 'High Court' as used in Act No. XIII of 1875 *(to amend the law relating to Probates and Letters of Administration)*, sections 2, 3 and 4; It is hereby enacted as follows:—

'Chief Court' defined in Act XIII of 1875, sections 2, 3 and 4.

1. The expression 'High Court' in each of the said sections shall mean, and be deemed to have always meant—

(*a*) a High Court for the time being established under the twenty-fourth and twenty-fifth of Victoria, chapter 104:

(*b*) the Chief Court of the Panjáb:

(*c*) the Court of the Recorder of Rangoon.

STATEMENT OF OBJECTS AND REASONS.

Act XIII of 1875 provides that probates or letters of administration granted by a 'High Court' shall (unless otherwise directed by the grant) have like effect throughout the whole of British India, and that, whenever such a grant is made, the Registrar shall send to each of the other High Courts a certificate of the grant.

It has been found that the burden thus imposed on the High Courts is excessive. For 'High Court' is defined to mean (both in the Succession Act and in the General Clauses Act, 1868) 'the highest Civil Court of Appeal,' and of such Courts there are, besides the High Courts properly so called, a large number in outlying parts of British India.

The remedy which the present Bill proposes to apply is to limit, in Act XIII of 1875, the expression 'High Court' to (*a*) the four High Courts properly so called, (*b*) the Panjáb Chief Court, and (*c*) the Court of the Recorder of Rangoon.

A. HOBHOUSE.

The 8th January 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 17, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in two months :—

No. 1 OF 1877.

THE INDIAN FOREST BILL, 1877.

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WHEREAS it is expedient to amend the law relating to the management and preservation of Government forests, to the transit of forest-produce and to the duty leviable on timber; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act shall be called "The Indian Forest Act, 1877:" Short title.

It shall come into force at once; Commencement.

And the Local Government may from time to time, with the previous sanction of the Governor General in Council, extend, by notification in the official Gazette, all or any of the provisions herein contained to all or any of the territories for the time being under its administration. Extension.

2. In this Act—unless there be something repugnant in the subject or context— Interpretation-clause.

"Forest officer" means any person whom the Local Government may from time to time appoint by name, or as holding an office, to do "Forest officer."

(1) anything required by this Act or under any rule made under this Act to be done by a Forest officer:

(2) anything to be done by a Government officer under this Act, or under any rule made under this Act, and for the doing of which no agency is specially provided by this Act:

"Tree" includes bamboos and brushwood: "Tree."

"Timber" includes trees and bamboos when they have fallen or have been felled, and all wood when cut up, or when fashioned or hollowed out for cart-wheels, mortars, canoes or other purposes: "Timber."

"Forest-produce" includes the following when found in, or brought from, a forest, that is to say— "Forest-produce."

limestone, laterite and other minerals and surface-soil, trees, timber, grass, reeds, leaves, flowers, fruits, roots, juice, cutch, bark, honey, wax, lac, caoutchouc, gum, wood-oil, resin, varnish, skins and horns:

"Forest-offence" means an offence punishable under this Act, or under any rule made under this Act: "Forest-offence."

"Cattle" includes elephants, camels, buffaloes, bullocks, cows, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids: "Cattle."

"River" includes streams, canals, creeks and other channels, natural or artificial. "River."

CHAPTER II.

OF RESERVED FORESTS.

3. The Local Government may from time to time constitute any forest or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a Reserved Forest in the manner hereinafter provided. Power to reserve forests.

4. Whenever it is proposed to constitute a Reserved Forest, and the limits of such Forest have not been defined by boundary-marks, and are not, in the opinion of the Local Government, already sufficiently defined by roads, rivers or other such boundaries, the Local Government may cause such limits to be demarcated in such manner as it thinks fit. Demarcation of boundaries.

5. When the Local Government has ascertained that the limits of such Forest are already sufficiently defined as aforesaid, or when such limits have been demarcated under section 4, it may publish a notification in the official Gazette— Notification by Local Government.

(*a*) declaring that it is proposed to reserve such Forest under this Act;

(*b*) specifying the limits of such Forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person to or over any land comprised within such limits, or to or over any forest-produce.

6. During the interval between the publication of such notification and the date fixed by the notification under section 17, no right shall be acquired to, over, or in respect of the Forest comprised in such notification, except under a grant or contract in writing made or entered into by or on behalf of Government or of some person in whom such right was vested when the former notification was issued; and no fresh clearings for cultivation or any other purpose shall be made in such forest. Bar of accrual of forest-rights.

7. When a notification has been issued under section 5, the Forest Settlement Officer shall publish in every town and village in the neighbourhood of the forest mentioned therein a proclamation in the language of the country:— Proclamation by Forest Settlement Officer.

(*a*) specifying the limits of such forest;

(*b*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*c*) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right as aforesaid, to present to such officer within such period a written notice stating the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

8. Any such right in respect of which no such notice is presented within the said period shall be deemed to be extinguished, unless the person claiming such right satisfies the Forest Settlement Officer that he had sufficient cause for not presenting the notice within such period. Rights not claimed, extinguished.

9. When any such notice is presented as aforesaid, the Forest Settlement Officer shall inquire into the merits of the claim, and may, in the case of a claim to or over any land, if he considers it proved and if he thinks fit to do so, pass an order to that effect and proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870, and may, in the case of a claim to rights of way or of pasture, or to forest-produce, proceed in the manner prescribed in sections 10 and 11. Power to acquire land over which right is claimed.

For the purpose of so acquiring such land—

(*a*) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(*b*) the claimant shall be deemed to be a person interested and attending before him in pursuance of a notice issued under section 9 of that Act; and

(*c*) the conditions prescribed by the preceding sections of that Act shall be deemed to have been fulfilled.

10. In the case of a claim to rights of pasture or to forest-produce, the Forest Settlement Officer shall enquire into the nature and extent of such rights and shall pass an order, admitting, rejecting or modifying the claim. Enquiry into claims.

11. The Forest Settlement Officer, when passing any such order, shall record the name, residence and occupation of the person claiming the right, the designation (if any), position and area of all fields or groups of fields, and the Record to be made by Forest Settlement Officer.

designation and position of all buildings, in respect of which the exercise of such rights is claimed.

No such claim shall be admitted, unless

(*a*) the claimant was, at the time when the limits of the forest were notified under section 5, in the habitual exercise of the right claimed, and

(*b*) the exercise of the right is required for the beneficial use of the land or premises or of the person claiming the same.

Record where he admits claim.

12. If the Forest Settlement Officer admits any such claim with or without modification, he shall also record the extent to which such rights have been admitted by him, specifying the quantity of timber and other forest-produce annually required, the number and description of cattle admitted to graze in the forest and the season during which such pasture is required. He shall also record whether the produce obtained by the exercise of such rights may be sold or bartered.

Exercise of rights admitted or modified.

13. After making such record, the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the Reserved Forest in respect of which the claim is made, make such arrangements as will ensure the continued exercise of the rights so admitted or modified. For this purpose, the Forest Settlement Officer may—

(*a*) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient for the purposes of such claimants, and record an order conferring upon them a right to pasture or to forest-produce (as the case may be) to the extent so admitted; or

(*b*) so alter the limits of the proposed reserved forest as to exclude forest-land of sufficient extent, and conveniently situated for the purposes of the claimants; or

(*c*) record an order, conferring upon such claimants a right to pasture or to forest-produce (as the case may be), to the extent so admitted, at such seasons, within such portions of the Reserved Forest and under such rules as may from time to time be prescribed by the Local Government.

Commutation of rights.

14. In case the Forest Settlement Officer finds it impossible, having due regard to the maintenance of the Reserved Forest, to make such arrangements as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Local Government may from time to time prescribe in this behalf) commute such rights, either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from order passed under section 9, 10 or 13.

15. Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Local Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest Settlement Officer under section 9, 10 or 13, present an appeal from such order to such of the officers who hear appeals in cases relating to land-revenue as the Local Government may from time to time appoint by notification in the official Gazette: Provided that, where the Local Government has appointed (as it is hereby empowered to do) three persons (hereinafter called the Forest Court) to hear appeals from such orders, the appeal shall lie to such persons.

Every appeal under this section shall be made by petition in writing, and shall be delivered to and forwarded by the Forest Settlement Officer.

If the appeal be to the officer so appointed, the order passed thereon shall be communicated to the Forest Settlement Officer who shall forthwith carry out the same.

If the appeal be to the Forest Court, the Court shall fix a day for hearing the appeal and shall give notice of such day to the parties, and shall hear such appeal in the neighbourhood of the forest. The order passed thereon by such Court, or by the majority of the members of such Court, shall (subject to review by the Local Government) be final, and the Forest Settlement Officer shall forthwith carry out such order.

Power to appoint pleader on behalf of Government.

16. The Local Government may appoint any person to appear, plead and act on behalf of the Government before the Forest Settlement Officer or the appellate Court in the course of any inquiry or appeal under this Act.

Notification declaring forest reserved.

17. When the following events have occurred (namely)—

(*a*) the period fixed under section 7 for presenting notices has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer; and

(*b*) (if any such claims have been made) the period limited by section 15 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate Court; and

(*c*) all lands (if any) included in the forest, which the Forest Settlement Officer has, under section 9, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act,

the Local Government may publish a notification in the official Gazette declaring the forest, or any portion thereof, to be reserved from a date fixed by such notification, and from the date so fixed, such forest or such portion thereof shall be deemed to be a Reserved Forest.

Publication of such notification in neighbourhood of forest.

18. The Forest officer shall, before the date fixed by such notification, cause a translation of such notification into the language of the district to be affixed in some conspicuous place in every town and village in the neighbourhood of the forest.

Reserved Forests constituted previous to passing of Act.

19. Any forest constituted a Reserved Forest under any law in force previous to the date on which this Act comes into force, shall be deemed to have been constituted a Reserved Forest under this Act:

Provided that, if any rights to or over any land or forest-produce are claimed in such Reserved Forest, the Local Government may direct that such claims shall be inquired into and settled in the manner provided by this Act.

Formation and extension of Reserved Forests under Land Acquisition Act.

20. The formation and extension of a Reserved Forest shall be deemed a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

No right acquired over Reserved Forest, except as here provided.

21. No right of any description shall be acquired to, over, or in respect of, a Reserved Forest, except under a grant or contract in writing made by or on behalf of the Government.

Rights not to be alienated.

22. No right conferred under section 13, clause (*c*), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Local Government, and no produce obtained by virtue of such a right shall be sold or bartered except to such extent as a right to sell or barter may have been admitted in the order recorded under section 12.

Power to stop ways and water-courses in such forests.

23. The Forest officer may from time to time, with the previous sanction of the Local Government, stop any public or private way or water-course in a Reserved Forest, provided that he has already assigned or constructed another way or water-course (as the case may be) in lieu thereof, and that such other way or water-course is a reasonably convenient substitute for the way or water-course so stopped.

Acts prohibited in such forests.

24. Any person who—

(*a*) sets fire to a Reserved Forest, or kindles any fire therein in such manner as to endanger the same;

(*b*) kindles, keeps or carries any fire therein at such seasons as the Local Government may from time to time notify in this behalf;

(*c*) burns any lime, bricks or charcoal therein;

(*d*) trespasses or grazes his cattle or permits his cattle to trespass therein;

(*e*) causes any damage therein by negligence in felling any tree or cutting or dragging any timber;

(*f*) fells, girdles, lops, taps or burns any tree therein, or strips off the bark or leaves from, or otherwise interferes with, the same;

(*g*) collects therein or removes therefrom any forest-produce;

(*h*) clears or breaks up any land therein for cultivation or any other purpose;

(*i*) hunts, shoots, fishes or sets snares therein in contravention of any rules which the Local Government may from time to time prescribe,

shall be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both, in addition to such damages for injury done to the forest as the Court may direct to be paid.

Nothing in this section shall be deemed to prohibit any act done by permission in writing of the Forest officer, or the exercise of any right conferred under section 13, clause (*a*), or created by written grant or contract made by or on behalf of Government.

In any case of fire which has been caused wilfully, or which there is reason to believe has been so caused, in a Reserved Forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that the forest or any portion thereof may be closed for such period as it thinks fit. During the period of such closure the exercise of all rights to pasture or other forest-produce shall be suspended.

Power to declare forest no longer reserved.

25. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, direct that, from a date fixed by such notification, any forest or any portion of any forest reserved under this Act, shall cease to be a Reserved Forest.

From the date so fixed, such forest or portion thereof shall cease to be reserved, but the rights (if any) which have been extinguished in such forest shall not revive in consequence of such cessation.

CHAPTER III.

OF VILLAGE-FORESTS.

Demarcation of village-forests.

26. The Local Government may assign any Reserved-forest or portion thereof, or any forest the property of Government, for the use of any villages situated in the vicinity of such forest. All forests so assigned shall be called Village-forests. The Local Government may make rules for regulating the management of Village-forests, prescribing the conditions under which the inhabitants of the villages for the use of which any such assignment is made may be provided with timber, pasture or other forest-produce, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to Reserved Forests shall (so far as they are consistent with rules so made) apply to Village-forests.

CHAPTER IV.

OF DISTRICT-FORESTS.

"District-forests" defined.

27. The Local Government may from time to time, by notification in the official Gazette, declare the provisions of this chapter applicable to any forest or waste-land which is not included in a Reserved Forest; but which is the property of Government, or is a forest over which the Government has proprietary rights.

The forests and waste-lands comprised in any such notification shall be called "District-Forests."

Power to issue notification—

28. The Local Government may from time to time, by notification in the official Gazette,

reserving trees,

(*a*) declare any class of trees in a district-forest or any trees in any such forest, to be reserved from a date fixed by such notification;

prohibiting collection of forest-produce,

(*b*) prohibit, from a date fixed as aforesaid, the quarrying of limestone, laterite or any other stone, or the burning of lime or charcoal, or the collection of any description of forest-produce, in any such forest or in any portion thereof; and

and breaking up or clearing of land.

(*c*) the breaking up or clearing for cultivation, for building, for herding cattle or for any other purposes, any land in any such forest.

29. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district of every notification issued under section 28 to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest to which such notification applies.

Publication of such notification in neighbourhood.

30. The Local Government may from time to time make rules to regulate the following matters:—

Power to make rules regulating disposal of produce of district-forests.

(*a*) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce from the district-forests;

(*b*) the granting of permits to the inhabitants of towns and villages in the vicinity of district-forests, and the production and return of such permits by such persons;

(*c*) the granting of trade-permits to persons felling or removing trees or timber or forest-produce from such forests for the purposes of trade and the production and return of such permits by such persons;

(*d*) the fees (if any) payable by the persons mentioned in clauses (*b*) and (*c*) for permission to cut such trees, or to collect and remove such timber or forest-produce;

(*e*) the other payments, if any, to be made by them in respect of such timber and produce, and the places where such payments shall be made;

(*f*) the examination of produce passing out of the forest;

(*g*) the clearing and breaking up of land for cultivation or other purposes;

(*h*) the protection from fire of timber lying in district-forests;

(*i*) the cutting of grass and pasturing of cattle;

(*j*) hunting, shooting, fishing and setting snares in such forests.

31. Any person who—

Penalties for acts in contravention of notification under section 28.

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 28, or strips off the bark or leaves from, or otherwise interferes with, any such tree; or

(*b*) breaks up or clears for cultivation or any other purpose, any land in any forest containing trees reserved as aforesaid, or sets fire to such forests; or

(*c*) kindles a fire without taking all such reasonable precautions as are requisite to prevent its spreading to any trees so reserved, or to any timber of such trees in the vicinity; or

(*d*) leaves burning any fire kindled by him in the vicinity of any such trees or timber; or

(*e*) fells any tree or drags any timber in such a manner as to injure any tree reserved as aforesaid; or

(*f*) permits cattle belonging to him or under his charge to injure any such tree; or

(*g*) quarries any stone, or burns any lime or charcoal, or collects or removes any forest-produce, when such quarrying, burning or collecting has been prohibited by a notification under section 28; or

(*h*) infringes any rule under section 30,

shall be punished with imprisonment which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

32. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of the Forest officer, or in accordance with rules made under section 30, or in the exercise of any right.

Nothing in this chapter to prohibit acts done in certain cases.

CHAPTER V.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE PROPERTY OF GOVERNMENT.

33. The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, regulate or prohibit the breaking up of land for cultivation or the clearing of the growth in any forest, when such regulation or prohibition appears necessary for any of the following purposes:

Protection of forests for special purposes

First.—For protection against storms, winds, rolling stones and avalanches:

Second.—For the preservation of the soil on the ridges and slopes, and in the valleys of mountain-ranges, the prevention of landslips and of the formation of ravines and torrents, and the protection of land against shifting and moving sands:

Third.—For the maintenance of a water-supply in springs, rivers and tanks:

Fourth.—For the protection of roads, bridges, railways, and other lines of communication:

Fifth.—For the preservation of the public health.

34. In case of neglect of, or wilful disobedience to, any prohibition under section 33, the Local Government may, after notice in writing to the proprietor or other person interested in the forest, and considering his objections (if any), place the same under the control of a Forest officer, and may declare that all or any of the provisions of this Act relating to Reserved Forests shall apply to such forest.

Power to assume management of such forests.

The nett profits (if any) arising from the management of such forest shall be paid to the said proprietor or other person.

35. In any case under this chapter in which the Local Government considers that, in lieu of placing the forest under the control of a Forest officer, the forest should be acquired for public purposes, the Local Government may proceed to acquire the same in the manner prescribed by the Land Acquisition Act, 1870.

Expropriation of forests in certain cases.

CHAPTER VI.

OF THE DUTY ON TIMBER.

36. On all timber the produce of forests situated within British India or brought from any forest situated beyond the frontier, a duty may be levied in such manner, at such places and at such rates, as the Local Government, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the official Gazette.

Power to impose duty on timber.

In every case in which such duty is directed to be levied *ad valorem*, the Local Government may, with the like sanction, from time to time fix by like notification the value on which such duty shall be assessed.

Power to fix value for *ad valorem* duty.

37. Nothing in this chapter shall be deemed to limit the amount chargeable as purchase-money or royalty on any timber or forest-produce, notwithstanding that the same be levied on such timber or produce while in transit, in the same manner as duty is levied.

Limit not to apply to royalty or purchase-money.

CHAPTER VII.

OF THE CONTROL OF TIMBER AND FOREST-PRODUCE IN TRANSIT.

38. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and forest-produce in transit by land or sea, is vested in the Local Government, and it may from time to time make rules to regulate the transit of all timber and other forest-produce.

Power to make rules to regulate transit of forest-produce.

Such rules may (among other matters)—

(*a*) prescribe the routes by which only timber and other forest produce may be imported, exported or moved, into, from, or within, British India;

(*b*) prohibit the import, export or moving of such timber or other produce without a pass from the Forest officer, authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes and for the payment of fees therefor;

(*d*) provide for the stoppage, reporting and examination of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof, or on account of any duty, fee or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(*e*) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it; the conditions under which timber shall be brought to, stored at, and removed from, such depôts;

(*f*) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river, or any act which may cause such river to be closed or obstructed;

(*g*) provide for the removal of any obstruction of the channel or banks of any such river, and for recovering from the person causing such obstruction the cost of such removal;

(*h*) prohibit absolutely or subject to conditions, within specified local limits, the establishment of saw-pits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking-hammers or other implements used for marking timber;

(*i*) regulate the use of property-marks for timber, provide for the registration of such marks and the time for which such registration shall hold good limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

39. The Local Government may prescribe penalties for the infringement of any rule made under section 38, by imprisonment for a term not exceeding six months, or by fine not exceeding five hundred rupees, or by both. Double penalties may be prescribed in cases where the offence is committed between sunset and sunrise, after preparation for resistance to lawful authority, or if the offender has been previously convicted of the same offence.

Penalty for breach of rules made under section 38.

40. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 38, or while detained elsewhere for the purposes of this Act, and no Forest officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

Government and its officers not liable for damage to forest-produce at depôt.

41. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall render assistance to any Forest or Police officer demanding his aid in averting such danger and securing such property from damage.

All persons bound to aid in case of accident at depôt.

CHAPTER VIII.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

42. All timber and wood found adrift or stranded on any river, or off the sea-coast of any province to which this Act shall be extended, and all unmarked wood and timber, or wood or timber on which the marks have been obliterated, altered or defaced by fire or otherwise, and all timber beached, stranded or sunk in any river, or on the sea-coast as aforesaid, shall be deemed to be the property of Government unless and until any person establish his right and title thereto. Such timber may be collected by any Forest officer or other person entitled to collect the same by virtue of any rule made under section 48 and may be brought to such depôts as the Forest officer may from time to time notify as depôts for the reception of drift-timber.

Drift or stranded timber or timber unmarked, or with marks obliterated to become property of Government until title thereto proved, and may be collected accordingly.

43. Public notice shall from time to time be given by the Forest officer, of timber collected under section 42. Such notice shall contain a description of the timber and shall require any person having a claim to the possession of the same to present to such officer within three months from the date of such notice a written statement of such claim.

Notice to claimants of drift-timber.

44. When any such statement is presented as aforesaid, the Forest officer may, after making such enquiry as he thinks fit, either reject the claim or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any damages or costs against the Government, or against any Forest officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

45. If no such statement is presented as aforesaid or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 43, or on such claim having been so preferred by him, and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 44, the ownership of such timber shall vest in the Government, or when such timber has been delivered to another person under section 44, in such other person free from all encumbrances of every description.

Disposal of unclaimed timber.

46. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 42, and no Forest officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

Government and its officers not liable for damage to such timber.

47. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest officer or other person entitled to receive it such sums on account of the collection thereof as may be due under any rule made in pursuance of section 48.

Payments to be made by claimant before timber is delivered to him.

48. The Local Government may from time to time make rules to regulate the following matters, (namely) :—

Power to make rules and prescribe penalties.

(*a*) the salving and collection of timber or of certain kinds of timber which may be floating loose and unrafted, or may be sunk, stranded or beached in any river or on the sea-coast;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amounts to be paid for salving, collecting and storing such timber;

(*d*) the use and registration of marking-hammers.

The Local Government may from time to time prescribe for the infringement of any rule made under this section the penalty of imprisonment for a term which may extend to six months, or a fine which may extend to five hundred rupees, or both.

CHAPTER IX.

GENERAL.

A.—Of Penalties.

49. When the trial of any forest-offence is concluded, the Court may make such order as it thinks fit for the disposal of any timber or forest-produce, the property of Government, in respect of which any offence has been committed.

Disposal of property connected with cases under trial.

50. All timber or forest-produce which is not the property of Government and in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any such offence, shall be liable to confiscation.

Forest-produce, tools, &c., when liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

51. When there is reason to believe that any property is liable to confiscation under section 50 for any offence, it may be seized by any Police or Forest officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, apply for the confiscation of the same to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

Application for confiscation.

52. If on receiving an application under section 51, and on making such inquiry as he deems fit, such Magistrate has reason to believe that such property is liable to confiscation under this Act, he shall cause a summons to be served in manner prescribed by the Code of Criminal Procedure on the owner or person found in possession of such property, and on his appearance pursuant to such summons, or in default thereof, shall examine into the cause of the seizure and, after hearing such evidence as the parties respectively may produce, may pass an order for the confiscation of the property or for its release.

Procedure on such application, when summons can be served.

53. Where the summons cannot be served, the Magistrate shall cause a notice of the application for confiscation to be affixed at such place as he thinks fit.

Procedure when summons cannot be served.

54. Within one month from the date on which such notice was affixed, any person may present a petition to the Magistrate claiming to be heard in opposition to the application.

Persons interested may oppose confiscation.

55. On the expiry of the said period of one month, if no such petition has been presented, or, if any such petition has been presented, after hearing the petitioner and considering any evidence he may adduce, the Magistrate may pass an order for the confiscation of the property or for its release.

Order for confiscation.

The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any articles seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such articles if they had not been sold.

56. The officer who made the seizure under section 51, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of such order, appeal therefrom to the Sessions Judge, and the order passed on such appeal shall be final.

Appeal from such order.

57. When an order for the confiscation of any property has been passed under section 52 or 55, as the case may be, and the period limited by section 56 for an appeal from such order has elapsed and no such appeal has been preferred, or when on such an appeal being preferred, the Sessions Judge confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances of every description.

Property when to vest in Government.

58. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Local Government from directing at any time the immediate release of any property seized under section 51.

Saving of power to release property seized.

59. Any Police or Forest officer who vexatiously or unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act, shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Punishment for wrongful seizure.

60. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(*b*) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest officer; or

(*c*) alters, moves, destroys or defaces any boundary-mark of a Reserved Forest,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

B.—Of Criminal Procedure.

61. Any Police or Forest officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest-offence punishable with imprisonment for one month or upwards.

Power to arrest without warrant.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case.

62. Every Police and Forest officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

63. Every such officer knowing of a design to commit any such offence may arrest without orders from a Magistrate and without a warrant the person entertaining such design, if the commission of such offence cannot be otherwise prevented.

Power to arrest person designing to commit offence.

64. The Magistrate of the district and any Magistrate of the first class specially empowered in this behalf by the Local Government may try in the summary way prescribed by the eighteenth chapter of the Code of Criminal Procedure, any forest-offence punishable with imprisonment for not more than six months, or with fine not exceeding five hundred rupees.

Power to try offences summarily.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the rules made under this Act: Provided that no person shall be punished twice for the same offence.

Operation of other laws not barred.

66. The Local Government may from time to time, by notification in the official Gazette, empower any Forest officer of such grade as the Local Government may from time to time direct, to accept from any person charged with any forest-offence other than an offence under section 60 or section 61 a sum of money by way of composition for such offence.

Power to compound offences.

On the payment of such sum of money to such officer, the accused person, if in custody, shall be discharged, any property seized as liable to confiscation in respect of such offence shall be released, and no further proceedings of any description shall be taken under this Act against such person or property; but nothing herein contained shall exempt such person from prosecution on the same facts under any other law for the time being in force.

67. When in any proceedings instituted under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber is the property of the Government, such timber shall be presumed to be the property of the Government until the contrary is proved.

Presumption that timber belongs to Government.

C.—Of Cattle-trespass.

68. Cattle trespassing in a reserved forest, or doing damage to any trees reserved under section 32, shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Police or Forest officer.

Cattle-trespass Act, 1871, to apply.

69. The Local Government may from time to time by rule direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 68 of this Act, such fines as it thinks fit, but not exceeding the following, that is to say :—

Power to alter fines fixed by that Act.

For each elephant	Ten rupees.
For each buffalo	Two „
For each camel, horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	One rupee.
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	Eight annas.

D.—Miscellaneous.

Persons interested in forest bound to assist Forest and Police officers.

70. Every person who exercises any right in a district-forest or in a forest reserved under this Act or under any law in force previous to the date on which this Act is extended, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest,

and every person who is employed by any such person in such forest,

shall be bound to furnish without unnecessary delay to the nearest Forest or Police officer any information he may possess respecting the commission of, or intention to commit, any forest-offence, and shall assist any Police or Forest officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence;

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Local Government may confer additional powers.

71. The Local Government may, subject to any restrictions from time to time imposed by the Governor General in Council, invest a Forest Settlement Officer, or any Forest officer, by name or as holding any office, with any of the following powers to be exercised by him for the purposes of this Act in any territory to which this Act has been extended, or in any class of cases, that is to say:—

(*a*) power to enter upon any land and to survey, demarcate and make a map of the same;

(*b*) any power exercised by a Civil Court in the trial of suits or the hearing of appeals;

(*c*) power to delegate the exercise of any power or the performance of any duty to a subordinate officer.

Local Government may invest Forest officers with certain powers.

72. The Local Government may invest any Forest officer by name, or as holding an office, with the following powers, that is to say:—

(*a*) to issue a search-warrant under chapter XXVII of the Code of Criminal Procedure;

(*b*) to hold an enquiry into forest-offences, and, in the course of such enquiry, to record evidence on oath.

Such evidence shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

Additional powers to make rules.

73. In addition to the other rules which the Local Government is hereby empowered to make, it may from time to time make rules:—

(*a*) to determine the person by whom, and the time, place and manner at and in which, anything to be done under this Act, and for which no express provision is made in these respects, shall be done; and

(*b*) generally to carry out the provisions of this Act.

Power to impose penalties for breach of rules.

74. The Local Government may, in making any rule under this Act for breach of which no special penalty is provided, attach to the breach of it, in addition to any other consequences that would ensue therefrom, the punishment on conviction before a Magistrate of imprisonment which may extend to one month, or fine which may extend to two hundred rupees, or both.

Rules when to have force of law.

75. All rules made by the Local Government under this Act shall, when sanctioned by the Governor General in Council, be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Management of forests the joint property of Government and other persons.

76. If the Government and any person be jointly interested in any forest, or in the whole or any part of the produce thereof, the Government may from time to time either

(*a*) undertake the management of such forest or produce, accounting to such person for his interest in the same; or

(*b*) issue such regulations for the management of the forest or produce by the person so jointly interested as it deems necessary for the conservation of the forest or produce and the interests of all parties therein.

When the Government undertakes under clause (*a*) of this section the management of any forest, it may, from time to time, by notification in the official Gazette, declare that all or any of the provisions herein contained as to Reserved Forests shall apply to such forest, and thereupon such provisions shall apply accordingly.

Recovery of money due to Government.

77. All money payable to the Government under this Act, or under any rule made under this Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered as if it were an arrear of land-revenue under the law for the time being in force.

Lien on forest-produce for such money.

78. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest officer until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, the Forest officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Her Majesty.

Bribing Forest officers.

79. All Forest officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

80. No suit shall lie against any public servant for anything done by him in good faith under this Act.

Forest officers not to trade.

81. Except with the permission in writing of the Local Government no Forest officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or Foreign territory.

STATEMENT OF OBJECTS AND REASONS.

The insufficiency of the present general Forest-law (Act VII of 1865) is universally admitted.

The necessity for legislation regarding forests in the Bombay Presidency, to which Act VII of 1865 has never been applied, has long been apparent, and has been urged by the Local Government. Thus, the want of legal powers to control timber in transit, to require it to be covered by a pass, and to levy duty on foreign timber, causes the loss of several lákhs of rupees annually, and a regular machinery for enquiring into and adjudicating upon private rights claimed in forests and reserves would be equally advantageous to the Government and the people.

The case of the Madras Presidency is generally similar to that of the other Provinces, and there is no doubt that the application to it of an improved Forest-law will be very beneficial.

A general Forest Bill has been under consideration since 1868, and more than one draft has been circulated to the various Local Governments. The present draft is for the most part the work of the Inspector General of Forests with the assistance of the Forest Conservators of Bengal and the Panjáb.

It will be observed that this Bill follows in a great measure the Bill for Burma, which has recently been introduced into the Legislative Council of the Governor General, and that provision is made in section 1 for the non-extension to particular Provinces of any portions of it which may have no local application or utility. The present Bill is divided into nine Chapters, dealing respectively with the following matters:—I, Preliminary; II, Reserved Forests; III, Village-Forests; IV, District-Forests; V, Forests not the property of Government; VI, Duty on Timber; VII, Control of Timber and Forest-produce in Transit; VIII, Collection of drift and stranded Timber; IX, Penalties, Procedure, etc.

In Chapter II will be found provisions for ascertaining, securing and commuting the rights of private persons in any forest which it is deemed necessary to reserve.

Chapters III and IV contain provisions regarding forest-lands belonging to Government or in which Government has proprietary rights, which it is deemed necessary to subject, as District or Village-forests, to regulations less stringent than those indispensable for Reserved Forests.

Chapter V regulates, in a manner analogous to that of the law of France and other European nations, forests and lands not the property of Government for objects affecting the safety and well-being of the public at large.

Chapters VI and VII provide for the levy of duty on timber in transit in certain parts of India, and for the prevention of illicit abstraction of timber from the Government forests.

T. C. HOPE.

The 22nd January 1877.

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

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

No. 2 OF 1877.

THE BROACH AND KAIRA INCUMBERED ESTATES BILL, 1877.

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A Bill to relieve from Incumbrances the estates of Thákurs in Broach and Kaira.

Preamble.

WHEREAS many Thákurs in Broach and Kaira are in debt, and their immoveable property is subject to mortgages, charges and liens; and whereas it is expedient to provide for their relief in manner hereinafter appearing; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title.

Commencement.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1877:"

And it shall come into force on the passing thereof.

Act No. XV of 1871 repealed.

2. Act No. XV of 1871 (*to relieve from incumbrances the estates of Thákurs in Broach*) is repealed: but all applications and appointments and rules made, all notices published, and all other things duly done, under the said Act shall be deemed to have been respectively made, published and done under this Act.

Interpretation-clause.

3. In this Act—

"Thákur." "Thákur" means also taluqdár, jágírdár, kasbátí, and such other classes of holders of estates as the Local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act:

"Heir." "Heir" means the person for the time being entitled as heir to a Thákur:

"Commissioner." "Commissioner" means the Commissioner in Broach or Kaira, as the case may be.

II.—OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for benefit of Act.

4. At any time within twelve months after the passing of this Act, any Thákur,

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate,

may apply, in writing, to the Commissioner, stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

Order to enquire.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an enquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an enquiry to be made as aforesaid.

Verified statement to be submitted.

6. When an enquiry has been directed under section 4, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such enquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer, subject to his control, may require.

False averments in statement.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

Report of enquiry and proceedings thereon.

7. The officer so appointed, after making enquiry, shall submit a report of his proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further enquiry, or (*b*) dismiss the application, or (*c*), by order published in the

Bombay Government Gazette, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

III.—OF THE ORDER OF MANAGEMENT.

"Order of management" to what it extends.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date.

Commencement of management.

The management shall be deemed to commence from the date on which the order is published.

Effect of order of management.

9. On the publication of the order of management the following consequences shall ensue:

Stay of pending proceedings, &c.

First, all proceedings then pending in any Civil Court in British India in respect to the debts and liabilities mentioned in section 7 shall be stayed; and the operation of all processes, executions and attachments then in force, for or in respect of such debts and liabilities shall be suspended;

Bar of fresh proceedings.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any Civil Court in British India in respect of such debts and liabilities;

The debtor incompetent—

Thirdly, so long as the management continues, the debtor shall be incompetent

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms, consistent with this Act, as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to have powers of owner and to receive rents and profits,

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for securing and recovering land-revenue due to Government:

to have powers of Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

Manager to pay therefrom—

11. From the sums received or recovered under section 10, the manager shall pay—

costs of management and repairs,

First, the costs of the management, including the costs of necessary repairs;

Government revenue, &c.,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

rent due to superior holder,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property;

allowance for maintenance of debtor,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance of the debtor and his family;

cost of improvements, &c.

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

Residue how disposed of.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section 8 other than those so due or incurred to Government.

IV.—PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

Notice to claimants against debtor.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujarátí calling upon all persons having claims against the debtor or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Copies of notice to be exhibited.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Claim to contain full particulars.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Documents to be given up.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Entries in books.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies.

The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section 18, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section 11 the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections 12 and 14, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section 11, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section 18, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section 10;

(*c*) any residue of the rents and profits of the said property, retained under the last clause of section 10, shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section 9, and the debts and liabilities barred by section 14, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

V.—Of the Proceedings subsequent to sanction of the Liquidation-scheme.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Local Government may from time to time by rule direct; and thereupon—

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section 9 shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Part IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Part IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit, and in default of such payment the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section 31, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient.

Manager's receipt, a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act, shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme have been paid and discharged, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section 24, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections 10, 23 and 24.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section 9; and

3*rdly*, no Civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section 26 to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

VI.—Of Appeal and Revision.

Appeal.

29. An appeal against any decision or order under sections 14, 15, 16 and 22 and imposing a fine or imprisonment in exercise of the powers conferred by section 35, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon, consistent with the provisions of this Act, as he thinks fit.

VII.—Miscellaneous.

Power to make rules.

31. The Local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Part IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities, and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The Local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

33. Every manager appointed under this Act, shall be deemed a public servant within the meaning of the Indian Penal Code.

Managers to be public servants.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Civil Procedure.

Power to summon witnesses and compel production of documents.

36. No suit or other proceeding shall be maintained against any person in respect of any thing done by him *bonâ fide* pursuant to this Act.

Bar of suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

38. And whereas doubts have been raised as to the validity of Bombay Act No. VI of 1862 (*for the amelioration of the condition of Taluqdárs in the Ahmedabad Collectorate, and for their relief from debt*) so far as it purports to affect the High Court of Judicature at Bombay, for the purpose of precluding such doubts, it is hereby further enacted that the said Act, so far as it purports to affect the said High Court, shall be deemed to be and to have been valid.

Amendment of Bombay Act VI of 1862.

39. Nothing in section 9 shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section 28 apply to any of the said Thákurs:

Exemption of certain Thákurs from certain provisions of Act.

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the Local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to relieve from incumbrances the estates of Thákurs in Kaira. The reasons for the measure are substantially the same as those which led to the introduction of similar measures for the relief of landholders in Oudh, Chutiá Nágpur, Ahmadábád, Broach, and Sindh.

The Bill repeals and re-enacts the substance of the Broach Act XV of 1871.

T. C. HOPE.

The 24th January 1877.

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

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st January 1877, and was referred to a Select Committee with instructions to make their report thereon in one month:—

No. 3 OF 1877.

A Bill to restrict the transport of Salt by Sea.

WHEREAS it is expedient to restrict the transport of salt by sea in manner hereinafter appearing; It is hereby enacted as follows:—

Preamble.

1. This Act may be called "The Transport of Salt Act, 1877:"

Short title.

It extends to the whole of British India and, further, applies—

Extent.

(*a*) to all European British subjects of Her Majesty within the territorial jurisdiction of Princes and States in India in alliance with Her Majesty;

(*b*) to all Native Indian subjects of Her Majesty, wherever they may be;

And it shall come into force on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Commencement.

2. When any salt is carried by sea in any vessel other than a square-rigged vessel of the burden of three hundred tons and upwards, the owner and master of such vessel shall each be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Penalty for carrying salt in certain vessels.

3. Nothing in section two applies to—

Exceptions.

(*a*) salt covered by a permit granted under section twenty-eight or section thirty-one of the Act of the Governor of Bombay in Council No. VII of 1873;

(*b*) salt covered by a pass granted by any officer whom the Governor General in Council may appoint in this behalf;

(*c*) such amount of salt carried on board any vessel for consumption by her crew or by the passengers or animals (if any) on board as the Governor General in Council may from time to time exempt from the operation of section two.

4. When any officer of Government empowered by the Governor General in Council or the Local Government, whether by name or office, to act under this section, has reason to suspect that any salt is being carried, or is about to be, or has recently been, carried, in any vessel so as to render the owner or master of such vessel liable to the penalties prescribed by section two, he may—

Power of stoppage, search and arrest.

(*a*) require such vessel to be brought to and enter and search the same;

(*b*) require the master of such vessel to produce any documents in his possession relating to such vessel or the cargo thereof;

(*c*) arrest without a warrant any person on board of such vessel who he has reason to suspect is punishable under section two.

5. Any master of a vessel refusing or neglecting to bring to or to produce his papers when required to do so by an officer acting under section four,

Penalties for resisting officer.

and any person obstructing any such officer in the performance of his duty,

may be arrested by such officer without a warrant, and shall be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

6. Every vessel in which salt is carried in contravention of this Act, and the cargo on board such vessel, shall be liable to confiscation.

Confiscation of vessel and cargo.

The confiscation of any vessel under this section shall include her tackle, apparel and furniture.

Confiscations under this section may be adjudged (*a*) by the Collector of Customs, or (*b*) by such other officer as the Local Government may from time to time appoint in this behalf.

Whenever any Customs officer is satisfied that any article is liable to confiscation under this section, he may seize such article and shall at once report the seizure to his superior officer for the information of the Collector of Customs or such other officer as aforesaid, who may, if satisfied on such report, or after making such enquiry as he thinks fit, that the article so seized is liable to confiscation, either declare it to be confiscated or impose a fine in lieu thereof not exceeding the value of the article.

7. All offences against this Act shall be punishable in a summary manner by a Magistrate.

Adjudication of offences.

8. For the purpose of the adjudication of penalties under section two, every offence thereunder may be deemed to have been committed within the limits of the jurisdiction of the Magistrate of any place where the offender is found, or to which, if arrested under section four or section five, he may be brought.

Jurisdiction.

STATEMENT OF OBJECTS AND REASONS.

There is no law at present to prevent salt shipped from Bombay without payment of duty and destined for Madras or Calcutta, being surreptitiously landed at any port on the coast and smuggled salt being taken in lieu thereof and carried on to the port for which the vessel was cleared.

Moreover, there is nothing to prevent foreign salt or any other salt on which no duty has been made, being landed at any of our ports throughout our seaboard. Both of these defects have led to an immense amount of smuggling, which it is important to check without further delay. The present Bill therefore proposes that no vessel of less than three hundred tons shall be allowed to carry salt except under certain very strict conditions, and that vessels may be brought to and searched, regarding which suspicion exists that they are engaged in carrying on contraband traffic.

T. C. HOPE.

The 24th January 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 24, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st February 1877, and was referred to a Select Committee :—

No. 5 OF 1877.

THE INDIAN LIMITATION BILL, 1877.

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SCHEDULE.

I. SUITS. II. APPEALS. III. APPLICATIONS.

A Bill for the Limitation of Suits, and for other Purposes.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts; And whereas it is also expedient to provide rules for acquiring by possession the ownership of easements and other property; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. Commencement.

1. This Act may be called 'The Indian Limitation Act, 1877,' and shall come into force on the first day of July 1877.

Extent of Act.

It extends to the whole of British India; but nothing contained in sections two and three or in Parts II and III applies—

(*a*) to suits under the Indian Divorce Act, or

(*b*) to suits under Madras Regulation VI of 1831.

Repeal of Act IX of 1871.

2. Act No. IX of 1871 (*An Act for the Limitation of Suits and for other purposes*) shall be repealed.

But all references to such Act shall be read as if made to this Act; and nothing herein or in that Act contained shall be deemed to affect any title acquired under that Act or under any enactment thereby repealed.

And notwithstanding anything herein contained, any suit mentioned in No. 143, No. 144 or No. 145 of the schedule hereto annexed, may be brought within five years next after the said first day of July 1877, unless where the period prescribed for such suit by the said Act No. IX of 1871 shall have expired before the completion of the said five years.

Interpretation-clause.

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

'minor' means a person who has not completed his age of eighteen years:

'plaintiff' includes also any person from or through whom a plaintiff derives his right to sue:

'easement' includes also a right, not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another, or anything growing in, or attached to, or subsisting upon, the land of another:

'bill of exchange' includes also a hundí:

'trustee' does not include a benámídár, a mortgagee remaining in possession after the mortgage has been satisfied, or a wrong-doer in possession without title:

'suit' does not include an appeal or an application:

'registered' means duly registered under the law for the registration of documents in force at the time and place of executing the document referred to in the context:

'foreign country' means any country other than British India;

and nothing shall be deemed to be done in 'good faith' which is not done with due care and attention.

PART II.

LIMITATION OF SUITS, APPEALS AND APPLICATIONS.

Dismissal of suits, &c., instituted, &c., after period of limitation.

4. Subject to the provisions contained in sections five to twenty-six (inclusive), every suit instituted, appeal presented, and application made after the period of limitation prescribed therefor by the schedule hereto annexed, shall be dismissed, although limitation has not been set up as a defence.

Explanation.—A suit is instituted in ordinary cases when the plaint, stamped in accordance with the law for the time being in force, is presented to the proper officer: in the case of a pauper, when his application for leave to sue as a pauper is filed; and in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

Illustrations.

(*a*).—A suit is instituted after the prescribed period of limitation. Limitation is not set up as a defence and judgment is given for the plaintiff. The defendant appeals. The appellate court must dismiss the suit.

(*b*).—An appeal presented after the prescribed period is admitted and registered. The appeal shall, nevertheless, be dismissed.

Proviso where Court is closed when period expires.

5. If the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, presented or made on the day that the Court re-opens:

Proviso as to appeals and applications for review.

Any appeal or application for a review of judgment may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not presenting the appeal or making the application within such period.

Different periods of limitation prescribed by local laws.

6. When, by any law not mentioned in the schedule hereto annexed and now or hereafter to be in force in any part of British India, a period of limitation differing from that prescribed by this Act is specially prescribed for any suits, appeals or applications, nothing herein contained shall alter the period so prescribed.

Appeals from decrees of High Courts on original side.

And nothing herein contained shall affect the periods of limitation prescribed for appeals from, or applications to review, any decree, order or judgment of a High Court in the exercise of its original jurisdiction.

Legal Disability.

Legal disability.

7. If a person entitled to sue be, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefor in the third column of the schedule hereto annexed.

Double and successive disabilities.

When he is at such time affected by two disabilities, or when before his disability has ceased he is affected by another disability, he may institute the suit within the same period after both disabilities have ceased as would otherwise have been allowed from the time so prescribed.

When his disability continues up to his death, his representative in interest may institute the suit within the same period after the death as would otherwise have been allowed from the time so prescribed.

Disability of representative.

When such representative is at the date of the death affected by any disability, the rules contained in the former part of this section shall apply.

Nothing in this section shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which the suit must be brought.

Illustrations.

(*a*). The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accruer. He may institute his suit at any time within three years from the date of his attaining majority.

(*b*). A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accruer. A has, under the ordinary law, only one year remaining within which to sue. But under this section an extension of two years will be allowed him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(*c*). A right to sue accrues to Z during his minority. After the accrual, but while Z is still a minor, he becomes insane. Time runs against Z from the date when his insanity ceases.

(*d*). A right to sue accrues to X during his minority X dies before attaining majority and is succeeded by Y his minor son. Time runs against Y from the date of his attaining majority.

(*e*). A right to sue for an hereditary office accrues to A, who at the time is insane. Six years after the accrual A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under this section.

(*f*). A right to sue as landlord to recover possession from a tenant accrues to A who is an idiot. A dies three years after the accrual, his idiocy continuing up to the date of his death. A's representative in interest has, under the ordinary law, nine years from the date of A's death within which to bring a suit. This section does not extend that time.

Disability of one joint creditor.

8. When one of several joint creditors or claimants is under any such disability, and when a discharge can be given without the concurrence of such person, time will run against them all: but where no such discharge can be given, time will not run as against any of them until they all are free from disability.

Illustrations.

(*a*) A incurs a debt to a firm of which B, C and D are partners. B is insane and C is a minor. D can give a discharge of the debt without the concurrence of B and C. Time runs against B, C and D.

(*b*) A incurs a debt to the same firm. B and C are insane, and D is a minor. Time will not run against any of them until they are all free from disability.

Continuous running of time.

9. When once time has begun to run, no subsequent disability or inability to sue stops it:

Provided that where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

Suits against express trustees and their representatives.

10. Notwithstanding anything hereinbefore contained, no suit against a person in whom property has become vested in trust for any specific purpose, or against his representatives, for the purpose of following in his or their hands such property, shall be barred by any length of time.

Explanation.—A purchaser in good faith for value from a trustee is not his representative within the meaning of this section.

Suits on foreign contracts.

11. Suits in British India on contracts entered into in a foreign country are subject to the rules prescribed by this Act.

Foreign limitation law.

12. No foreign rule of limitations shall be a defence to a suit in British India on a contract entered into in a foreign country, unless the rule has extinguished the contract, and the parties were domiciled in such country during the period prescribed by such rule.

PART III.

COMPUTATION OF PERIOD OF LIMITATION.

Exclusion of day on which right to sue accrues.

13. In computing the period of limitation prescribed for any suit, the day on which the right to sue accrued shall be excluded.

Exclusion in case of appeals and certain applications.

In computing the period of limitation prescribed for an appeal, an application for leave to appeal as a pauper, an application to the High Court for the admission of a special appeal, and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed against or sought to be reviewed, shall be excluded.

In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

14. In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from British India shall be excluded, unless service of a summons to appear and answer in the suit can, during such absence, be made under the Code of Civil Procedure, section 60.

Exclusion of time of defendant's absence from British India.

15. In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another suit, whether in a Court of first instance or in a Court of appeal, against the same defendant or some person whom he represents, shall be excluded, where the last-mentioned suit is founded upon the same cause of action, and is instituted in good faith in a Court which from defect of jurisdiction, or other cause of a like nature, is unable to try it.

Exclusion of time of suing *bonâ fide* in Court without jurisdiction.

In computing the period of limitation prescribed for any application, the time during which the applicant has been making another application for the same relief, shall be excluded, where the last-mentioned application is made in good faith to a Court which from defect of jurisdiction, or other cause of a like nature, is unable to grant it.

Like exclusion in case of application.

Explanation 1.—In excluding the time during which a former suit or application was pending or being made, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation 2.—A plaintiff resisting an appeal presented on the ground of want of jurisdiction, shall be deemed to be prosecuting a suit within the meaning of this section.

16. In computing the period of limitation prescribed for any suit, the institution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, shall be excluded.

Exclusion of time during which commencement of suit is stayed by injunction.

In computing the period of limitation prescribed for a suit proceedings in which have been stayed by order under the Code of Civil Procedure, section 19, the interval between the institution of the suit and the date of so staying proceedings, and the time requisite for going from the Court in which proceedings are stayed to the Court in which the suit is re-instituted, shall be excluded.

Like exclusion in case of order under Civil Procedure Code, s. 19.

17. In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which the judgment-debtor has been prosecuting a suit to set aside the sale, shall be excluded.

Exclusion of time during which judgment-debtor sues to set aside execution sale.

18. When a person who would, if he were living, have a right to sue, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative in interest of the deceased capable of suing.

Effect of death before right to sue accrues.

When a person against whom, if he were living, a right to sue would have accrued, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative whom the plaintiff may sue.

Nothing in the former part of this section applies to suits for the possession of immoveable property or of an hereditary office.

19. When any person having a right to sue has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded,

Effect of fraud.

or where any document necessary to establish such right has been fraudulently concealed,

the time limited for commencing a suit,

(*a*) against the person guilty of the fraud or accessory thereto, or,

(*b*) against any person claiming through him otherwise than in good faith and for a valuable consideration,

shall be computed from the time when the fraud first became known to the person injuriously affected thereby, or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

20. If a promise or acknowledgment in respect of any property or right has been made in writing signed, either personally or through a duly authorized agent, by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the promise or acknowledgment was so signed.

Effect of acknowledgment in writing.

When the writing containing the promise or acknowledgment is undated, oral evidence may be given of the time when it was signed. But oral evidence of its contents shall not be received unless it has been destroyed wrongfully by the person on whom the promise or acknowledgment would be binding.

EXPLANATION 1.—For the purposes of this section a promise or acknowledgment may be sufficient, though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery or performance has not yet come, or is accompanied by a refusal to pay, deliver or perform or is coupled with a claim to a set-off, or is addressed to any person other than the person entitled to the property or right:

but it must amount to a substantial acknowledgment of liability in respect of the property, or right in question.

EXPLANATION 2.—Nothing in this section renders one of several partners or executors chargeable by reason only of a written promise or acknowledgment signed by another of them.

Illustrations.

Z, a bond-debtor, himself writes a letter promising to pay the debt to his creditor A. Z affixes his seal, but does not sign the letter:

Z pays part of the debt and promises orally to pay the rest:

Z publishes an advertisement, requesting his creditors to bring in their claims for examination:

In none of these cases is the debt taken out of the operation of this Act.

21. When interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy, or by his agent generally or specially authorized in this behalf,

Effect of payment of interest as such.

or when part of the principal of a debt is, before the expiration of the prescribed period, paid by the debtor or by his agent generally or specially authorized in this behalf,

Effect of part-payment of principal.

a new period of limitation, according to the nature of the original liability, shall be computed from the time when the payment was made:

Provided that, in the case of part-payment of principal, the debt has arisen from a contract in writing and the fact of the payment appears in the hand-writing of the person making the same, on the instrument, or in his own books, or in the books of the creditor.

Where mortgaged land is in the possession of the mortgagee, the delivery and receipt of the produce of such land shall be deemed to be a payment for the purpose of this section.

Effect of delivery and receipt of produce of mortgaged land.

22. When, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party:

Effect of substituting or adding new plaintiff or defendant.

Provided that, when a plaintiff dies, and the suit is continued by his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted by the deceased plaintiff:

Proviso where original plaintiff dies.

Provided also, that, when a defendant dies, and the suit is continued against his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted against the deceased defendant.

Proviso where original defendant dies.

23. In the case of a suit for the breach of a contract, where there are successive breaches, a fresh right to sue arises, and a fresh period of limitation begins to run, upon every fresh breach; and where the breach is a continuing breach, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the breach continues.

Computation where there are successive breaches of contract.

Computation where the breach is continuing.

Nothing in the former part of this section applies to suits for the breach of contracts for the payment of money by instalments, where, on default made in payment of one instalment, the whole becomes due.

Illustrations.

(*a*).—A contracts to pay an annuity to B for his life by quarterly instalments. A fails to pay any of the instalments. Here upon every fresh failure, a fresh right to sue arises and a fresh period of limitation begins to run; and this Act may bar the remedy on the earlier breaches without affecting the remedy on the later breaches.

(*b*).—A, a tenant, covenants with B, his landlord, to keep certain buildings in repair. At every moment of the time during which the buildings continue out of repair and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

24. In the case of a continuing wrong independent of contract, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the wrong continues.

Continuing wrong.

Illustration.

A diverts B's watercourse. At every moment of the time during which the diversion continues and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

25. In the case of a suit for compensation for an act lawful in itself which becomes unlawful in case it causes damage, the period of limitation shall be computed from the time when the damage accrues.

Suit for compensation for act becoming unlawful.

Illustration.

A owns the surface of a field. B owns the subsoil. B digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. The period of limitation runs from the time of the subsidence.

26. All instruments shall, for the purposes of this Act, be deemed to be made with reference to the Gregorian calendar.

Computation of time mentioned in instruments.

Illustrations.

(*a*).—A Hindú makes a promissory note bearing a Native date only, and payable four months after date. The period of limitation applicable to a suit on the note runs from the expiry of four months after date computed according to the Gregorian calendar.

(*b*).—A Hindú makes a bond, bearing a Native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiry of one year after date computed according to the Gregorian calendar.

PART IV.

ACQUISITION OF OWNERSHIP BY POSSESSION.

27. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right, without interruption, and for twenty years,

Acquisition of right to easements.

and where any way or watercourse, or the use of any water, or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, way, watercourse, use of water, or other easement, shall be absolute and indefeasible.

Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested.

EXPLANATION.—Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced

in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Illustrations.

(*a*).—A suit is brought in 1871 for obstructing a right of way. The defendant admits the obstruction but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January 1850 to 1st January 1870. The plaintiff is entitled to judgment.

(*b*).—In a like suit also brought in 1871 the plaintiff merely proves that he enjoyed the right in manner aforesaid from 1848 to 1868. The suit shall be dismissed, as no exercise of the right by actual user has been proved to have taken place within two years next before the institution of the suit.

(*c*).—In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had asked his leave to enjoy the right. The suit shall be dismissed.

Exclusion in favour of reversioner of servient tenement.

28. Provided that, when any land or water upon, over, or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term, shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C, a deceased Hindú widow, had a life interest in the land, that on C's death B became entitled to the land, and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

Extinguishment of right to property.

29. At the determination of the period hereby limited to any person for instituting a suit for possession of any property, his right to such property shall be extinguished.

Possession by successive trespassers.

30. Where a series of trespassers adverse to one another and to the rightful owner of any immoveable property or hereditary office take and keep possession thereof for several periods each less than the period so limited, but collectively exceeding such period, the person who is in possession of such property or office when the title of the rightful owner is extinguished shall have a right to such possession.

Nothing in this section shall operate to bar any right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him.

SCHEDULE.

(*See section* 4).

FIRST DIVISION: SUITS.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part I.—Thirty days.	
1.—To contest an award of the Board of Revenue under Act No. XXIII of 1863 (*to provide for the adjudication of claims to waste-lands*).	Thirty days ...	When notice of the award is delivered to the plaintiff.
	Part II.—Ninety days.	
2.—For doing, or for omitting to do, an act in pursuance of any enactment in force for the time being in British India.	Ninety days ...	When the act or omission took place.
	Part III.—Six months.	
3.—Under the Specific Relief Act, 1877, section , to recover possession of immoveable property.	Six months ...	When the dispossession occurs.
4.—Under Act No. IX of 1860 (*to provide for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers*), section one.	Ditto ...	When the wages, hire or price of work claimed accrued due.
5.—Under the Code of Civil Procedure, chapter XXXIX (*Of summary procedure on negotiable instruments*).	Ditto ...	When the instrument sued upon becomes due and payable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year.	
6.—Upon a Statute, Act, Regulation or Bye-law, for a penalty or forfeiture.	One year ...	When the penalty or forfeiture is incurred.
7.—For the wages of a domestic servant, artisan or labourer not provided for by this schedule, No. 4.	Ditto ...	When the wages sued for accrue due.
8.—For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	Ditto ...	When the food or drink is delivered.
9.—For the price of lodging	Ditto ...	When the price becomes payable.
10.—To enforce a right of pre-emption, whether the right is founded on law, or general usage, or on special contract.	Ditto ...	When the purchaser takes actual possession, under the sale sought to be impeached, of the whole of the property sold.
11.—By executors, administrators or representatives under Act No. XII of 1855 (*to enable the executors, administrators or representatives to sue and be sued for certain wrongs*).	Ditto ...	The date of the death of the person wronged.
12.—By executors, administrators or representatives under Act No. XIII of 1855 (*to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong*).	Ditto ...	The date of the death of the person killed.
13.—To set aside any of the following sales:— (*a*) sale in execution of a decree of a Civil Court; (*b*) sale in pursuance of a decree or order of a Collector or other officer of revenue; (*c*) sale for arrears of Government revenue, or for any demand recoverable as such arrears; (*d*) sale of a patní táluq sold for current arrears of rent. *Explanation.*—In this clause 'patní' includes any intermediate tenure saleable for current arrears of rent.	Ditto ...	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
14.—To alter or set aside a decision or order of a Civil court in any proceeding other than a suit.	Ditto ...	The date of the final decision or order in the case by a Court competent to determine it finally.
15.—To set aside any act of an officer of Government in his official capacity, not herein otherwise expressly provided for.	Ditto ...	The date of the act.
16.—Against Government to set aside any attachment, lease or transfer of immoveable property by the revenue authorities for arrears of Government revenue.	Ditto ...	When the attachment, lease or transfer is made.
17.—Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears.	Ditto ...	When the payment is made.
18.—Against Government for compensation for land acquired for public purposes.	Ditto ...	The date of determining the amount of the compensation.
19.—Like suit for compensation when the acquisition is not completed.	Ditto ...	The date of the refusal to complete.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year—continued.	
20.—For false imprisonment	One year ...	When the imprisonment ends.
21.—For any other injury to the person ...	Ditto ...	When the injury is committed.
22.—For a malicious prosecution ...	Ditto ...	When the plaintiff is acquitted, or the prosecution is otherwise terminated.
23.—For libel	Ditto ...	When the libel is published.
24.—For slander	Ditto ...	When the words are spoken.
25.—For loss of service occasioned by the seduction of the plaintiff's servant or daughter.	Ditto ...	When the loss occurs.
26.—For inducing a person to break a contract with the plaintiff.	Ditto ...	The date of the breach.
27.—For an illegal, irregular or excessive distress.	Ditto ...	The date of the distress.
28.—For wrongful seizure of moveable property under legal process.	Ditto ...	The date of the seizure.
	Part V.—Two years.	
29.—For obstructing a way or a watercourse.	Two years ...	The date of the obstruction.
30.—For diverting a watercourse ...	Ditto ...	The date of the diversion.
31.—Against a carrier for losing or injuring goods.	Ditto ...	When the loss or injury occurs.
32.—Against a carrier for delay in delivering goods.	Ditto ...	When the goods ought to be delivered.
33.—Against one who, having a right to use property for specific purposes, perverts it to other purposes.	Ditto ...	When the perversion first becomes known to the person injured thereby.
34.—Under Act No. XII of 1855 (*to enable executors, administrators or representatives to sue and be sued for certain wrongs*) against an executor, administrator or other representative.	Ditto ...	When the wrong complained of is done.
35.—For compensation for any wrong, malfeasance, nonfeasance or misfeasance independent of contract and not herein specially provided for.	Ditto ...	When the wrong is done or the default happens.
36.—For the recovery of a wife ...	Ditto ...	When possession is demanded and refused.
37.—For the restitution of conjugal rights ...	Ditto ...	When restitution is demanded and refused.
	Part VI.—Three years.	
38.—For trespass upon immoveable property.	Three years ...	When the trespass takes place.
39.—For infringing copyright or any other exclusive privilege.	Ditto ...	When the infringement takes place.
40.—To restrain waste	Ditto ...	When the waste was committed.
41.—Under the Indian Succession Act, section 321, to compel a legatee to refund.	Ditto ...	When the legacy was paid.
42.—By a ward who has attained majority, to set aside a sale by his guardian.	Ditto ...	The date of the sale.
43.—To contest an award under any of the following Regulations of the Bengal Code:— VII of 1822, IX of 1825, and IX of 1833.	Ditto ...	The date of the final award or order in the case.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
44.—By a party bound by such award to recover any property comprised therein.	Three years ...	The date of the final award or order in the case.
45.—By any person bound by an order respecting the possession of property made under the Code of Criminal Procedure, chapter XL, or the Bombay Mámlatdárs' Act, or by any one claiming under such person, to recover the property comprised in such order.	Ditto ...	The date of the final order in the case.
46.—For specific moveable property lost, or acquired by theft, or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same.	Ditto ...	When the person, owner of the property, first learns in whose possession it is.
47.—For other specific moveable property, or for compensation for wrongfully taking or injuring or wrongfully detaining the same.	Ditto ...	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
48.—For the hire of animals, vehicles, boats or household furniture.	Ditto ...	When the hire becomes payable.
49.—For the balance of money advanced in payment of goods to be delivered.	Ditto ...	When the goods ought to be delivered.
50.—For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Ditto ...	The date of the delivery of the goods.
51.—For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit.	Ditto ...	The expiry of the period of credit.
52.—For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Ditto ...	When the period of the proposed bill elapses.
53.—For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Ditto ...	The date of the sale.
54.—For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Ditto ...	When the work is done.
55.—For money payable for money lent ...	Ditto ...	When the loan is made.
56.—Like suit when the lender has given a cheque for the money.	Ditto ...	When the cheque is paid.
57.—For money lent under an agreement that it shall be payable on demand.	Ditto ...	When the demand is made.
58.—For money payable to the plaintiff for money paid for the defendant.	Ditto ...	When the money is paid.
59.—For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.	Ditto ...	When the money is received.
60.—For money payable for interest upon money due from the defendant to the plaintiff.	Ditto ...	When the interest becomes due.
61.—For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Ditto ...	When the accounts are stated, unless where the debt is made payable at a future time and then when that time arrives.
62.—For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Ditto ...	At the time specified or upon the contingency happening.
63.—On a single bond where a day is specified for payment.	Ditto ...	The day so specified.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI—Three years—contd.	
64.—On a single bond where no such day is specified.	Three years ...	The date of executing the bond.
65.—On a bond subject to a condition ...	Ditto ...	When the condition is broken.
66.—On a bill of exchange or promissory note payable at a fixed time after date.	Ditto ...	When the bill or note falls due.
67.—On a bill of exchange payable at sight, or after sight, but not at a fixed time.	Ditto ...	When the bill is presented.
68.—On a bill of exchange accepted payable at a particular place.	Ditto ...	When the bill is presented at that place.
69.—On a bill of exchange or promissory note payable at a fixed time after sight or after demand.	Ditto ...	When the fixed time expires.
70.—On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.	Ditto ...	When the demand is made.
71.—On a promissory note or bond payable by instalments.	Ditto ...	The expiration of the first term of payment, as to the part then payable; and, for the other parts, the expiration of the respective terms of payment.
72.—On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one instalment, the whole shall be due.	Ditto ...	The time of the first default, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made.
73.—On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.	Ditto ...	The time of the delivery to the payee.
74.—On a dishonoured foreign bill where protest has been made and notice given.	Ditto ...	When the notice is given.
75.—By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance.	Ditto ...	The date of the refusal to accept.
76.—Suit on a bill of exchange or promissory note not herein expressly provided for.	Ditto ...	When the bill or note becomes payable.
77.—By the acceptor of an accommodation-bill against the drawer.	Ditto ...	When the acceptor pays the amount of the bill.
78.—By a surety against the principal debtor	Ditto ...	When the surety pays the creditor.
79.—By a surety against a co-surety ...	Ditto ...	When the plaintiff pays anything in excess of his own share.
80.—Upon any other contract to indemnify	Ditto ...	When the plaintiff is actually damnified.
81.—By an attorney or vakíl for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid.	Ditto ...	The termination of the suit or business, or (where the attorney or vakíl properly discontinues the suit or business), the date of such discontinuance.
82.—For compensation for injury caused by an injunction wrongfully obtained.	Ditto ...	When the injunction ceases.
83.—For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Ditto ...	The latest date at which any item is entered in the account by or on behalf of the defendant.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
84.—On a policy of insurance when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers.	Three years ...	When proof of the death or loss is given or received, to or by the insurers, whether by or from the plaintiff, or any other person.
85.—By the assured to recover premia paid under a policy voidable at the election of the insurers.	Ditto ...	When the insurers elect to avoid the policy.
86.—Against a factor for an account.	Ditto ...	When the account is demanded, or where no such demand is made, when the agency terminates.
87.—By a principal against his agent for moveable property received by the latter and not accounted for.	Ditto ...	When the account is demanded and refused, or the agency terminates, whichever first happens.
88.—Other suits by principals against agents for neglect or misconduct.	Ditto ...	When the neglect or misconduct becomes known to the plaintiff.
89.—To cancel or set aside an instrument not otherwise provided for.	Ditto ...	When the facts entitling the plaintiff to have instrument cancelled or set aside become known to him.
90.—To declare the forgery of an instrument issued, or registered, or attempted to be enforced against the plaintiff.	Ditto ...	The date of the issue, registration, or attempt, whichever last happens.
91.—For property which the plaintiff has conveyed while insane.	Ditto ...	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
92.—For relief on the ground of fraud ...	Ditto ...	When the fraud becomes known to the party wronged.
93.—To set aside a decree obtained by fraud.	Ditto ...	Ditto.
94.—For relief on the ground of mistake in fact.	Ditto ...	When the mistake becomes known to the plaintiff.
95.—For money paid upon an existing consideration which afterwards fails.	Ditto ...	The date of the failure.
96.—To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Ditto ...	The date of the trustee's death, or, if the loss has not then been occasioned, the date of the loss.
97.—For contribution by a party who has paid the whole amount due under a joint decree, or by a sharer in a joint estate who has paid the whole amount of revenue due from himself and his co-sharers.	Ditto ...	The date of the plaintiff's advance in excess of his own share.
98.—By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.	Ditto ...	When the right to contribution accrues.
99.—For a seaman's wages	Ditto ...	The end of the voyage during which the wages are earned.
100.—By a Muhammadan for exigible dower (*mu'ajjal*).	Ditto ...	When the dower is demanded and refused, or (where during the continuance of the marriage no such demand has been made) when the marriage is dissolved by death or divorce.
101.—By a Muhammadan for deferred dower (*mu'wajjal*).	Ditto ...	When the marriage is dissolved by death or divorce.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
102.—By a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	Three years ...	The date of the receipt.
103.—For an account and a share of the profits of a dissolved partnership.	Ditto ...	The date of the dissolution.
104.—By a Hindú manager of a joint estate for contribution in respect of a payment made by him on account of the estate.	Ditto ...	The date of the payment.
105.—By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.	Ditto ...	When the trees are cut down.
106.—For the profits of immoveable property belonging to the plaintiff wrongfully received by the defendant.	Ditto ...	When the profits are received, or, where the plaintiff has been dispossessed by a decree afterwards set aside on appeal, the date of the decree of the appellate Court.
107.—For arrears of rent	Ditto ...	When the arrears become due.
108.—By a vendor of immoveable property to enforce his lien for unpaid purchase-money.	Ditto ...	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
109.—For a call by a company registered under any Statute or Act.	Ditto ...	When the call is payable.
110.—For specific performance of a contract.	Ditto ...	The date fixed for the performance, or if no such date is fixed, when the plaintiff has notice that his right is denied.
111.—For the rescission of a contract ...	Ditto ...	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
112.—For the breach of any contract, express or implied, not in writing registered, and not herein specially provided for.	Ditto ...	When the contract is broken, or (where there are successive breaches) when the breach sued for occurs, or (where the breach is continuing) when it ceases.
	Part VII.—Six years.	
113.—Upon a foreign judgment as defined in the Code of Civil Procedure.	Six years ...	The date of the judgment.
114.—On a promise or contract in writing registered.	Ditto ...	When the period of limitation would begin to run against a suit brought on a similar promise or contract not registered.
115.—Suit for which no period of limitation is provided elsewhere in this schedule.	Ditto ...	When the right to sue accrues.
	Part VIII.—Twelve years.	
116.—By an auction-purchaser or any one claiming under him to avoid incumbrances or under-tenures in an entire estate sold for arrears of Government revenue, the estate being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
117.—To avoid incumbrances of under-tenures in a *patní táluq* or other saleable tenure sold for arrears of rent, the táluq or tenure being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.
118.—Upon a judgment obtained in British India, or a recognizance.	Ditto ...	The date of the judgment or recognizance.
119.—For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate.	Ditto ...	When the legacy or share becomes payable or deliverable.
120.—For possession of an hereditary office ...	Ditto ...	When the defendant, or some person through whom he claims, took possession of the office adversely to the plaintiff. *Explanation.*—An hereditary office is possessed when the profits thereof are usually received, or (if there are no profits) when the duties thereof are usually performed.
121.—Suit during the life of a Hindú female by a Hindú entitled to the possession of land on her death to have an alienation made by the female declared to be void except for her life.	Ditto ...	The date of the alienation.
122.—By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	Ditto ...	When the alienee takes possession of the property.
123.—By a Hindú excluded from joint-family property to enforce a right to share therein.	Ditto ...	The date of the exclusion.
124.—By a Hindú for arrears of maintenance or for a declaration of his right to maintenance.	Ditto ...	When the arrears are claimed and refused, or the right is denied.
125.—To establish or set aside an adoption ...	Ditto ...	The date of the adoption, or (at the option of the plaintiff) the date of the death of the adoptive father.
126.—For the resumption or assessment of rent-free land.	Ditto ...	When the right to resume or assess the land first accrued: Provided that no such suit shall be maintained where the land forms part of a permanently-settled estate, and has been held rent-free from the time of the Permanent Settlement.
127.—To establish a periodically recurring right.	Ditto ...	When the plaintiff is first refused the enjoyment of the right.
128.—For money charged upon immoveable property. *Explanation.*—The allowance and fees respectively called *málikána* and *haqqs* shall, for the purpose of this clause, be deemed to be money charged upon immoveable property.	Ditto ...	When the money sued for becomes due.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
129.—To recover moveable property conveyed in trust, deposited or pawned and afterwards bought from the trustee, depositary or pawnee, in good faith and for value, as property to which the vendor was absolutely entitled.	Twelve years ...	The date of the purchase.
130.—To recover possession of immoveable property conveyed in trust or mortgaged and afterwards purchased from the trustee or mortgagee, in good faith and for value, as property to which the vendor was absolutely entitled.	Ditto ...	The date of the purchase.
131.—Suit instituted in a Court not established by Royal Charter by a mortgagee for possession of immoveable property mortgaged.	Ditto ...	When the mortgagee is first entitled to possession.
132.—By a purchaser at a private sale for possession of immoveable property sold, when the vendor was out of possession at the date of the sale.	Ditto ...	When the vendor is first entitled to possession.
133.—Like suit by a purchaser at a sale in execution of a decree, when the execution-debtor was out of possession at the date of the sale.	Ditto ...	When the execution-debtor is first entitled to possession.
134.—By a purchaser of land at a sale in execution of a decree, for possession of the purchased land, when he never has had possession.	Ditto ...	The date of the sale.
135.—Like suit when the purchaser had possession, but was afterwards dispossessed.	Ditto ...	The date of the dispossession.
136.—By a landlord to recover possession from a tenant.	Ditto ...	When the tenancy is determined.
137.—By a remainderman, a reversioner (other than a landlord), or a devisee, for possession of immoveable property.	Ditto ...	When his estate falls into possession.
138.—Like suit by a Hindú entitled to the possession of immoveable property on the death of a Hindú female.	Ditto ...	When the female dies.
139.—For possession of immoveable property, when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession.	Ditto ...	The date of the dispossession or discontinuance.
140.—Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition.	Ditto ...	When the forfeiture was incurred or the condition broken.
141.—For possession of immoveable property or any interest therein not hereby otherwise specially provided for.	Ditto ...	When the possession of the defendant, or of some person through whom he claims, became adverse to the plaintiff.
	Part IX.—Thirty years.	
142.—Against a depositary or pawnee to recover moveable property deposited or pawned.	Thirty years.	The date of the deposit or pawn, unless where an acknowledgment of the title of the depositor or pawnor, or of his right of redemption, has before the expiration of the prescribed period been made in writing, signed by the depositary, or pawnee, or some person claiming under him, or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment.
143.—Against a mortgagee to recover possession of immoveable property mortgaged.	Thirty years ...	The date of the mortgage, unless where an acknowledgment of the title of the mortgagor or of his right of redemption has, before the expiration of the prescribed period, been made in writing, signed by the mortgagee or some person claiming under him or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment:
		Provided that all claims to redeem, arising under instruments of mortgage of immoveable property situate in British Burma, which have been executed before the first day of May 1863, shall be governed by the rules of limitation in force in that province immediately before the same day.
144.—Before a Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction by a mortgagee to recover from the mortgagor the possession of immoveable property mortgaged.	Ditto ...	When any part of the principal or interest was last paid on account of the mortgage debt.
145.—Any suit in the name of the Secretary of State for India in Council.	Ditto ...	When the right to sue accrued.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

SECOND DIVISION: APPEALS.

Description of appeals.	Period of limitation.	Time when period begins to run.
146.—Under the Code of Civil Procedure to the Court of a District Judge.	Thirty days ...	The date of the decree or order appealed against.
147.—Under the Code of Criminal Procedure to any Court other than the High Court.	Ditto ...	The date of the sentence or order appealed against.
148.—Under the same Code to the High Court.	Sixty days ...	Ditto.
149.—Under the Code of Civil Procedure to the High Court.	Ninety days ...	The date of the decree or order appealed against.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS.

Description of application.	Period of limitation.	Time when period begins to run.
150.—Under the Code of Civil Procedure to set aside an award.	Ten days ...	When the award is submitted to the Court, and notice of the submission has been given to the persons and in manner prescribed by the High Court.
151.—For an order under section 258 of the same Code compelling a decreeholder to certify payment or adjustment.	Ditto ...	When the payment or adjustment is made.
152.—For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.	Ditto ...	When the plaintiff's assignee or receiver neglects or refuses to continue the suit.
153.—For leave to appear and defend a suit under chapter XXXIX of the same Code.	Ditto ...	When the summons is served.
154.—For an order under section 629 of the same Code restoring to the file a rejected application for review.	Fifteen days ...	When the application for review is rejected.
155.—By a plaintiff for an order to set aside a judgment by default.	Thirty days ...	The date of the judgment.
156.—By a defendant for an order to set aside a judgment *ex parte*.	Ditto ...	The date of executing any process for enforcing the judgment.
157.—Under the Code of Civil Procedure, by a person dispossessed of immoveable property, and disputing the right of the decreeholder to be put into possession.	Ditto ...	The date of the dispossession.
158.—To set aside a sale in execution of a decree, on the ground of irregularity in publishing or conducting the sale.	Ditto ...	The date of the sale.
159.—Complaining of resistance or obstruction to delivery of possession of immoveable property sold in execution of a decree, or of dispossession in the delivery of possession to the purchaser of such property.	Ditto ...	The date of the resistance, obstruction or dispossession.
160.—Under sections 364 or 366 of the Code of Civil Procedure by a person claiming to be the representative of a deceased plaintiff.	Ditto ...	The date of the plaintiff's death.
161.—For re-admission of an appeal dismissed for want of prosecution.	Ditto ...	The date of the dismissal.
162.—By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.	Sixty days ...	The date of the sale.
163.—For leave to appeal as a pauper.	Ninety days ...	The date of the decree appealed against.
164.—To a High Court for the admission of a second appeal.	Ditto ...	Ditto.
165.—For a review of judgment.	Ditto ...	The date of the decree.
166.—For payment of the amount of a decree by instalments.	Six months ...	The date of the decree.
167.—Under the Code of Civil Procedure, that an award be filed in Court.	Ditto ...	The date of the award.
168.—For the execution of a decision (other than a decree or order passed in a regular suit or an appeal) of a Civil Court or of a Revenue Court.	One year ...	The date of the decision or of taking some proceeding to enforce or keep in force the decision.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS—continued.

Description of application.	Period of limitation.	Time when period begins to run.
169.—For the execution of a decree or order of any Civil Court not provided for by No. 172.	Three years ...	1. The date of the decree or order, or 2. (where there has been an appeal) the date of the final decree or order of the Appellate Court, or 3. (where there has been a review of judgment) the date of the decision passed on the review, or 4. (where the application next hereinafter mentioned has been made) the date of applying in accordance with law to the proper Court to enforce, or keep in force, the decree or order, or 5. (where the notice next hereinafter mentioned has been issued) the date of issuing a notice under the Code of Civil Procedure, section 248, or 6. (where the application is to enforce payment of an instalment which the decree directs to be paid at a specified date) the date so specified. *Explanation I.*—Where the decree or order has been passed severally in favour of more persons than one, distinguishing portions of the subject-matter as payable or deliverable to each, the application mentioned in clause 4 of this Number shall take effect in favour only of such of the said persons or their representatives as it may be made by. But when the decree or order has been passed jointly in favour of more persons than one, such application, if made by any one or more of them, or by his or their representatives, shall take effect in favour of them all. Where the decree or order has been passed, severally, against more persons than one, distinguishing portions of the subject-matter as payable or deliverable by each, the application shall take effect against only such of the said persons or their representatives as it may be made against. But where the decree or order has been passed, jointly, against more persons than one, the application, if

SCHEDULE—*concluded.*

THIRD DIVISION: APPLICATIONS—concluded.

Description of application.	Period of limitation.	Time when period begins to run.
		made against any one or more of them, or against his or their representatives, shall take effect against them all. *Explanation II.*—"proper Court" means the Court whose duty it is (whether under sections 227 or 228 of the Code of Civil Procedure or otherwise) to execute the decree or order.
170.—For the execution of any such decree or order of which a certified copy has been registered under the Indian Registration Act.	Six years ...	The date of the decree or order, or (where there has been an appeal) the date of the final decree or order of the Appellate Court, or (where there has been a review of judgment) the date of the decision passed on the review.
171.—To enforce a judgment, decree or order of any Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction, or an order of Her Majesty in Council.	Twelve years ..	When a present right to enforce the judgment, decree or order accrued to some person capable of releasing the right: Provided that when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgment of the right thereto has been given in writing, signed by the person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or acknowledgment, or the latest of such revivors, payments or acknowledgments, as the case may be.

STATEMENT OF OBJECTS AND REASONS.

1. The Limitation Act (IX of 1871) contains, directly or indirectly, numerous references to the Code of Civil Procedure. And therefore the revision of the Code, which the Indian Legislature has resumed and hopes soon to complete, entails the revision of the Limitation Act.

2. The object of the present Bill is primarily to adapt the law of limitation to the revised Code; but the opportunity has been taken to make certain amendments which the experience of nearly six years has shown to be desirable. Of these the following are the principal:—

Preliminary.

3. Titles acquired under the old Limitation Act (XIV of 1859) or the present Act (IX of 1871) will be saved.

'Easement' is defined so as to include what is technically called a profit *à prendre*.

Limitation of Suits, Appeals and Applications.

4. Suits will not be 'instituted' for the purpose of the Act, unless the plaints are stamped in accordance with law.

5. Section 7 has been extended so as to provide for supervenient and successive disabilities.

Computation of Period of Limitation.

6. To section 15 has been added a clause providing for the exclusion of the time during which an applicant has been making a *bond fide* application in a Court unable to grant it.

7. Section 20 (as to the effect of acknowledgments in writing as to debts and legacies) has been extended to promises or acknowledgments in respect of any property or right, and oral evidence of the contents of the writing containing the promise or acknowledgment will not be receivable, unless it has been wrongfully destroyed by the person on whom the promise or acknowledgment would be binding.

8. Section 21 (as to the effect of payment of interest or part-payment of principal) has been made to comprise the case of delivery and receipt of the produce of mortgaged land in the possession of the mortgagee.

9. Section 24 (as to continuing nuisances) has been extended so as to cover all cases of continuing wrongs independent of contract.

Acquisition by Possession of the Ownership of Easements, Land and Hereditary Offices.

10. The exception as to light and air has been struck out of section 28 (as to exclusion in favour of the reversioner of the servient tenement). This exception complicates the law, and the reasons which led to a like exception in the English Prescription Act do not seem to apply to India.

11. Provision has been made in section 30 for the case of a series of trespassers adverse to one another and to the rightful owner of any land or hereditary office, taking and keeping possession thereof for several periods, each less than the period limited by the Act, but collectively exceeding that period. The rule adopted is that the person who is in possession when the title of the rightful owner is extinguished shall have a right to such possession. But the right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him is expressly saved.

The Schedule.

12. The time when the period fixed for the following suits begins to run has been altered as follows:—

No.		
9.	For the price of lodging.	When the price becomes payable.
22 (=23 of Act IX of 1871).	For a malicious prosecution.	When the plaintiff is acquitted or the prosecution is otherwise terminated.
33 (=38 of Act IX).	Against one who, having a right to use property for specific purposes, perverts it to other purposes.	When the perversion first becomes known to the person injured thereby.
46 (=47, 48, of Act IX).	For specific moveable property lost or acquired by theft or dishonest misappropriation or conversion, or for damages for wrongfully taking or detaining the same.	When the owner of the property first learns in whose possession it is.
47 (=26, 33, 34, 35 of Act IX).	For other specific moveable property, or for compensation for taking or injuring or wrongfully detaining the same.	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
83 (=87 of Act IX).	For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	The latest date at which any item is entered in the account by or on behalf of the defendant.
87 (=90 of Act IX).	By a principal against his agent for moveable property received by the latter and not accounted for.	When the account is demanded and refused, or the agency terminates, whichever first happens.
88 (= 91 of Act IX).	Other suits by principals against agents for neglect or misconduct.	When the neglect or misconduct becomes known to the plaintiff.
89 (=92 of Act IX).	To cancel or set aside an instrument not otherwise provided for.	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
109 (=112 of Act IX).	For a call by a company registered under any Statute or Act.	When the call is payable.
111 (=114 of Act IX).	For the rescission of a contract.	When the facts entitling the plaintiff to have the contract rescinded become known to him.
122 (=125 of Act IX).	By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	When the alienee takes possession of the property.
123 (= 127 of Act IX).	By a Hindú excluded from joint family property to enforce a right to share therein.	The date of the exclusion.

13. The period of limitation has been altered in the case of the following suits :—

No.

39 (=11 of Act IX). For infringing copyright or any other exclusive privilege : from one year to three years.

46 (=26 of Act IX). For taking or detaining lost or wrongfully acquired moveable property : from one year to three years.

47 (=48, 49 of Act IX). For wrongfully detaining other moveable property : from two years to three years.

143 (= 148 of Act IX). Against a mortgagee to recover possession of immoveable property mortgaged : from sixty years to thirty years.

144 (= 149 of Act IX). In a Charter Court by a mortgagee to redeem : from sixty years to thirty years.

145. Suits in the name of the Secretary of State in Council : from sixty years to thirty years.

14. The following classes of suits have been specially provided for :—

No.

40. To restrain waste.

41. To compel a legatee to refund.

42. By a ward who has attained majority to set aside a sale by his guardian.

124. By a Hindú for a declaration of his right to maintenance.

15. The following eight applications have also been provided for :—

No.

151. For an order under section 258 of the Code of Civil Procedure [No. IV] compelling a decree-holder to certify payment or adjustment.

152. For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.

153. For leave to appear and defend a summary suit on a negotiable instrument.

154. For an order under section 629 of the Code of Civil Procedure [No. IV] restoring to the file a rejected application for review.

160. Under sections 364 and 366 of the same Code, by a person claiming to be the representative of a deceased plaintiff.

162. By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.

166. For payment of the amount of a decree by instalments.

171. To enforce an order of Her Majesty in Council.

16. On the other hand the Bill omits as useless the following numbers of the schedule to Act IX of 1871 :—

73. By the endorsee of a bill or promissory note against the endorser.

79. By payee against drawer, when the bill has been dishonoured by non-acceptance and afterwards by non-payment.

146. For a declaration of right to an easement.

17. In Nos. 144 and 145, the Bill provides for acknowledgments signed by the agent of a depositary, pawnee, mortgagee or some person claiming under him.

18. Lastly, in No. 169 it explains, in accordance with decided cases, when an application to execute a decree passed in favour of, or against, several persons enures in favour of, or against, them all, and when in favour of, or against, only those by, or against, whom the application is made.

A. HOBHOUSE.

CALCUTTA,
14th February 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 3, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st February 1877, and was referred to a Select Committee :—

No. 5 OF 1877.

THE INDIAN LIMITATION BILL, 1877.

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SCHEDULE.

I. SUITS. II. APPEALS. III. APPLICATIONS.

A Bill for the Limitation of Suits, and for other Purposes.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts; And whereas it is also expedient to provide rules for acquiring by possession the ownership of easements and other property; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. Commencement.

1. This Act may be called 'The Indian Limitation Act, 1877,' and shall come into force on the first day of July 1877.

Extent of Act.

It extends to the whole of British India; but nothing contained in sections two and three or in Parts II and III applies—

(*a*) to suits under the Indian Divorce Act, or

(*b*) to suits under Madras Regulation VI of 1831.

Repeal of Act IX of 1871.

2. Act No. IX of 1871 (*An Act for the Limitation of Suits and for other purposes*) shall be repealed.

But all references to such Act shall be read as if made to this Act; and nothing herein or in that Act contained shall be deemed to affect any title acquired under that Act or under any enactment thereby repealed.

And notwithstanding anything herein contained, any suit mentioned in No. 143, No. 144 or No. 145 of the schedule hereto annexed, may be brought within five years next after the said first day of July 1877, unless where the period prescribed for such suit by the said Act No. IX of 1871 shall have expired before the completion of the said five years.

Interpretation-clause.

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

'minor' means a person who has not completed his age of eighteen years:

'plaintiff' includes also any person from or through whom a plaintiff derives his right to sue:

'easement' includes also a right, not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another, or anything growing in, or attached to, or subsisting upon, the land of another:

'bill of exchange' includes also a hundí:

'trustee' does not include a benámídár, a mortgagee remaining in possession after the mortgage has been satisfied, or a wrong-doer in possession without title:

'suit' does not include an appeal or an application:

'registered' means duly registered under the law for the registration of documents in force at the time and place of executing the document referred to in the context:

'foreign country' means any country other than British India;

and nothing shall be deemed to be done in 'good faith' which is not done with due care and attention.

PART II.

LIMITATION OF SUITS, APPEALS AND APPLICATIONS.

Dismissal of suits, &c., instituted, &c., after period of limitation.

4. Subject to the provisions contained in sections five to twenty-six (inclusive), every suit instituted, appeal presented, and application made after the period of limitation prescribed therefor by the schedule hereto annexed, shall be dismissed, although limitation has not been set up as a defence.

Explanation.—A suit is instituted in ordinary cases when the plaint, stamped in accordance with the law for the time being in force, is presented to the proper officer: in the case of a pauper, when his application for leave to sue as a pauper is filed; and in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

Illustrations.

(*a*).—A suit is instituted after the prescribed period of limitation. Limitation is not set up as a defence and judgment is given for the plaintiff. The defendant appeals. The appellate court must dismiss the suit.

(*b*).—An appeal presented after the prescribed period is admitted and registered. The appeal shall, nevertheless, be dismissed.

Proviso where Court is closed when period expires.

5. If the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, presented or made on the day that the Court re-opens:

Proviso as to appeals and applications for review.

Any appeal or application for a review of judgment may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not presenting the appeal or making the application within such period.

Different periods of limitation prescribed by local laws.

6. When, by any law not mentioned in the schedule hereto annexed and now or hereafter to be in force in any part of British India, a period of limitation differing from that prescribed by this Act is specially prescribed for any suits, appeals or applications, nothing herein contained shall alter the period so prescribed.

Appeals from decrees of High Courts on original side.

And nothing herein contained shall affect the periods of limitation prescribed for appeals from, or applications to review, any decree, order or judgment of a High Court in the exercise of its original jurisdiction.

Legal Disability.

Legal disability.

7. If a person entitled to sue be, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefor in the third column of the schedule hereto annexed.

Double and successive disabilities.

When he is at such time affected by two disabilities, or when before his disability has ceased he is affected by another disability, he may institute the suit within the same period after both disabilities have ceased as would otherwise have been allowed from the time so prescribed.

When his disability continues up to his death, his representative in interest may institute the suit within the same period after the death as would otherwise have been allowed from the time so prescribed.

Disability of representative.

When such representative is at the date of the death affected by any disability, the rules contained in the former part of this section shall apply.

Nothing in this section shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which the suit must be brought.

Illustrations.

(*a*). The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accruer. He may institute his suit at any time within three years from the date of his attaining majority.

(*b*). A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accruer. A has, under the ordinary law, only one year remaining within which to sue. But under this section an extension of two years will be allowed him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(*c*). A right to sue accrues to Z during his minority. After the accrual, but while Z is still a minor, he becomes insane. Time runs against Z from the date when his insanity ceases.

(*d*). A right to sue accrues to X during his minority X dies before attaining majority and is succeeded by Y his minor son. Time runs against Y from the date of his attaining majority.

(*e*). A right to sue for an hereditary office accrues to A, who at the time is insane. Six years after the accrual A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under this section.

(*f*). A right to sue as landlord to recover possession from a tenant accrues to A who is an idiot. A dies three years after the accrual, his idiocy continuing up to the date of his death. A's representative in interest has, under the ordinary law, nine years from the date of A's death within which to bring a suit. This section does not extend that time.

Disability of one joint creditor.

8. When one of several joint creditors or claimants is under any such disability, and when a discharge can be given without the concurrence of such person, time will run against them all: but where no such discharge can be given, time will not run as against any of them until they all are free from disability.

Illustrations.

(*a*) A incurs a debt to a firm of which B, C and D are partners. B is insane and C is a minor. D can give a discharge of the debt without the concurrence of B and C. Time runs against B, C and D.

(*b*) A incurs a debt to the same firm. B and C are insane, and D is a minor. Time will not run against any of them until they are all free from disability.

Continuous running of time.

9. When once time has begun to run, no subsequent disability or inability to sue stops it:

Provided that where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

Suits against express trustees and their representatives.

10. Notwithstanding anything hereinbefore contained, no suit against a person in whom property has become vested in trust for any specific purpose, or against his representatives, for the purpose of following in his or their hands such property, shall be barred by any length of time.

Explanation.—A purchaser in good faith for value from a trustee is not his representative within the meaning of this section.

Suits on foreign contracts.

11. Suits in British India on contracts entered into in a foreign country are subject to the rules prescribed by this Act.

Foreign limitation law.

12. No foreign rule of limitations shall be a defence to a suit in British India on a contract entered into in a foreign country, unless the rule has extinguished the contract, and the parties were domiciled in such country during the period prescribed by such rule.

PART III.

COMPUTATION OF PERIOD OF LIMITATION.

Exclusion of day on which right to sue accrues.

13. In computing the period of limitation prescribed for any suit, the day on which the right to sue accrued shall be excluded.

Exclusion in case of appeals and certain applications.

In computing the period of limitation prescribed for an appeal, an application for leave to appeal as a pauper, an application to the High Court for the admission of a special appeal, and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed against or sought to be reviewed, shall be excluded.

In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

14. In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from British India shall be excluded, unless service of a summons to appear and answer in the suit can, during such absence, be made under the Code of Civil Procedure, section 60.

Exclusion of time of defendant's absence from British India.

15. In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another suit, whether in a Court of first instance or in a Court of appeal, against the same defendant or some person whom he represents, shall be excluded, where the last-mentioned suit is founded upon the same cause of action, and is instituted in good faith in a Court which from defect of jurisdiction, or other cause of a like nature, is unable to try it.

Exclusion of time of suing *bonâ fide* in Court without jurisdiction.

In computing the period of limitation prescribed for any application, the time during which the applicant has been making another application for the same relief, shall be excluded, where the last-mentioned application is made in good faith to a Court which from defect of jurisdiction, or other cause of a like nature, is unable to grant it.

Like exclusion in case of application.

Explanation 1.—In excluding the time during which a former suit or application was pending or being made, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation 2.—A plaintiff resisting an appeal presented on the ground of want of jurisdiction, shall be deemed to be prosecuting a suit within the meaning of this section.

16. In computing the period of limitation prescribed for any suit, the institution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, shall be excluded.

Exclusion of time during which commencement of suit is stayed by injunction.

In computing the period of limitation prescribed for a suit proceedings in which have been stayed by order under the Code of Civil Procedure, section 19, the interval between the institution of the suit and the date of so staying proceedings, and the time requisite for going from the Court in which proceedings are stayed to the Court in which the suit is re-instituted, shall be excluded.

Like exclusion in case of order under Civil Procedure Code, s. 19.

17. In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which the judgment-debtor has been prosecuting a suit to set aside the sale, shall be excluded.

Exclusion of time during which judgment-debtor sues to set aside execution sale.

18. When a person who would, if he were living, have a right to sue, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative in interest of the deceased capable of suing.

Effect of death before right to sue accrues.

When a person against whom, if he were living, a right to sue would have accrued, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative whom the plaintiff may sue.

Nothing in the former part of this section applies to suits for the possession of immoveable property or of an hereditary office.

19. When any person having a right to sue has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded,

Effect of fraud.

or where any document necessary to establish such right has been fraudulently concealed,

the time limited for commencing a suit,

(*a*) against the person guilty of the fraud or accessory thereto, or,

(*b*) against any person claiming through him otherwise than in good faith and for a valuable consideration,

shall be computed from the time when the fraud first became known to the person injuriously affected thereby, or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

20. If a promise or acknowledgment in respect of any property or right has been made in writing signed, either personally or through a duly authorized agent, by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the promise or acknowledgment was so signed.

Effect of acknowledgment in writing.

When the writing containing the promise or acknowledgment is undated, oral evidence may be given of the time when it was signed. But oral evidence of its contents shall not be received unless it has been destroyed wrongfully by the person on whom the promise or acknowledgment would be binding.

EXPLANATION 1.—For the purposes of this section a promise or acknowledgment may be sufficient, though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery or performance has not yet come, or is accompanied by a refusal to pay, deliver or perform or is coupled with a claim to a set-off, or is addressed to any person other than the person entitled to the property or right:

but it must amount to a substantial acknowledgment of liability in respect of the property, or right in question.

EXPLANATION 2.—Nothing in this section renders one of several partners or executors chargeable by reason only of a written promise or acknowledgment signed by another of them.

Illustrations.

Z, a bond-debtor, himself writes a letter promising to pay the debt to his creditor A. Z affixes his seal, but does not sign the letter:

Z pays part of the debt and promises orally to pay the rest:

Z publishes an advertisement, requesting his creditors to bring in their claims for examination:

In none of these cases is the debt taken out of the operation of this Act.

21. When interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy, or by his agent generally or specially authorized in this behalf,

Effect of payment of interest as such.

or when part of the principal of a debt is, before the expiration of the prescribed period, paid by the debtor or by his agent generally or specially authorized in this behalf,

Effect of part-payment of principal.

a new period of limitation, according to the nature of the original liability, shall be computed from the time when the payment was made:

Provided that, in the case of part-payment of principal, the debt has arisen from a contract in writing and the fact of the payment appears in the hand-writing of the person making the same, on the instrument, or in his own books, or in the books of the creditor.

Where mortgaged land is in the possession of the mortgagee, the delivery and receipt of the produce of such land shall be deemed to be a payment for the purpose of this section.

Effect of delivery and receipt of produce of mortgaged land.

22. When, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party:

Effect of substituting or adding new plaintiff or defendant.

Provided that, when a plaintiff dies, and the suit is continued by his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted by the deceased plaintiff:

Proviso where original plaintiff dies.

Provided also, that, when a defendant dies, and the suit is continued against his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted against the deceased defendant.

Proviso where original defendant dies.

23. In the case of a suit for the breach of a contract, where there are successive breaches, a fresh right to sue arises, and a fresh period of limitation begins to run, upon every fresh breach; and where the breach is a continuing breach, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the breach continues.

Computation where there are successive breaches of contract.

Computation where the breach is continuing.

Nothing in the former part of this section applies to suits for the breach of contracts for the payment of money by instalments, where, on default made in payment of one instalment, the whole becomes due.

Illustrations.

(*a*).—A contracts to pay an annuity to B for his life by quarterly instalments. A fails to pay any of the instalments. Here upon every fresh failure, a fresh right to sue arises and a fresh period of limitation begins to run; and this Act may bar the remedy on the earlier breaches without affecting the remedy on the later breaches.

(*b*).—A, a tenant, covenants with B, his landlord, to keep certain buildings in repair. At every moment of the time during which the buildings continue out of repair and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

24. In the case of a continuing wrong independent of contract, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the wrong continues.

Continuing wrong.

Illustration.

A diverts B's watercourse. At every moment of the time during which the diversion continues and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

25. In the case of a suit for compensation for an act lawful in itself which becomes unlawful in case it causes damage, the period of limitation shall be computed from the time when the damage accrues.

Suit for compensation for act becoming unlawful.

Illustration.

A owns the surface of a field. B owns the subsoil. B digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. The period of limitation runs from the time of the subsidence.

26. All instruments shall, for the purposes of this Act, be deemed to be made with reference to the Gregorian calendar.

Computation of time mentioned in instruments.

Illustrations.

(*a*).—A Hindú makes a promissory note bearing a Native date only, and payable four months after date. The period of limitation applicable to a suit on the note runs from the expiry of four months after date computed according to the Gregorian calendar.

(*b*).—A Hindú makes a bond, bearing a Native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiry of one year after date computed according to the Gregorian calendar.

PART IV.

ACQUISITION OF OWNERSHIP BY POSSESSION.

27. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right, without interruption, and for twenty years,

Acquisition of right to easements.

and where any way or watercourse, or the use of any water, or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, way, watercourse, use of water, or other easement, shall be absolute and indefeasible.

Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested.

EXPLANATION.—Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced

in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Illustrations.

(*a*).—A suit is brought in 1871 for obstructing a right of way. The defendant admits the obstruction but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January 1850 to 1st January 1870. The plaintiff is entitled to judgment.

(*b*).—In a like suit also brought in 1871 the plaintiff merely proves that he enjoyed the right in manner aforesaid from 1848 to 1868. The suit shall be dismissed, as no exercise of the right by actual user has been proved to have taken place within two years next before the institution of the suit.

(*c*).—In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had asked his leave to enjoy the right. The suit shall be dismissed.

Exclusion in favour of reversioner of servient tenement.

28. Provided that, when any land or water upon, over, or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term, shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C, a deceased Hindú widow, had a life interest in the land, that on C's death B became entitled to the land, and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

Extinguishment of right to property.

29. At the determination of the period hereby limited to any person for instituting a suit for possession of any property, his right to such property shall be extinguished.

Possession by successive trespassers.

30. Where a series of trespassers adverse to one another and to the rightful owner of any immoveable property or hereditary office take and keep possession thereof for several periods each less than the period so limited, but collectively exceeding such period, the person who is in possession of such property or office when the title of the rightful owner is extinguished shall have a right to such possession.

Nothing in this section shall operate to bar any right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him.

SCHEDULE.

(*See section* 4).

FIRST DIVISION: SUITS.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part I.—Thirty days.	
1.—To contest an award of the Board of Revenue under Act No. XXIII of 1863 (*to provide for the adjudication of claims to waste-lands*).	Thirty days ...	When notice of the award is delivered to the plaintiff.
	Part II.—Ninety days.	
2.—For doing, or for omitting to do, an act in pursuance of any enactment in force for the time being in British India.	Ninety days ...	When the act or omission took place.
	Part III.—Six months.	
3.—Under the Specific Relief Act, 1877, section , to recover possession of immoveable property.	Six months ...	When the dispossession occurs.
4.—Under Act No. IX of 1860 (*to provide for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers*), section one.	Ditto ...	When the wages, hire or price of work claimed accrued due.
5.—Under the Code of Civil Procedure, chapter XXXIX (*Of summary procedure on negotiable instruments*).	Ditto ...	When the instrument sued upon becomes due and payable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year.	
6.—Upon a Statute, Act, Regulation or Bye-law, for a penalty or forfeiture.	One year ...	When the penalty or forfeiture is incurred.
7.—For the wages of a domestic servant, artisan or labourer not provided for by this schedule, No. 4.	Ditto ...	When the wages sued for accrue due.
8.—For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	Ditto ...	When the food or drink is delivered.
9.—For the price of lodging	Ditto ...	When the price becomes payable.
10.—To enforce a right of pre-emption, whether the right is founded on law, or general usage, or on special contract.	Ditto ...	When the purchaser takes actual possession, under the sale sought to be impeached, of the whole of the property sold.
11.—By executors, administrators or representatives under Act No. XII of 1855 (*to enable the executors, administrators or representatives to sue and be sued for certain wrongs*).	Ditto ...	The date of the death of the person wronged.
12.—By executors, administrators or representatives under Act No. XIII of 1855 (*to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong*).	Ditto ...	The date of the death of the person killed.
13.—To set aside any of the following sales:— (*a*) sale in execution of a decree of a Civil Court; (*b*) sale in pursuance of a decree or order of a Collector or other officer of revenue; (*c*) sale for arrears of Government revenue, or for any demand recoverable as such arrears; (*d*) sale of a patní táluq sold for current arrears of rent. *Explanation.*—In this clause 'patní' includes any intermediate tenure saleable for current arrears of rent.	Ditto ...	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
14.—To alter or set aside a decision or order of a Civil court in any proceeding other than a suit.	Ditto ...	The date of the final decision or order in the case by a Court competent to determine it finally.
15.—To set aside any act of an officer of Government in his official capacity, not herein otherwise expressly provided for.	Ditto ...	The date of the act.
16.—Against Government to set aside any attachment, lease or transfer of immoveable property by the revenue authorities for arrears of Government revenue.	Ditto ...	When the attachment, lease or transfer is made.
17.—Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears.	Ditto ...	When the payment is made.
18.—Against Government for compensation for land acquired for public purposes.	Ditto ...	The date of determining the amount of the compensation.
19.—Like suit for compensation when the acquisition is not completed.	Ditto ...	The date of the refusal to complete.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year—continued.	
20.—For false imprisonment	One year ...	When the imprisonment ends.
21.—For any other injury to the person ...	Ditto ...	When the injury is committed.
22.—For a malicious prosecution ...	Ditto ...	When the plaintiff is acquitted, or the prosecution is otherwise terminated.
23.—For libel	Ditto ...	When the libel is published.
24.—For slander	Ditto ...	When the words are spoken.
25.—For loss of service occasioned by the seduction of the plaintiff's servant or daughter.	Ditto ...	When the loss occurs.
26.—For inducing a person to break a contract with the plaintiff.	Ditto ...	The date of the breach.
27.—For an illegal, irregular or excessive distress.	Ditto ...	The date of the distress.
28.—For wrongful seizure of moveable property under legal process.	Ditto ...	The date of the seizure.
	Part V.—Two years.	
29.—For obstructing a way or a watercourse.	Two years ...	The date of the obstruction.
30.—For diverting a watercourse ...	Ditto ...	The date of the diversion.
31.—Against a carrier for losing or injuring goods.	Ditto ...	When the loss or injury occurs.
32.—Against a carrier for delay in delivering goods.	Ditto ...	When the goods ought to be delivered.
33.—Against one who, having a right to use property for specific purposes, perverts it to other purposes.	Ditto ...	When the perversion first becomes known to the person injured thereby.
34.—Under Act No. XII of 1855 (*to enable executors, administrators or representatives to sue and be sued for certain wrongs*) against an executor, administrator or other representative.	Ditto ...	When the wrong complained of is done.
35.—For compensation for any wrong, malfeasance, nonfeasance or misfeasance independent of contract and not herein specially provided for.	Ditto ...	When the wrong is done or the default happens.
36.—For the recovery of a wife ...	Ditto ...	When possession is demanded and refused.
37.—For the restitution of conjugal rights ...	Ditto ...	When restitution is demanded and refused.
	Part VI.—Three years.	
38.—For trespass upon immoveable property.	Three years ...	When the trespass takes place.
39.—For infringing copyright or any other exclusive privilege.	Ditto ...	When the infringement takes place.
40.—To restrain waste	Ditto ...	When the waste was committed.
41.—Under the Indian Succession Act, section 321, to compel a legatee to refund.	Ditto ...	When the legacy was paid.
42.—By a ward who has attained majority, to set aside a sale by his guardian.	Ditto ...	The date of the sale.
43.—To contest an award under any of the following Regulations of the Bengal Code:— VII of 1822, IX of 1825, and IX of 1833.	Ditto ...	The date of the final award or order in the case.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
44.—By a party bound by such award to recover any property comprised therein.	Three years ...	The date of the final award or order in the case.
45.—By any person bound by an order respecting the possession of property made under the Code of Criminal Procedure, chapter XL, or the Bombay Mámlatdárs' Act, or by any one claiming under such person, to recover the property comprised in such order.	Ditto ...	The date of the final order in the case.
46.—For specific moveable property lost, or acquired by theft, or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same.	Ditto ...	When the person, owner of the property, first learns in whose possession it is.
47.—For other specific moveable property, or for compensation for wrongfully taking or injuring or wrongfully detaining the same.	Ditto ...	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
48.—For the hire of animals, vehicles, boats or household furniture.	Ditto ...	When the hire becomes payable.
49.—For the balance of money advanced in payment of goods to be delivered.	Ditto ...	When the goods ought to be delivered.
50.—For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Ditto ...	The date of the delivery of the goods.
51.—For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit.	Ditto ...	The expiry of the period of credit.
52.—For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Ditto ...	When the period of the proposed bill elapses.
53.—For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Ditto ...	The date of the sale.
54.—For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Ditto ...	When the work is done.
55.—For money payable for money lent ...	Ditto ...	When the loan is made.
56.—Like suit when the lender has given a cheque for the money.	Ditto ...	When the cheque is paid.
57.—For money lent under an agreement that it shall be payable on demand.	Ditto ...	When the demand is made.
58.—For money payable to the plaintiff for money paid for the defendant.	Ditto ...	When the money is paid.
59.—For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.	Ditto ...	When the money is received.
60.—For money payable for interest upon money due from the defendant to the plaintiff.	Ditto ...	When the interest becomes due.
61.—For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Ditto ...	When the accounts are stated, unless where the debt is made payable at a future time and then when that time arrives.
62.—For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Ditto ...	At the time specified or upon the contingency happening.
63.—On a single bond where a day is specified for payment.	Ditto ...	The day so specified.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI—Three years—contd.	
64.—On a single bond where no such day is specified.	Three years ...	The date of executing the bond.
65.—On a bond subject to a condition ...	Ditto ...	When the condition is broken.
66.—On a bill of exchange or promissory note payable at a fixed time after date.	Ditto ...	When the bill or note falls due.
67.—On a bill of exchange payable at sight, or after sight, but not at a fixed time.	Ditto ...	When the bill is presented.
68.—On a bill of exchange accepted payable at a particular place.	Ditto ...	When the bill is presented at that place.
69.—On a bill of exchange or promissory note payable at a fixed time after sight or after demand.	Ditto ...	When the fixed time expires.
70.—On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.	Ditto ...	When the demand is made.
71.—On a promissory note or bond payable by instalments.	Ditto ...	The expiration of the first term of payment, as to the part then payable; and, for the other parts, the expiration of the respective terms of payment.
72.—On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one instalment, the whole shall be due.	Ditto ...	The time of the first default, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made.
73.—On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.	Ditto ...	The time of the delivery to the payee.
74.—On a dishonoured foreign bill where protest has been made and notice given.	Ditto ...	When the notice is given.
75.—By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance.	Ditto ...	The date of the refusal to accept.
76.—Suit on a bill of exchange or promissory note not herein expressly provided for.	Ditto ...	When the bill or note becomes payable.
77.—By the acceptor of an accommodation-bill against the drawer.	Ditto ...	When the acceptor pays the amount of the bill.
78.—By a surety against the principal debtor	Ditto ...	When the surety pays the creditor.
79.—By a surety against a co-surety ...	Ditto ...	When the plaintiff pays anything in excess of his own share.
80.—Upon any other contract to indemnify	Ditto ...	When the plaintiff is actually damnified.
81.—By an attorney or vakíl for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid.	Ditto ...	The termination of the suit or business, or (where the attorney or vakíl properly discontinues the suit or business), the date of such discontinuance.
82.—For compensation for injury caused by an injunction wrongfully obtained.	Ditto ...	When the injunction ceases.
83.—For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Ditto ...	The latest date at which any item is entered in the account by or on behalf of the defendant.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
84.—On a policy of insurance when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers.	Three years ...	When proof of the death or loss is given or received, to or by the insurers, whether by or from the plaintiff, or any other person.
85.—By the assured to recover premia paid under a policy voidable at the election of the insurers.	Ditto ...	When the insurers elect to avoid the policy.
86.—Against a factor for an account.	Ditto ...	When the account is demanded, or where no such demand is made, when the agency terminates.
87.—By a principal against his agent for moveable property received by the latter and not accounted for.	Ditto ...	When the account is demanded and refused, or the agency terminates, whichever first happens.
88.—Other suits by principals against agents for neglect or misconduct.	Ditto ...	When the neglect or misconduct becomes known to the plaintiff.
89.—To cancel or set aside an instrument not otherwise provided for.	Ditto ...	When the facts entitling the plaintiff to have instrument cancelled or set aside become known to him.
90.—To declare the forgery of an instrument issued, or registered, or attempted to be enforced against the plaintiff.	Ditto ...	The date of the issue, registration, or attempt, whichever last happens.
91.—For property which the plaintiff has conveyed while insane.	Ditto ...	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
92.—For relief on the ground of fraud ...	Ditto ...	When the fraud becomes known to the party wronged.
93.—To set aside a decree obtained by fraud.	Ditto ...	Ditto.
94.—For relief on the ground of mistake in fact.	Ditto ...	When the mistake becomes known to the plaintiff.
95.—For money paid upon an existing consideration which afterwards fails.	Ditto ...	The date of the failure.
96.—To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Ditto ...	The date of the trustee's death, or, if the loss has not then been occasioned, the date of the loss.
97.—For contribution by a party who has paid the whole amount due under a joint decree, or by a sharer in a joint estate who has paid the whole amount of revenue due from himself and his co-sharers.	Ditto ...	The date of the plaintiff's advance in excess of his own share.
98.—By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.	Ditto ...	When the right to contribution accrues.
99.—For a seaman's wages	Ditto ...	The end of the voyage during which the wages are earned.
100.—By a Muhammadan for exigible dower (*mu'ajjal*).	Ditto ...	When the dower is demanded and refused, or (where during the continuance of the marriage no such demand has been made) when the marriage is dissolved by death or divorce.
101.—By a Muhammadan for deferred dower (*mu'wajjal*).	Ditto ...	When the marriage is dissolved by death or divorce.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
102.—By a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	Three years ...	The date of the receipt.
103.—For an account and a share of the profits of a dissolved partnership.	Ditto ...	The date of the dissolution.
104.—By a Hindú manager of a joint estate for contribution in respect of a payment made by him on account of the estate.	Ditto ...	The date of the payment.
105.—By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.	Ditto ...	When the trees are cut down.
106.—For the profits of immoveable property belonging to the plaintiff wrongfully received by the defendant.	Ditto ...	When the profits are received, or, where the plaintiff has been dispossessed by a decree afterwards set aside on appeal, the date of the decree of the appellate Court.
107.—For arrears of rent	Ditto ...	When the arrears become due.
108.—By a vendor of immoveable property to enforce his lien for unpaid purchase-money.	Ditto ...	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
109.—For a call by a company registered under any Statute or Act.	Ditto ...	When the call is payable.
110.—For specific performance of a contract.	Ditto ...	The date fixed for the performance, or if no such date is fixed, when the plaintiff has notice that his right is denied.
111.—For the rescission of a contract ...	Ditto ...	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
112.—For the breach of any contract, express or implied, not in writing registered, and not herein specially provided for.	Ditto ...	When the contract is broken, or (where there are successive breaches) when the breach sued for occurs, or (where the breach is continuing) when it ceases.
	Part VII.—Six years.	
113.—Upon a foreign judgment as defined in the Code of Civil Procedure.	Six years ...	The date of the judgment.
114.—On a promise or contract in writing registered.	Ditto ...	When the period of limitation would begin to run against a suit brought on a similar promise or contract not registered.
115.—Suit for which no period of limitation is provided elsewhere in this schedule.	Ditto ...	When the right to sue accrues.
	Part VIII.—Twelve years.	
116.—By an auction-purchaser or any one claiming under him to avoid incumbrances or under-tenures in an entire estate sold for arrears of Government revenue, the estate being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
117.—To avoid incumbrances of under-tenures in a *patní táluq* or other saleable tenure sold for arrears of rent, the táluq or tenure being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.
118.—Upon a judgment obtained in British India, or a recognizance.	Ditto ...	The date of the judgment or recognizance.
119.—For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate.	Ditto ...	When the legacy or share becomes payable or deliverable.
120.—For possession of an hereditary office ...	Ditto ...	When the defendant, or some person through whom he claims, took possession of the office adversely to the plaintiff. *Explanation.*—An hereditary office is possessed when the profits thereof are usually received, or (if there are no profits) when the duties thereof are usually performed.
121.—Suit during the life of a Hindú female by a Hindú entitled to the possession of land on her death to have an alienation made by the female declared to be void except for her life.	Ditto ...	The date of the alienation.
122.—By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	Ditto ...	When the alienee takes possession of the property.
123.—By a Hindú excluded from joint-family property to enforce a right to share therein.	Ditto ...	The date of the exclusion.
124.—By a Hindú for arrears of maintenance or for a declaration of his right to maintenance.	Ditto ...	When the arrears are claimed and refused, or the right is denied.
125.—To establish or set aside an adoption ...	Ditto ...	The date of the adoption, or (at the option of the plaintiff) the date of the death of the adoptive father.
126.—For the resumption or assessment of rent-free land.	Ditto ...	When the right to resume or assess the land first accrued: Provided that no such suit shall be maintained where the land forms part of a permanently-settled estate, and has been held rent-free from the time of the Permanent Settlement.
127.—To establish a periodically recurring right.	Ditto ...	When the plaintiff is first refused the enjoyment of the right.
128.—For money charged upon immoveable property. *Explanation.*—The allowance and fees respectively called *málikána* and *haqqs* shall, for the purpose of this clause, be deemed to be money charged upon immoveable property.	Ditto ...	When the money sued for becomes due.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
129.—To recover moveable property conveyed in trust, deposited or pawned and afterwards bought from the trustee, depositary or pawnee, in good faith and for value, as property to which the vendor was absolutely entitled.	Twelve years ...	The date of the purchase.
130.—To recover possession of immoveable property conveyed in trust or mortgaged and afterwards purchased from the trustee or mortgagee, in good faith and for value, as property to which the vendor was absolutely entitled.	Ditto ...	The date of the purchase.
131.—Suit instituted in a Court not established by Royal Charter by a mortgagee for possession of immoveable property mortgaged.	Ditto ...	When the mortgagee is first entitled to possession.
132.—By a purchaser at a private sale for possession of immoveable property sold, when the vendor was out of possession at the date of the sale.	Ditto ...	When the vendor is first entitled to possession.
133.—Like suit by a purchaser at a sale in execution of a decree, when the execution-debtor was out of possession at the date of the sale.	Ditto ...	When the execution-debtor is first entitled to possession.
134.—By a purchaser of land at a sale in execution of a decree, for possession of the purchased land, when he never has had possession.	Ditto ...	The date of the sale.
135.—Like suit when the purchaser had possession, but was afterwards dispossessed.	Ditto ...	The date of the dispossession.
136.—By a landlord to recover possession from a tenant.	Ditto ...	When the tenancy is determined.
137.—By a remainderman, a reversioner (other than a landlord), or a devisee, for possession of immoveable property.	Ditto ...	When his estate falls into possession.
138.—Like suit by a Hindú entitled to the possession of immoveable property on the death of a Hindú female.	Ditto ...	When the female dies.
139.—For possession of immoveable property, when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession.	Ditto ...	The date of the dispossession or discontinuance.
140.—Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition.	Ditto ...	When the forfeiture was incurred or the condition broken.
141.—For possession of immoveable property or any interest therein not hereby otherwise specially provided for.	Ditto ...	When the possession of the defendant, or of some person through whom he claims, became adverse to the plaintiff.
	Part IX.—Thirty years.	
142.—Against a depositary or pawnee to recover moveable property deposited or pawned.	Thirty years.	The date of the deposit or pawn, unless where an acknowledgment of the title of the depositor or pawnor, or of his right of redemption, has before the expiration of the prescribed period been made in writing, signed by the depositary, or pawnee, or some person claiming under him, or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IX—Thirty years—continued.	
143.—Against a mortgagee to recover possession of immoveable property mortgaged.	Thirty years ...	The date of the mortgage, unless where an acknowledgment of the title of the mortgagor or of his right of redemption has, before the expiration of the prescribed period, been made in writing, signed by the mortgagee or some person claiming under him or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment: Provided that all claims to redeem, arising under instruments of mortgage of immoveable property situate in British Burma, which have been executed before the first day of May 1863, shall be governed by the rules of limitation in force in that province immediately before the same day.
144.—Before a Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction by a mortgagee to recover from the mortgagor the possession of immoveable property mortgaged.	Ditto ...	When any part of the principal or interest was last paid on account of the mortgage debt.
145.—Any suit in the name of the Secretary of State for India in Council.	Ditto ...	When the right to sue accrued.

SECOND DIVISION: APPEALS.

Description of appeals.	Period of limitation.	Time when period begins to run.
146.—Under the Code of Civil Procedure to the Court of a District Judge.	Thirty days ...	The date of the decree or order appealed against.
147.—Under the Code of Criminal Procedure to any Court other than the High Court.	Ditto ...	The date of the sentence or order appealed against.
148.—Under the same Code to the High Court.	Sixty days ...	Ditto.
149.—Under the Code of Civil Procedure to the High Court.	Ninety days ...	The date of the decree or order appealed against.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS.

Description of application.	Period of limitation.	Time when period begins to run.
150.—Under the Code of Civil Procedure to set aside an award.	Ten days ...	When the award is submitted to the Court, and notice of the submission has been given to the persons and in manner prescribed by the High Court.
151.—For an order under section 258 of the same Code compelling a decreeholder to certify payment or adjustment.	Ditto ...	When the payment or adjustment is made.
152.—For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.	Ditto ...	When the plaintiff's assignee or receiver neglects or refuses to continue the suit.
153.—For leave to appear and defend a suit under chapter XXXIX of the same Code.	Ditto ...	When the summons is served.
154.—For an order under section 629 of the same Code restoring to the file a rejected application for review.	Fifteen days ...	When the application for review is rejected.
155.—By a plaintiff for an order to set aside a judgment by default.	Thirty days ...	The date of the judgment.
156.—By a defendant for an order to set aside a judgment *ex parte*.	Ditto ...	The date of executing any process for enforcing the judgment.
157.—Under the Code of Civil Procedure, by a person dispossessed of immoveable property, and disputing the right of the decreeholder to be put into possession.	Ditto ...	The date of the dispossession.
158.—To set aside a sale in execution of a decree, on the ground of irregularity in publishing or conducting the sale.	Ditto ...	The date of the sale.
159.—Complaining of resistance or obstruction to delivery of possession of immoveable property sold in execution of a decree, or of dispossession in the delivery of possession to the purchaser of such property.	Ditto ...	The date of the resistance, obstruction or dispossession.
160.—Under sections 364 or 366 of the Code of Civil Procedure by a person claiming to be the representative of a deceased plaintiff.	Ditto ...	The date of the plaintiff's death.
161.—For re-admission of an appeal dismissed for want of prosecution.	Ditto ...	The date of the dismissal.
162.—By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.	Sixty days ...	The date of the sale.
163.—For leave to appeal as a pauper.	Ninety days ...	The date of the decree appealed against.
164.—To a High Court for the admission of a second appeal.	Ditto ...	Ditto.
165.—For a review of judgment.	Ditto ...	The date of the decree.
166.—For payment of the amount of a decree by instalments.	Six months ...	The date of the decree.
167.—Under the Code of Civil Procedure, that an award be filed in Court.	Ditto ...	The date of the award.
168.—For the execution of a decision (other than a decree or order passed in a regular suit or an appeal) of a Civil Court or of a Revenue Court.	One year ...	The date of the decision or of taking some proceeding to enforce or keep in force the decision.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS—continued.

Description of application.	Period of limitation.	Time when period begins to run.
169.—For the execution of a decree or order of any Civil Court not provided for by No. 172.	Three years ...	1. The date of the decree or order, or 2. (where there has been an appeal) the date of the final decree or order of the Appellate Court, or 3. (where there has been a review of judgment) the date of the decision passed on the review, or 4. (where the application next hereinafter mentioned has been made) the date of applying in accordance with law to the proper Court to enforce, or keep in force, the decree or order, or 5. (where the notice next hereinafter mentioned has been issued) the date of issuing a notice under the Code of Civil Procedure, section 248, or 6. (where the application is to enforce payment of an instalment which the decree directs to be paid at a specified date) the date so specified. *Explanation I.*—Where the decree or order has been passed severally in favour of more persons than one, distinguishing portions of the subject-matter as payable or deliverable to each, the application mentioned in clause 4 of this Number shall take effect in favour only of such of the said persons or their representatives as it may be made by. But when the decree or order has been passed jointly in favour of more persons than one, such application, if made by any one or more of them, or by his or their representatives, shall take effect in favour of them all. Where the decree or order has been passed, severally, against more persons than one, distinguishing portions of the subject-matter as payable or deliverable by each, the application shall take effect against only such of the said persons or their representatives as it may be made against. But where the decree or order has been passed, jointly, against more persons than one, the application, if

SCHEDULE—*concluded.*

THIRD DIVISION: APPLICATIONS—concluded.

Description of application.	Period of limitation.	Time when period begins to run.
		made against any one or more of them, or against his or their representatives, shall take effect against them all. *Explanation II.*—"proper Court" means the Court whose duty it is (whether under sections 227 or 228 of the Code of Civil Procedure or otherwise) to execute the decree or order.
170.—For the execution of any such decree or order of which a certified copy has been registered under the Indian Registration Act.	Six years ...	The date of the decree or order, or (where there has been an appeal) the date of the final decree or order of the Appellate Court, or (where there has been a review of judgment) the date of the decision passed on the review.
171.—To enforce a judgment, decree or order of any Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction, or an order of Her Majesty in Council.	Twelve years ...	When a present right to enforce the judgment, decree or order accrued to some person capable of releasing the right: Provided that when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgment of the right thereto has been given in writing, signed by the person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or acknowledgment, or the latest of such revivors, payments or acknowledgments, as the case may be.

STATEMENT OF OBJECTS AND REASONS.

1. The Limitation Act (IX of 1871) contains, directly or indirectly, numerous references to the Code of Civil Procedure. And therefore the revision of the Code, which the Indian Legislature has resumed and hopes soon to complete, entails the revision of the Limitation Act.

2. The object of the present Bill is primarily to adapt the law of limitation to the revised Code; but the opportunity has been taken to make certain amendments which the experience of nearly six years has shown to be desirable. Of these the following are the principal:—

Preliminary.

3. Titles acquired under the old Limitation Act (XIV of 1859) or the present Act (IX of 1871) will be saved.

'Easement' is defined so as to include what is technically called a profit *à prendre*.

Limitation of Suits, Appeals and Applications.

4. Suits will not be 'instituted' for the purpose of the Act, unless the plaints are stamped in accordance with law.

5. Section 7 has been extended so as to provide for supervenient and successive disabilities.

Computation of Period of Limitation.

6. To section 15 has been added a clause providing for the exclusion of the time during which an applicant has been making a *bonâ fide* application in a Court unable to grant it.

7. Section 20 (as to the effect of acknowledgments in writing as to debts and legacies) has been extended to promises or acknowledgments in respect of any property or right, and oral evidence of the contents of the writing containing the promise or acknowledgment will not be receivable, unless it has been wrongfully destroyed by the person on whom the promise or acknowledgment would be binding.

8. Section 21 (as to the effect of payment of interest or part-payment of principal) has been made to comprise the case of delivery and receipt of the produce of mortgaged land in the possession of the mortgagee.

9. Section 24 (as to continuing nuisances) has been extended so as to cover all cases of continuing wrongs independent of contract.

Acquisition by Possession of the Ownership of Easements, Land and Hereditary Offices.

10. The exception as to light and air has been struck out of section 28 (as to exclusion in favour of the reversioner of the servient tenement). This exception complicates the law, and the reasons which led to a like exception in the English Prescription Act do not seem to apply to India.

11. Provision has been made in section 30 for the case of a series of trespassers adverse to one another and to the rightful owner of any land or hereditary office, taking and keeping possession thereof for several periods, each less than the period limited by the Act, but collectively exceeding that period. The rule adopted is that the person who is in possession when the title of the rightful owner is extinguished shall have a right to such possession. But the right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him is expressly saved.

The Schedule.

12. The time when the period fixed for the following suits begins to run has been altered as follows:—

No.		
9.	For the price of lodging.	When the price becomes payable.
22 (=23 of Act IX of 1871).	For a malicious prosecution.	When the plaintiff is acquitted or the prosecution is otherwise terminated.
33 (=38 of Act IX).	Against one who, having a right to use property for specific purposes, perverts it to other purposes.	When the perversion first becomes known to the person injured thereby.
46 (=47, 48, of Act IX).	For specific moveable property lost or acquired by theft or dishonest misappropriation or conversion, or for damages for wrongfully taking or detaining the same.	When the owner of the property first learns in whose possession it is.
47 (=26, 33, 34, 35 of Act IX).	For other specific moveable property, or for compensation for taking or injuring or wrongfully detaining the same.	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
83 (=87 of Act IX).	For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	The latest date at which any item is entered in the account by or on behalf of the defendant.
87 (=90 of Act IX).	By a principal against his agent for moveable property received by the latter and not accounted for.	When the account is demanded and refused, or the agency terminates, whichever first happens.
88 (= 91 of Act IX).	Other suits by principals against agents for neglect or misconduct.	When the neglect or misconduct becomes known to the plaintiff.
89 (=92 of Act IX).	To cancel or set aside an instrument not otherwise provided for.	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
109 (=112 of Act IX).	For a call by a company registered under any Statute or Act.	When the call is payable.
111 (=114 of Act IX).	For the rescission of a contract.	When the facts entitling the plaintiff to have the contract rescinded become known to him.
122 (=125 of Act IX).	By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	When the alienee takes possession of the property.
123 (= 127 of Act IX).	By a Hindú excluded from joint family property to enforce a right to share therein.	The date of the exclusion.

13. The period of limitation has been altered in the case of the following suits :—

No.

39 (=11 of Act IX). For infringing copyright or any other exclusive privilege : from one year to three years.

46 (=26 of Act IX). For taking or detaining lost or wrongfully acquired moveable property : from one year to three years.

47 (=48, 49 of Act IX). For wrongfully detaining other moveable property : from two years to three years.

143 (= 148 of Act IX). Against a mortgagee to recover possession of immoveable property mortgaged : from sixty years to thirty years.

144 (= 149 of Act IX). In a Charter Court by a mortgagee to redeem : from sixty years to thirty years.

145. Suits in the name of the Secretary of State in Council : from sixty years to thirty years.

14. The following classes of suits have been specially provided for :—

No.

40. To restrain waste.

41. To compel a legatee to refund.

42. By a ward who has attained majority to set aside a sale by his guardian.

124. By a Hindú for a declaration of his right to maintenance.

15. The following eight applications have also been provided for :—

No.

151. For an order under section 258 of the Code of Civil Procedure [No. IV] compelling a decree-holder to certify payment or adjustment.

152. For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.

153. For leave to appear and defend a summary suit on a negotiable instrument.

154. For an order under section 629 of the Code of Civil Procedure [No. IV] restoring to the file a rejected application for review.

160. Under sections 364 and 366 of the same Code, by a person claiming to be the representative of a deceased plaintiff.

162. By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.

166. For payment of the amount of a decree by instalments.

171. To enforce an order of Her Majesty in Council.

16. On the other hand the Bill omits as useless the following numbers of the schedule to Act IX of 1871 :—

73. By the endorsee of a bill or promissory note against the endorser.

79. By payee against drawer, when the bill has been dishonoured by non-acceptance and afterwards by non-payment.

146. For a declaration of right to an easement.

17. In Nos. 144 and 145, the Bill provides for acknowledgments signed by the agent of a depositary, pawnee, mortgagee or some person claiming under him.

18. Lastly, in No. 169 it explains, in accordance with decided cases, when an application to execute a decree passed in favour of, or against, several persons enures in favour of, or against, them all, and when in favour of, or against, only those by, or against, whom the application is made.

A. HOBHOUSE.

CALCUTTA,
14th February 1877.

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

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th February 1877 :—

We, the undersigned Members of the Select Committee to which the Bill to restrict the transport of Salt by Sea was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Department of Revenue, Agriculture and Commerce, No. 201C.S., dated 24th July 1874.
" " ditto ditto ditto No. 232C.S., dated 7th July 1875, and enclosures.
" " ditto ditto ditto No. 320C S., dated 23rd Nov. 1876, and enclosures.
" " ditto ditto ditto No. 355, dated 23rd December 1876.
Suggestions by G. H. M. Batten, Esq., dated 8th February 1877.

2. We think that the proposed Act should come into force on the West Coast of India at once, and elsewhere on such day as the Government of India directs.

3. We have saved from the operation of section 2 salt covered by rawánas granted under Madras Regulation I of 1805, section 11, clause 3.

4. We think that the power to stop, search and arrest, given by section 4, should be exercised only by officers who have reason to believe from personal knowledge or from information taken down in writing that salt is being, or has within twenty-four hours been, illegally carried. We have empowered such officers to seize vessels which they have reason to believe to be liable to confiscation under the proposed Act, and cause them to be brought into any British Indian port. We have limited their power to arrest persons without warrant to cases in which salt is actually found on board. We have provided that all salt in respect of which an offence has been committed under the proposed Act shall be liable to confiscation.

5. We have omitted as useless the section as to the summary punishment of offences against the proposed Act.

6. We have transferred the powers given to the Government of India by section 3, clauses (*b*) and (*c*), and section 4, to the Governments of Madras and Bombay, the Lieutenant Governor of Bengal and the Chief Commissioner of British Burma.

7. We recommend that the Bill thus amended be passed. But we think that it has been so altered as to require republication.

T. C. HOPE.
A. HOBHOUSE.
A. J. ARBUTHNOT.
J. R. BULLEN SMITH.
F. R. COCKERELL.
R. A. DALYELL.

I dissent from the first paragraph of section 7 of this Report.

R. A. DALYELL.

Calcutta, 19th February 1877.

No. II.

A Bill to restrict the transport of Salt by Sea.

Preamble. WHEREAS it is expedient to restrict the transport of salt by sea in manner hereinafter appearing; It is hereby enacted as follows :—

Short title. 1. This Act may be called "The Transport of Salt Act, 1877 :"

Extent. It extends to the whole of British India and, further, applies—

(*a*) to all European British subjects of Her Majesty within the territorial jurisdiction of Princes and States in India in alliance with Her Majesty;

(*b*) to all Native Indian subjects of Her Majesty, wherever they may be ;

Commencement. And it shall come into force on the west coast of India at once, and elsewhere on such day as the Governor General in Council may, by notification in the *Gazette of India*, direct in this behalf.

Penalty for carrying salt in certain vessels. 2. When any salt is carried by sea in any vessel other than a vessel of the burden of three hundred tons and upwards, the owner and master of such vessel shall each be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

Exceptions. 3. Nothing in section two applies to—

(*a*) salt covered by a permit granted under section twenty-eight or section thirty-one of the Act of the Governor of Bombay in Council No. VII of 1873, or by a rawána granted under Madras Regulation I of 1805, section eleven, clause third;

(*b*) salt covered by a pass granted by any officer whom the Government may appoint in this behalf;

(*c*) such amount of salt carried on board any vessel for consumption by her crew or by the passengers or animals (if any) on board as the Government may from time to time exempt from the operation of section two.

4. When any officer of Government empowered by the Government, whether by name or office, to act under this section, has reason to believe from personal knowledge or from information taken down in writing, that any salt is being carried, or has within the twenty-four hours next before the requirement first hereinafter mentioned been carried, in any vessel so as to render the owner or master of such vessel liable to the penalties prescribed by section two, he may require such vessel to be brought to, and thereupon may—

Power of stoppage, search and arrest.

(*a*) enter and search the same;

(*b*) require the master of such vessel to produce any documents in his possession relating to such vessel or the cargo thereof;

(*c*) seize such vessel if the said officer has reason to believe it liable to confiscation under this Act, and cause it to be brought with its crew and cargo into any port in British India; and

(*d*) where salt is found on board such vessel, search and arrest without a warrant any person on board the same who such officer has reason to believe is punishable under section two.

5. Any master of a vessel refusing or neglecting to bring to or to produce his papers when required to do so by an officer acting under section four,

Penalties for resisting officer.

and any person obstructing any such officer in the performance of his duty,

may be arrested by such officer without a warrant, and shall be liable to a fine not exceeding one thousand rupees, or to imprisonment for a term which may extend to six months, or to both.

6. Every vessel in which salt is carried in contravention of this Act, the cargo on board such vessel, and all salt in respect of which an offence under this Act has been committed, shall be liable to confiscation.

Confiscation of vessel and cargo.

The confiscation of any vessel under this section shall include her tackle, apparel and furniture.

Confiscations under this section may be adjudged (*a*) by the Chief Customs Authority, or (*b*) by such other officer as the Local Government may from time to time appoint in this behalf.

Whenever any Customs officer is satisfied that any article is liable to confiscation under this section, he may seize such article, and shall at once report the seizure to his superior officer for the information of the Chief Customs Authority, or such other officer as aforesaid, who may, if satisfied on such report, or after making such enquiry as he thinks fit, that the article so seized is liable to confiscation, either declare it to be confiscated or impose a fine in lieu thereof not exceeding the value of the article.

7. For the purpose of the adjudication of penalties under section two or section five, every offence thereunder may be deemed to have been committed within the limits of the jurisdiction of the Magistrate of any place where the offender is found, or to which, if arrested under section four or section five, he may be brought.

Jurisdiction.

8. In this Act 'the Government' means the Governor of Madras in Council, the Governor of Bombay in Council, the Lieutenant Governor of Bengal, or the Chief Commissioner of British Burma.

"Government" defined.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 10, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st February 1877, and was referred to a Select Committee:—

No. 5 OF 1877.

THE INDIAN LIMITATION BILL, 1877.

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SCHEDULE.

I. SUITS. II. APPEALS. III. APPLICATIONS.

A Bill for the Limitation of Suits, and for other Purposes.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts; And whereas it is also expedient to provide rules for acquiring by possession the ownership of easements and other property; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title. Commencement.

1. This Act may be called 'The Indian Limitation Act, 1877,' and shall come into force on the first day of July 1877.

Extent of Act.

It extends to the whole of British India; but nothing contained in sections two and three or in Parts II and III applies—

(*a*) to suits under the Indian Divorce Act, or

(*b*) to suits under Madras Regulation VI of 1831.

Repeal of Act IX of 1871.

2. Act No. IX of 1871 (*An Act for the Limitation of Suits and for other purposes*) shall be repealed.

But all references to such Act shall be read as if made to this Act; and nothing herein or in that Act contained shall be deemed to affect any title acquired under that Act or under any enactment thereby repealed.

And notwithstanding anything herein contained, any suit mentioned in No. 143, No. 144 or No. 145 of the schedule hereto annexed, may be brought within five years next after the said first day of July 1877, unless where the period prescribed for such suit by the said Act No. IX of 1871 shall have expired before the completion of the said five years.

Interpretation-clause.

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

'minor' means a person who has not completed his age of eighteen years:

'plaintiff' includes also any person from or through whom a plaintiff derives his right to sue:

'easement' includes also a right, not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another, or anything growing in, or attached to, or subsisting upon, the land of another:

'bill of exchange' includes also a hundí:

'trustee' does not include a benámídár, a mortgagee remaining in possession after the mortgage has been satisfied, or a wrong-doer in possession without title:

'suit' does not include an appeal or an application:

'registered' means duly registered under the law for the registration of documents in force at the time and place of executing the document referred to in the context:

'foreign country' means any country other than British India;

and nothing shall be deemed to be done in 'good faith' which is not done with due care and attention.

PART II.

LIMITATION OF SUITS, APPEALS AND APPLICATIONS.

Dismissal of suits, &c., instituted, &c., after period of limitation.

4. Subject to the provisions contained in sections five to twenty-six (inclusive), every suit instituted, appeal presented, and application made after the period of limitation prescribed therefor by the schedule hereto annexed, shall be dismissed, although limitation has not been set up as a defence.

Explanation.—A suit is instituted in ordinary cases when the plaint, stamped in accordance with the law for the time being in force, is presented to the proper officer: in the case of a pauper, when his application for leave to sue as a pauper is filed; and in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

Illustrations.

(*a*).—A suit is instituted after the prescribed period of limitation. Limitation is not set up as a defence and judgment is given for the plaintiff. The defendant appeals. The appellate court must dismiss the suit.

(*b*).—An appeal presented after the prescribed period is admitted and registered. The appeal shall, nevertheless, be dismissed.

Proviso where Court is closed when period expires.

5. If the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, presented or made on the day that the Court re-opens:

Proviso as to appeals and applications for review.

Any appeal or application for a review of judgment may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not presenting the appeal or making the application within such period.

Different periods of limitation prescribed by local laws.

6. When, by any law not mentioned in the schedule hereto annexed and now or hereafter to be in force in any part of British India, a period of limitation differing from that prescribed by this Act is specially prescribed for any suits, appeals or applications, nothing herein contained shall alter the period so prescribed.

Appeals from decrees of High Courts on original side.

And nothing herein contained shall affect the periods of limitation prescribed for appeals from, or applications to review, any decree, order or judgment of a High Court in the exercise of its original jurisdiction.

Legal Disability.

Legal disability.

7. If a person entitled to sue be, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefor in the third column of the schedule hereto annexed.

Double and successive disabilities.

When he is at such time affected by two disabilities, or when before his disability has ceased he is affected by another disability, he may institute the suit within the same period after both disabilities have ceased as would otherwise have been allowed from the time so prescribed.

When his disability continues up to his death, his representative in interest may institute the suit within the same period after the death as would otherwise have been allowed from the time so prescribed.

Disability of representative.

When such representative is at the date of the death affected by any disability, the rules contained in the former part of this section shall apply.

Nothing in this section shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which the suit must be brought.

Illustrations.

(*a*). The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accruer. He may institute his suit at any time within three years from the date of his attaining majority.

(*b*). A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accruer. A has, under the ordinary law, only one year remaining within which to sue. But under this section an extension of two years will be allowed him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(*c*). A right to sue accrues to Z during his minority. After the accrual, but while Z is still a minor, he becomes insane. Time runs against Z from the date when his insanity ceases.

(*d*). A right to sue accrues to X during his minority X dies before attaining majority and is succeeded by Y his minor son. Time runs against Y from the date of his attaining majority.

(*e*). A right to sue for an hereditary office accrues to A, who at the time is insane. Six years after the accrual A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under this section.

(*f*). A right to sue as landlord to recover possession from a tenant accrues to A who is an idiot. A dies three years after the accrual, his idiocy continuing up to the date of his death. A's representative in interest has, under the ordinary law, nine years from the date of A's death within which to bring a suit. This section does not extend that time.

Disability of one joint creditor.

8. When one of several joint creditors or claimants is under any such disability, and when a discharge can be given without the concurrence of such person, time will run against them all: but where no such discharge can be given, time will not run as against any of them until they all are free from disability.

Illustrations.

(*a*) A incurs a debt to a firm of which B, C and D are partners. B is insane and C is a minor. D can give a discharge of the debt without the concurrence of B and C. Time runs against B, C and D.

(*b*) A incurs a debt to the same firm. B and C are insane, and D is a minor. Time will not run against any of them until they are all free from disability.

Continuous running of time.

9. When once time has begun to run, no subsequent disability or inability to sue stops it:

Provided that where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

Suits against express trustees and their representatives.

10. Notwithstanding anything hereinbefore contained, no suit against a person in whom property has become vested in trust for any specific purpose, or against his representatives, for the purpose of following in his or their hands such property, shall be barred by any length of time.

Explanation.—A purchaser in good faith for value from a trustee is not his representative within the meaning of this section.

Suits on foreign contracts.

11. Suits in British India on contracts entered into in a foreign country are subject to the rules prescribed by this Act.

Foreign limitation law.

12. No foreign rule of limitations shall be a defence to a suit in British India on a contract entered into in a foreign country, unless the rule has extinguished the contract, and the parties were domiciled in such country during the period prescribed by such rule.

PART III.

COMPUTATION OF PERIOD OF LIMITATION.

Exclusion of day on which right to sue accrues.

13. In computing the period of limitation prescribed for any suit, the day on which the right to sue accrued shall be excluded.

Exclusion in case of appeals and certain applications.

In computing the period of limitation prescribed for an appeal, an application for leave to appeal as a pauper, an application to the High Court for the admission of a special appeal, and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed against or sought to be reviewed, shall be excluded.

In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

14. In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from British India shall be excluded, unless service of a summons to appear and answer in the suit can, during such absence, be made under the Code of Civil Procedure, section 60.

Exclusion of time of defendant's absence from British India.

15. In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another suit, whether in a Court of first instance or in a Court of appeal, against the same defendant or some person whom he represents, shall be excluded, where the last-mentioned suit is founded upon the same cause of action, and is instituted in good faith in a Court which from defect of jurisdiction, or other cause of a like nature, is unable to try it.

Exclusion of time of suing *bonâ fide* in Court without jurisdiction.

In computing the period of limitation prescribed for any application, the time during which the applicant has been making another application for the same relief, shall be excluded, where the last-mentioned application is made in good faith to a Court which from defect of jurisdiction, or other cause of a like nature, is unable to grant it.

Like exclusion in case of application.

Explanation 1.—In excluding the time during which a former suit or application was pending or being made, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation 2.—A plaintiff resisting an appeal presented on the ground of want of jurisdiction, shall be deemed to be prosecuting a suit within the meaning of this section.

16. In computing the period of limitation prescribed for any suit, the institution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, shall be excluded.

Exclusion of time during which commencement of suit is stayed by injunction.

In computing the period of limitation prescribed for a suit proceedings in which have been stayed by order under the Code of Civil Procedure, section 19, the interval between the institution of the suit and the date of so staying proceedings, and the time requisite for going from the Court in which proceedings are stayed to the Court in which the suit is re-instituted, shall be excluded.

Like exclusion in case of order under Civil Procedure Code, s. 19.

17. In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which the judgment-debtor has been prosecuting a suit to set aside the sale, shall be excluded.

Exclusion of time during which judgment-debtor sues to set aside execution sale.

18. When a person who would, if he were living, have a right to sue, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative in interest of the deceased capable of suing.

Effect of death before right to sue accrues.

When a person against whom, if he were living, a right to sue would have accrued, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative whom the plaintiff may sue.

Nothing in the former part of this section applies to suits for the possession of immoveable property or of an hereditary office.

19. When any person having a right to sue has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded,

Effect of fraud.

or where any document necessary to establish such right has been fraudulently concealed,

the time limited for commencing a suit,

(*a*) against the person guilty of the fraud or accessory thereto, or,

(*b*) against any person claiming through him otherwise than in good faith and for a valuable consideration,

shall be computed from the time when the fraud first became known to the person injuriously affected thereby, or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

20. If a promise or acknowledgment in respect of any property or right has been made in writing signed, either personally or through a duly authorized agent, by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the promise or acknowledgment was so signed.

Effect of acknowledgment in writing.

When the writing containing the promise or acknowledgment is undated, oral evidence may be given of the time when it was signed. But oral evidence of its contents shall not be received unless it has been destroyed wrongfully by the person on whom the promise or acknowledgment would be binding.

EXPLANATION 1.—For the purposes of this section a promise or acknowledgment may be sufficient, though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery or performance has not yet come, or is accompanied by a refusal to pay, deliver or perform or is coupled with a claim to a set-off, or is addressed to any person other than the person entitled to the property or right:

but it must amount to a substantial acknowledgment of liability in respect of the property, or right in question.

EXPLANATION 2.—Nothing in this section renders one of several partners or executors chargeable by reason only of a written promise or acknowledgment signed by another of them.

Illustrations.

Z, a bond-debtor, himself writes a letter promising to pay the debt to his creditor A. Z affixes his seal, but does not sign the letter:

Z pays part of the debt and promises orally to pay the rest:

Z publishes an advertisement, requesting his creditors to bring in their claims for examination:

In none of these cases is the debt taken out of the operation of this Act.

21. When interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy, or by his agent generally or specially authorized in this behalf,

Effect of payment of interest as such.

or when part of the principal of a debt is, before the expiration of the prescribed period, paid by the debtor or by his agent generally or specially authorized in this behalf,

Effect of part-payment of principal.

a new period of limitation, according to the nature of the original liability, shall be computed from the time when the payment was made:

Provided that, in the case of part-payment of principal, the debt has arisen from a contract in writing and the fact of the payment appears in the hand-writing of the person making the same, on the instrument, or in his own books, or in the books of the creditor.

Where mortgaged land is in the possession of the mortgagee, the delivery and receipt of the produce of such land shall be deemed to be a payment for the purpose of this section.

Effect of delivery and receipt of produce of mortgaged land.

22. When, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party:

Effect of substituting or adding new plaintiff or defendant.

Provided that, when a plaintiff dies, and the suit is continued by his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted by the deceased plaintiff:

Proviso where original plaintiff dies.

Provided also, that, when a defendant dies, and the suit is continued against his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted against the deceased defendant.

Proviso where original defendant dies.

23. In the case of a suit for the breach of a contract, where there are successive breaches, a fresh right to sue arises, and a fresh period of limitation begins to run, upon every fresh breach; and where the breach is a continuing breach, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the breach continues.

Computation where there are successive breaches of contract.

Computation where the breach is continuing.

Nothing in the former part of this section applies to suits for the breach of contracts for the payment of money by instalments, where, on default made in payment of one instalment, the whole becomes due.

Illustrations.

(*a*).—A contracts to pay an annuity to B for his life by quarterly instalments. A fails to pay any of the instalments. Here upon every fresh failure, a fresh right to sue arises and a fresh period of limitation begins to run; and this Act may bar the remedy on the earlier breaches without affecting the remedy on the later breaches.

(*b*).—A, a tenant, covenants with B, his landlord, to keep certain buildings in repair. At every moment of the time during which the buildings continue out of repair and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

24. In the case of a continuing wrong independent of contract, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the wrong continues.

Continuing wrong.

Illustration.

A diverts B's watercourse. At every moment of the time during which the diversion continues and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

25. In the case of a suit for compensation for an act lawful in itself which becomes unlawful in case it causes damage, the period of limitation shall be computed from the time when the damage accrues.

Suit for compensation for act becoming unlawful.

Illustration.

A owns the surface of a field. B owns the subsoil. B digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. The period of limitation runs from the time of the subsidence.

26. All instruments shall, for the purposes of this Act, be deemed to be made with reference to the Gregorian calendar.

Computation of time mentioned in instruments.

Illustrations.

(*a*).—A Hindú makes a promissory note bearing a Native date only, and payable four months after date. The period of limitation applicable to a suit on the note runs from the expiry of four months after date computed according to the Gregorian calendar.

(*b*).—A Hindú makes a bond, bearing a Native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiry of one year after date computed according to the Gregorian calendar.

PART IV.

ACQUISITION OF OWNERSHIP BY POSSESSION.

27. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right, without interruption, and for twenty years,

Acquisition of right to easements.

and where any way or watercourse, or the use of any water, or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, way, watercourse, use of water, or other easement, shall be absolute and indefeasible.

Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested.

EXPLANATION.—Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced

in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Illustrations.

(*a*).—A suit is brought in 1871 for obstructing a right of way. The defendant admits the obstruction but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January 1850 to 1st January 1870. The plaintiff is entitled to judgment.

(*b*).—In a like suit also brought in 1871 the plaintiff merely proves that he enjoyed the right in manner aforesaid from 1848 to 1868. The suit shall be dismissed, as no exercise of the right by actual user has been proved to have taken place within two years next before the institution of the suit.

(*c*).—In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had asked his leave to enjoy the right. The suit shall be dismissed.

Exclusion in favour of reversioner of servient tenement.

28. Provided that, when any land or water upon, over, or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term, shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C, a deceased Hindú widow, had a life interest in the land, that on C's death B became entitled to the land, and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

Extinguishment of right to property.

29. At the determination of the period hereby limited to any person for instituting a suit for possession of any property, his right to such property shall be extinguished.

Possession by successive trespassers.

30. Where a series of trespassers adverse to one another and to the rightful owner of any immoveable property or hereditary office take and keep possession thereof for several periods each less than the period so limited, but collectively exceeding such period, the person who is in possession of such property or office when the title of the rightful owner is extinguished shall have a right to such possession.

Nothing in this section shall operate to bar any right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him.

SCHEDULE.

(*See section* 4).

FIRST DIVISION: SUITS.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part I.—Thirty days.	
1.—To contest an award of the Board of Revenue under Act No. XXIII of 1863 (*to provide for the adjudication of claims to waste-lands*).	Thirty days ...	When notice of the award is delivered to the plaintiff.
	Part II.—Ninety days.	
2.—For doing, or for omitting to do, an act in pursuance of any enactment in force for the time being in British India.	Ninety days ...	When the act or omission took place.
	Part III.—Six months.	
3.—Under the Specific Relief Act, 1877, section , to recover possession of immoveable property.	Six months ...	When the dispossession occurs.
4.—Under Act No. IX of 1860 (*to provide for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers*), section one.	Ditto ...	When the wages, hire or price of work claimed accrued due.
5.—Under the Code of Civil Procedure, chapter XXXIX (*Of summary procedure on negotiable instruments*).	Ditto ...	When the instrument sued upon becomes due and payable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year.	
6.—Upon a Statute, Act, Regulation or Bye-law, for a penalty or forfeiture.	One year ...	When the penalty or forfeiture is incurred.
7.—For the wages of a domestic servant, artisan or labourer not provided for by this schedule, No. 4.	Ditto ...	When the wages sued for accrue due.
8.—For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	Ditto ...	When the food or drink is delivered.
9.—For the price of lodging	Ditto ...	When the price becomes payable.
10.—To enforce a right of pre-emption, whether the right is founded on law, or general usage, or on special contract.	Ditto ...	When the purchaser takes actual possession, under the sale sought to be impeached, of the whole of the property sold.
11.—By executors, administrators or representatives under Act No. XII of 1855 (*to enable the executors, administrators or representatives to sue and be sued for certain wrongs*).	Ditto ...	The date of the death of the person wronged.
12.—By executors, administrators or representatives under Act No. XIII of 1855 (*to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong*).	Ditto ...	The date of the death of the person killed.
13.—To set aside any of the following sales:— (*a*) sale in execution of a decree of a Civil Court; (*b*) sale in pursuance of a decree or order of a Collector or other officer of revenue; (*c*) sale for arrears of Government revenue, or for any demand recoverable as such arrears; (*d*) sale of a patní táluq sold for current arrears of rent. *Explanation.*—In this clause 'patní' includes any intermediate tenure saleable for current arrears of rent.	Ditto ...	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
14.—To alter or set aside a decision or order of a Civil court in any proceeding other than a suit.	Ditto ...	The date of the final decision or order in the case by a Court competent to determine it finally.
15.—To set aside any act of an officer of Government in his official capacity, not herein otherwise expressly provided for.	Ditto ...	The date of the act.
16.—Against Government to set aside any attachment, lease or transfer of immoveable property by the revenue authorities for arrears of Government revenue.	Ditto ...	When the attachment, lease or transfer is made.
17.—Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears.	Ditto ...	When the payment is made.
18.—Against Government for compensation for land acquired for public purposes.	Ditto ...	The date of determining the amount of the compensation.
19.—Like suit for compensation when the acquisition is not completed.	Ditto ...	The date of the refusal to complete.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part IV.—One year—continued.	
20.—For false imprisonment	One year ...	When the imprisonment ends.
21.—For any other injury to the person ...	Ditto ...	When the injury is committed.
22.—For a malicious prosecution ...	Ditto ...	When the plaintiff is acquitted, or the prosecution is otherwise terminated.
23.—For libel	Ditto ...	When the libel is published.
24.—For slander	Ditto ...	When the words are spoken.
25.—For loss of service occasioned by the seduction of the plaintiff's servant or daughter.	Ditto ...	When the loss occurs.
26.—For inducing a person to break a contract with the plaintiff.	Ditto ...	The date of the breach.
27.—For an illegal, irregular or excessive distress.	Ditto ...	The date of the distress.
28.—For wrongful seizure of moveable property under legal process.	Ditto ...	The date of the seizure.
	Part V.—Two years.	
29.—For obstructing a way or a watercourse.	Two years ...	The date of the obstruction.
30.—For diverting a watercourse ...	Ditto ...	The date of the diversion.
31.—Against a carrier for losing or injuring goods.	Ditto ...	When the loss or injury occurs.
32.—Against a carrier for delay in delivering goods.	Ditto ...	When the goods ought to be delivered.
33.—Against one who, having a right to use property for specific purposes, perverts it to other purposes.	Ditto ...	When the perversion first becomes known to the person injured thereby.
34.—Under Act No. XII of 1855 (*to enable executors, administrators or representatives to sue and be sued for certain wrongs*) against an executor, administrator or other representative.	Ditto ...	When the wrong complained of is done.
35.—For compensation for any wrong, malfeasance, nonfeasance or misfeasance independent of contract and not herein specially provided for.	Ditto ...	When the wrong is done or the default happens.
36.—For the recovery of a wife ...	Ditto ...	When possession is demanded and refused.
37.—For the restitution of conjugal rights ...	Ditto ...	When restitution is demanded and refused.
	Part VI.—Three years.	
38.—For trespass upon immoveable property.	Three years ...	When the trespass takes place.
39.—For infringing copyright or any other exclusive privilege.	Ditto ...	When the infringement takes place.
40.—To restrain waste	Ditto ...	When the waste was committed.
41.—Under the Indian Succession Act, section 321, to compel a legatee to refund.	Ditto ...	When the legacy was paid.
42.—By a ward who has attained majority, to set aside a sale by his guardian.	Ditto ...	The date of the sale.
43.—To contest an award under any of the following Regulations of the Bengal Code:— VII of 1822, IX of 1825, and IX of 1833.	Ditto ...	The date of the final award or order in the case.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
44.—By a party bound by such award to recover any property comprised therein.	Three years ...	The date of the final award or order in the case.
45.—By any person bound by an order respecting the possession of property made under the Code of Criminal Procedure, chapter XL, or the Bombay Mámlatdárs' Act, or by any one claiming under such person, to recover the property comprised in such order.	Ditto ...	The date of the final order in the case.
46.—For specific moveable property lost, or acquired by theft, or dishonest misappropriation or conversion; or for compensation for wrongfully taking or detaining the same.	Ditto ...	When the person, owner of the property, first learns in whose possession it is.
47.—For other specific moveable property, or for compensation for wrongfully taking or injuring or wrongfully detaining the same.	Ditto ...	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
48.—For the hire of animals, vehicles, boats or household furniture.	Ditto ...	When the hire becomes payable.
49.—For the balance of money advanced in payment of goods to be delivered.	Ditto ...	When the goods ought to be delivered.
50.—For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Ditto ...	The date of the delivery of the goods.
51.—For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit.	Ditto ...	The expiry of the period of credit.
52.—For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Ditto ...	When the period of the proposed bill elapses.
53.—For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Ditto ...	The date of the sale.
54.—For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Ditto ...	When the work is done.
55.—For money payable for money lent ...	Ditto ...	When the loan is made.
56.—Like suit when the lender has given a cheque for the money.	Ditto ...	When the cheque is paid.
57.—For money lent under an agreement that it shall be payable on demand.	Ditto ...	When the demand is made.
58.—For money payable to the plaintiff for money paid for the defendant.	Ditto ...	When the money is paid.
59.—For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.	Ditto ...	When the money is received.
60.—For money payable for interest upon money due from the defendant to the plaintiff.	Ditto ...	When the interest becomes due.
61.—For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Ditto ...	When the accounts are stated, unless where the debt is made payable at a future time and then when that time arrives.
62.—For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Ditto ...	At the time specified or upon the contingency happening.
63.—On a single bond where a day is specified for payment.	Ditto ...	The day so specified.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI—Three years—contd.	
64.—On a single bond where no such day is specified.	Three years ...	The date of executing the bond.
65.—On a bond subject to a condition ...	Ditto ...	When the condition is broken.
66.—On a bill of exchange or promissory note payable at a fixed time after date.	Ditto ...	When the bill or note falls due.
67.—On a bill of exchange payable at sight, or after sight, but not at a fixed time.	Ditto ...	When the bill is presented.
68.—On a bill of exchange accepted payable at a particular place.	Ditto ...	When the bill is presented at that place.
69.—On a bill of exchange or promissory note payable at a fixed time after sight or after demand.	Ditto ...	When the fixed time expires.
70.—On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.	Ditto ...	When the demand is made.
71.—On a promissory note or bond payable by instalments.	Ditto ...	The expiration of the first term of payment, as to the part then payable; and, for the other parts, the expiration of the respective terms of payment.
72.—On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one instalment, the whole shall be due.	Ditto ...	The time of the first default, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made.
73.—On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.	Ditto ...	The time of the delivery to the payee.
74.—On a dishonoured foreign bill where protest has been made and notice given.	Ditto ...	When the notice is given.
75.—By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance.	Ditto ...	The date of the refusal to accept.
76.—Suit on a bill of exchange or promissory note not herein expressly provided for.	Ditto ...	When the bill or note becomes payable.
77.—By the acceptor of an accommodation-bill against the drawer.	Ditto ...	When the acceptor pays the amount of the bill.
78.—By a surety against the principal debtor	Ditto ...	When the surety pays the creditor.
79.—By a surety against a co-surety ...	Ditto ...	When the plaintiff pays anything in excess of his own share.
80.—Upon any other contract to indemnify	Ditto ...	When the plaintiff is actually damnified.
81.—By an attorney or vakíl for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid.	Ditto ...	The termination of the suit or business, or (where the attorney or vakíl properly discontinues the suit or business), the date of such discontinuance.
82.—For compensation for injury caused by an injunction wrongfully obtained.	Ditto ...	When the injunction ceases.
83.—For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Ditto ...	The latest date at which any item is entered in the account by or on behalf of the defendant.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
84.—On a policy of insurance when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers.	Three years ...	When proof of the death or loss is given or received, to or by the insurers, whether by or from the plaintiff, or any other person.
85.—By the assured to recover premia paid under a policy voidable at the election of the insurers.	Ditto ...	When the insurers elect to avoid the policy.
86.—Against a factor for an account.	Ditto ...	When the account is demanded, or where no such demand is made, when the agency terminates.
87.—By a principal against his agent for moveable property received by the latter and not accounted for.	Ditto ...	When the account is demanded and refused, or the agency terminates, whichever first happens.
88.—Other suits by principals against agents for neglect or misconduct.	Ditto ...	When the neglect or misconduct becomes known to the plaintiff.
89.—To cancel or set aside an instrument not otherwise provided for.	Ditto ...	When the facts entitling the plaintiff to have instrument cancelled or set aside become known to him.
90.—To declare the forgery of an instrument issued, or registered, or attempted to be enforced against the plaintiff.	Ditto ...	The date of the issue, registration, or attempt, whichever last happens.
91.—For property which the plaintiff has conveyed while insane.	Ditto ...	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
92.—For relief on the ground of fraud ...	Ditto ...	When the fraud becomes known to the party wronged.
93.—To set aside a decree obtained by fraud.	Ditto ...	Ditto.
94.—For relief on the ground of mistake in fact.	Ditto ...	When the mistake becomes known to the plaintiff.
95.—For money paid upon an existing consideration which afterwards fails.	Ditto ...	The date of the failure.
96.—To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Ditto ...	The date of the trustee's death, or, if the loss has not then been occasioned, the date of the loss.
97.—For contribution by a party who has paid the whole amount due under a joint decree, or by a sharer in a joint estate who has paid the whole amount of revenue due from himself and his co-sharers.	Ditto ...	The date of the plaintiff's advance in excess of his own share.
98.—By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.	Ditto ...	When the right to contribution accrues.
99.—For a seaman's wages	Ditto ...	The end of the voyage during which the wages are earned.
100.—By a Muhammadan for exigible dower (*mu'ajjal*).	Ditto ...	When the dower is demanded and refused, or (where during the continuance of the marriage no such demand has been made) when the marriage is dissolved by death or divorce.
101.—By a Muhammadan for deferred dower (*mu'wajjal*).	Ditto ...	When the marriage is dissolved by death or divorce.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VI.—Three years—contd.	
102.—By a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	Three years ...	The date of the receipt.
103.—For an account and a share of the profits of a dissolved partnership.	Ditto ...	The date of the dissolution.
104.—By a Hindú manager of a joint estate for contribution in respect of a payment made by him on account of the estate.	Ditto ...	The date of the payment.
105.—By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.	Ditto ...	When the trees are cut down.
106.—For the profits of immoveable property belonging to the plaintiff wrongfully received by the defendant.	Ditto ...	When the profits are received, or, where the plaintiff has been dispossessed by a decree afterwards set aside on appeal, the date of the decree of the appellate Court.
107.—For arrears of rent	Ditto ...	When the arrears become due.
108.—By a vendor of immoveable property to enforce his lien for unpaid purchase-money.	Ditto ...	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
109.—For a call by a company registered under any Statute or Act.	Ditto ...	When the call is payable.
110.—For specific performance of a contract.	Ditto ...	The date fixed for the performance, or if no such date is fixed, when the plaintiff has notice that his right is denied.
111.—For the rescission of a contract ...	Ditto ...	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
112.—For the breach of any contract, express or implied, not in writing registered, and not herein specially provided for.	Ditto ...	When the contract is broken, or (where there are successive breaches) when the breach sued for occurs, or (where the breach is continuing) when it ceases.
	Part VII.—Six years.	
113.—Upon a foreign judgment as defined in the Code of Civil Procedure.	Six years ...	The date of the judgment.
114.—On a promise or contract in writing registered.	Ditto ...	When the period of limitation would begin to run against a suit brought on a similar promise or contract not registered.
115.—Suit for which no period of limitation is provided elsewhere in this schedule.	Ditto ...	When the right to sue accrues.
	Part VIII.—Twelve years.	
116.—By an auction-purchaser or any one claiming under him to avoid incumbrances or under-tenures in an entire estate sold for arrears of Government revenue, the estate being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
117.—To avoid incumbrances of under-tenures in a *patní táluq* or other saleable tenure sold for arrears of rent, the táluq or tenure being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.
118.—Upon a judgment obtained in British India, or a recognizance.	Ditto ...	The date of the judgment or recognizance.
119.—For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate.	Ditto ...	When the legacy or share becomes payable or deliverable.
120.—For possession of an hereditary office ...	Ditto ...	When the defendant, or some person through whom he claims, took possession of the office adversely to the plaintiff. *Explanation.*—An hereditary office is possessed when the profits thereof are usually received, or (if there are no profits) when the duties thereof are usually performed.
121.—Suit during the life of a Hindú female by a Hindú entitled to the possession of land on her death to have an alienation made by the female declared to be void except for her life.	Ditto ...	The date of the alienation.
122.—By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	Ditto ...	When the alienee takes possession of the property.
123.—By a Hindú excluded from joint-family property to enforce a right to share therein.	Ditto ...	The date of the exclusion.
124.—By a Hindú for arrears of maintenance or for a declaration of his right to maintenance.	Ditto ...	When the arrears are claimed and refused, or the right is denied.
125.—To establish or set aside an adoption ...	Ditto ...	The date of the adoption, or (at the option of the plaintiff) the date of the death of the adoptive father.
126.—For the resumption or assessment of rent-free land.	Ditto ...	When the right to resume or assess the land first accrued: Provided that no such suit shall be maintained where the land forms part of a permanently-settled estate, and has been held rent-free from the time of the Permanent Settlement.
127.—To establish a periodically recurring right.	Ditto ...	When the plaintiff is first refused the enjoyment of the right.
128.—For money charged upon immoveable property. *Explanation.*—The allowance and fees respectively called *málikána* and *haqqs* shall, for the purpose of this clause, be deemed to be money charged upon immoveable property.	Ditto ...	When the money sued for becomes due.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time when period begins to run.
	Part VIII.—Twelve years—continued.	
129.—To recover moveable property conveyed in trust, deposited or pawned and afterwards bought from the trustee, depositary or pawnee, in good faith and for value, as property to which the vendor was absolutely entitled.	Twelve years ...	The date of the purchase.
130.—To recover possession of immoveable property conveyed in trust or mortgaged and afterwards purchased from the trustee or mortgagee, in good faith and for value, as property to which the vendor was absolutely entitled.	Ditto ...	The date of the purchase.
131.—Suit instituted in a Court not established by Royal Charter by a mortgagee for possession of immoveable property mortgaged.	Ditto ...	When the mortgagee is first entitled to possession.
132.—By a purchaser at a private sale for possession of immoveable property sold, when the vendor was out of possession at the date of the sale.	Ditto ...	When the vendor is first entitled to possession.
133.—Like suit by a purchaser at a sale in execution of a decree, when the execution-debtor was out of possession at the date of the sale.	Ditto ...	When the execution-debtor is first entitled to possession.
134.—By a purchaser of land at a sale in execution of a decree, for possession of the purchased land, when he never has had possession.	Ditto ...	The date of the sale.
135.—Like suit when the purchaser had possession, but was afterwards dispossessed.	Ditto ...	The date of the dispossession.
136.—By a landlord to recover possession from a tenant.	Ditto ...	When the tenancy is determined.
137.—By a remainderman, a reversioner (other than a landlord), or a devisee, for possession of immoveable property.	Ditto ...	When his estate falls into possession.
138.—Like suit by a Hindú entitled to the possession of immoveable property on the death of a Hindú female.	Ditto ...	When the female dies.
139.—For possession of immoveable property, when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession.	Ditto ...	The date of the dispossession or discontinuance.
140.—Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition.	Ditto ...	When the forfeiture was incurred or the condition broken.
141.—For possession of immoveable property or any interest therein not hereby otherwise specially provided for.	Ditto ...	When the possession of the defendant, or of some person through whom he claims, became adverse to the plaintiff.
	Part IX.—Thirty years.	
142.—Against a depositary or pawnee to recover moveable property deposited or pawned.	Thirty years.	The date of the deposit or pawn, unless where an acknowledgment of the title of the depositor or pawnor, or of his right of redemption, has before the expiration of the prescribed period been made in writing, signed by the depositary, or pawnee, or some person claiming under him, or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment.
143.—Against a mortgagee to recover possession of immoveable property mortgaged.	Thirty years ...	The date of the mortgage, unless where an acknowledgment of the title of the mortgagor or of his right of redemption has, before the expiration of the prescribed period, been made in writing, signed by the mortgagee or some person claiming under him or by his agent generally or specially authorized in this behalf, and, in such case, the date of the acknowledgment: Provided that all claims to redeem, arising under instruments of mortgage of immoveable property situate in British Burma, which have been executed before the first day of May 1863, shall be governed by the rules of limitation in force in that province immediately before the same day.
144.—Before a Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction by a mortgagee to recover from the mortgagor the possession of immoveable property mortgaged.	Ditto ...	When any part of the principal or interest was last paid on account of the mortgage debt.
145.—Any suit in the name of the Secretary of State for India in Council.	Ditto ...	When the right to sue accrued.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

SECOND DIVISION: APPEALS.

Description of appeals.	Period of limitation.	Time when period begins to run.
146.—Under the Code of Civil Procedure to the Court of a District Judge.	Thirty days ...	The date of the decree or order appealed against.
147.—Under the Code of Criminal Procedure to any Court other than the High Court.	Ditto ...	The date of the sentence or order appealed against.
148.—Under the same Code to the High Court.	Sixty days ...	Ditto.
149.—Under the Code of Civil Procedure to the High Court.	Ninety days ...	The date of the decree or order appealed against.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS.

Description of application.	Period of limitation.	Time when period begins to run.
150.—Under the Code of Civil Procedure to set aside an award.	Ten days ...	When the award is submitted to the Court, and notice of the submission has been given to the persons and in manner prescribed by the High Court.
151.—For an order under section 258 of the same Code compelling a decreeholder to certify payment or adjustment.	Ditto ...	When the payment or adjustment is made.
152.—For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.	Ditto ...	When the plaintiff's assignee or receiver neglects or refuses to continue the suit.
153.—For leave to appear and defend a suit under chapter XXXIX of the same Code.	Ditto ...	When the summons is served.
154.—For an order under section 629 of the same Code restoring to the file a rejected application for review.	Fifteen days ...	When the application for review is rejected.
155.—By a plaintiff for an order to set aside a judgment by default.	Thirty days ...	The date of the judgment.
156.—By a defendant for an order to set aside a judgment *ex parte*.	Ditto ...	The date of executing any process for enforcing the judgment.
157.—Under the Code of Civil Procedure, by a person dispossessed of immoveable property, and disputing the right of the decreeholder to be put into possession.	Ditto ...	The date of the dispossession.
158.—To set aside a sale in execution of a decree, on the ground of irregularity in publishing or conducting the sale.	Ditto ...	The date of the sale.
159.—Complaining of resistance or obstruction to delivery of possession of immoveable property sold in execution of a decree, or of dispossession in the delivery of possession to the purchaser of such property.	Ditto ...	The date of the resistance, obstruction or dispossession.
160.—Under sections 364 or 366 of the Code of Civil Procedure by a person claiming to be the representative of a deceased plaintiff.	Ditto ...	The date of the plaintiff's death.
161.—For re-admission of an appeal dismissed for want of prosecution.	Ditto ...	The date of the dismissal.
162.—By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.	Sixty days ...	The date of the sale.
163.—For leave to appeal as a pauper.	Ninety days ...	The date of the decree appealed against.
164.—To a High Court for the admission of a second appeal.	Ditto ...	Ditto.
165.—For a review of judgment.	Ditto ...	The date of the decree.
166.—For payment of the amount of a decree by instalments.	Six months ...	The date of the decree.
167.—Under the Code of Civil Procedure, that an award be filed in Court.	Ditto ...	The date of the award.
168.—For the execution of a decision (other than a decree or order passed in a regular suit or an appeal) of a Civil Court or of a Revenue Court.	One year ...	The date of the decision or of taking some proceeding to enforce or keep in force the decision.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS—continued.

Description of application.	Period of limitation.	Time when period begins to run.
169.—For the execution of a decree or order of any Civil Court not provided for by No. 172.	Three years ...	1. The date of the decree or order, or 2. (where there has been an appeal) the date of the final decree or order of the Appellate Court, or 3. (where there has been a review of judgment) the date of the decision passed on the review, or 4. (where the application next hereinafter mentioned has been made) the date of applying in accordance with law to the proper Court to enforce, or keep in force, the decree or order, or 5. (where the notice next hereinafter mentioned has been issued) the date of issuing a notice under the Code of Civil Procedure, section 248, or 6. (where the application is to enforce payment of an instalment which the decree directs to be paid at a specified date) the date so specified. *Explanation I.*—Where the decree or order has been passed severally in favour of more persons than one, distinguishing portions of the subject-matter as payable or deliverable to each, the application mentioned in clause 4 of this Number shall take effect in favour only of such of the said persons or their representatives as it may be made by. But when the decree or order has been passed jointly in favour of more persons than one, such application, if made by any one or more of them, or by his or their representatives, shall take effect in favour of them all. Where the decree or order has been passed, severally, against more persons than one, distinguishing portions of the subject-matter as payable or deliverable by each, the application shall take effect against only such of the said persons or their representatives as it may be made against. But where the decree or order has been passed, jointly, against more persons than one, the application, if

SCHEDULE—*concluded.*

THIRD DIVISION: APPLICATIONS—concluded.

Description of application.	Period of limitation.	Time when period begins to run.
		made against any one or more of them, or against his or their representatives, shall take effect against them all. *Explanation II.*—"proper Court" means the Court whose duty it is (whether under sections 227 or 228 of the Code of Civil Procedure or otherwise) to execute the decree or order.
170.—For the execution of any such decree or order of which a certified copy has been registered under the Indian Registration Act.	Six years ...	The date of the decree or order, or (where there has been an appeal) the date of the final decree or order of the Appellate Court, or (where there has been a review of judgment) the date of the decision passed on the review.
171.—To enforce a judgment, decree or order of any Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction, or an order of Her Majesty in Council.	Twelve years ...	When a present right to enforce the judgment, decree or order accrued to some person capable of releasing the right: Provided that when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgment of the right thereto has been given in writing, signed by the person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or acknowledgment, or the latest of such revivors, payments or acknowledgments, as the case may be.

STATEMENT OF OBJECTS AND REASONS.

1. The Limitation Act (IX of 1871) contains, directly or indirectly, numerous references to the Code of Civil Procedure. And therefore the revision of the Code, which the Indian Legislature has resumed and hopes soon to complete, entails the revision of the Limitation Act.

2. The object of the present Bill is primarily to adapt the law of limitation to the revised Code; but the opportunity has been taken to make certain amendments which the experience of nearly six years has shown to be desirable. Of these the following are the principal:—

Preliminary.

3. Titles acquired under the old Limitation Act (XIV of 1859) or the present Act (IX of 1871) will be saved.

'Easement' is defined so as to include what is technically called a profit *à prendre.*

Limitation of Suits, Appeals and Applications.

4. Suits will not be 'instituted' for the purpose of the Act, unless the plaints are stamped in accordance with law.

5. Section 7 has been extended so as to provide for supervenient and successive disabilities.

Computation of Period of Limitation.

6. To section 15 has been added a clause providing for the exclusion of the time during which an applicant has been making a *bonâ fide* application in a Court unable to grant it.

7. Section 20 (as to the effect of acknowledgments in writing as to debts and legacies) has been extended to promises or acknowledgments in respect of any property or right, and oral evidence of the contents of the writing containing the promise or acknowledgment will not be receivable, unless it has been wrongfully destroyed by the person on whom the promise or acknowledgment would be binding.

8. Section 21 (as to the effect of payment of interest or part-payment of principal) has been made to comprise the case of delivery and receipt of the produce of mortgaged land in the possession of the mortgagee.

9. Section 24 (as to continuing nuisances) has been extended so as to cover all cases of continuing wrongs independent of contract.

Acquisition by Possession of the Ownership of Easements, Land and Hereditary Offices.

10. The exception as to light and air has been struck out of section 28 (as to exclusion in favour of the reversioner of the servient tenement). This exception complicates the law, and the reasons which led to a like exception in the English Prescription Act do not seem to apply to India.

11. Provision has been made in section 30 for the case of a series of trespassers adverse to one another and to the rightful owner of any land or hereditary office, taking and keeping possession thereof for several periods, each less than the period limited by the Act, but collectively exceeding that period. The rule adopted is that the person who is in possession when the title of the rightful owner is extinguished shall have a right to such possession. But the right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him is expressly saved.

The Schedule.

12. The time when the period fixed for the following suits begins to run has been altered as follows:—

No.		
9.	For the price of lodging.	When the price becomes payable.
22 (=23 of Act IX of 1871).	For a malicious prosecution.	When the plaintiff is acquitted or the prosecution is otherwise terminated.
33 (=38 of Act IX).	Against one who, having a right to use property for specific purposes, perverts it to other purposes.	When the perversion first becomes known to the person injured thereby.
46 (=47, 48, of Act IX).	For specific moveable property lost or acquired by theft or dishonest misappropriation or conversion, or for damages for wrongfully taking or detaining the same.	When the owner of the property first learns in whose possession it is.
47 (=26, 33, 34, 35 of Act IX).	For other specific moveable property, or for compensation for taking or injuring or wrongfully detaining the same.	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
83 (=87 of Act IX).	For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	The latest date at which any item is entered in the account by or on behalf of the defendant.
87 (=90 of Act IX).	By a principal against his agent for moveable property received by the latter and not accounted for.	When the account is demanded and refused, or the agency terminates, whichever first happens.
88 (= 91 of Act IX).	Other suits by principals against agents for neglect or misconduct.	When the neglect or misconduct becomes known to the plaintiff.
89 (=92 of Act IX).	To cancel or set aside an instrument not otherwise provided for.	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
109 (=112 of Act IX).	For a call by a company registered under any Statute or Act.	When the call is payable.
111 (=114 of Act IX).	For the rescission of a contract.	When the facts entitling the plaintiff to have the contract rescinded become known to him.
122 (=125 of Act IX).	By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	When the alienee takes possession of the property.
123 (= 127 of Act IX).	By a Hindú excluded from joint family property to enforce a right to share therein.	The date of the exclusion.

13. The period of limitation has been altered in the case of the following suits :—

No.

39 (=11 of Act IX). For infringing copyright or any other exclusive privilege : from one year to three years.

46 (=26 of Act IX). For taking or detaining lost or wrongfully acquired moveable property : from one year to three years.

47 (=48, 49 of Act IX). For wrongfully detaining other moveable property : from two years to three years.

143 (=148 of Act IX). Against a mortgagee to recover possession of immoveable property mortgaged : from sixty years to thirty years.

144 (=149 of Act IX). In a Charter Court by a mortgagee to redeem : from sixty years to thirty years.

145. Suits in the name of the Secretary of State in Council : from sixty years to thirty years.

14. The following classes of suits have been specially provided for :—

No.

40. To restrain waste.

41. To compel a legatee to refund.

42. By a ward who has attained majority to set aside a sale by his guardian.

124. By a Hindú for a declaration of his right to maintenance.

15. The following eight applications have also been provided for :—

No.

151. For an order under section 258 of the Code of Civil Procedure [No. IV] compelling a decree-holder to certify payment or adjustment.

152. For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.

153. For leave to appear and defend a summary suit on a negotiable instrument.

154. For an order under section 629 of the Code of Civil Procedure [No. IV] restoring to the file a rejected application for review.

160. Under sections 364 and 366 of the same Code, by a person claiming to be the representative of a deceased plaintiff.

162. By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no legally saleable interest therein.

166. For payment of the amount of a decree by instalments.

171. To enforce an order of Her Majesty in Council.

16. On the other hand the Bill omits as useless the following numbers of the schedule to Act IX of 1871 :—

73. By the endorsee of a bill or promissory note against the endorser.

79. By payee against drawer, when the bill has been dishonoured by non-acceptance and afterwards by non-payment.

146. For a declaration of right to an easement.

17. In Nos. 144 and 145, the Bill provides for acknowledgments signed by the agent of a depositary, pawnee, mortgagee or some person claiming under him.

18. Lastly, in No. 169 it explains, in accordance with decided cases, when an application to execute a decree passed in favour of, or against, several persons enures in favour of, or against, them all, and when in favour of, or against, only those by, or against, whom the application is made.

A. HOBHOUSE.

CALCUTTA,
14th February 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 17, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 15th March 1877 :—

No. 6 OF 1877.

A Bill to amend the law relating to assignments from the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871.

Preamble.

WHEREAS it is expedient to authorise the Local Government of the North-Western Provinces to provide out of the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871, for payment of certain charges incurred or to be incurred on account of canals and railways in the North-Western Provinces ; It is hereby enacted as follows :—

Substitution of new section for section 10 of Act XVIII, 1871.

1. Section 10 of the said Act shall be repealed, and in lieu thereof the following shall be substituted :—

Assignments from general fund.

"10. The Lieutenant-Governor may from time to time assign from such Fund such amount as he thinks fit, to be applied in payment of charges incurred or to be incurred on account of such canals and railways as he, with the previous sanction of the Governor General in Council, may declare to be works of general provincial utility, and he shall from time to time allot from such Fund an amount to be applied in each district for expenditure on all or any of the following purposes :—

(*a*) the construction, repair and maintenance of roads and communications ;

(*b*) the maintenance of the rural police and district post ;

(*c*) the construction and repair of schoolhouses, the maintenance and inspection of schools, the training of teachers, and the establishment of scholarships ;

(*d*) the construction and repair of hospitals, dispensaries, lunatic asylums, markets, wells and tanks ; the payment of all charges connected with the purposes for which such buildings or works have been constructed, and any other local works likely to promote the public health, comfort or convenience :

Proviso.

Provided that the amount assigned in respect of such canals and railways shall not exceed ten per cent. of the total sum levied under this Act in the year in which the assignment was made, and that the amount allotted to be applied in each district for expenditure on all or any of the purposes mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of this section shall be at least ninety per cent. of the total sum levied under this Act in such district in the year in which the allotment was made."

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make a small amendment of Act No. XVIII of 1871, which provides for the levy, in the North-Western Provinces, of rates on land for local purposes. These rates are in the first instance credited to a general Provincial Fund, from which the Lieutenant-Governor is bound to assign amounts to be applied in each district for certain specified purposes.

These are the construction and maintenance of Roads and Communications ; Rural Police ; District-post ; Education ; Hospitals ; Lunatic Asylums ; Markets ; Wells and Tanks ; and other local works likely to promote the public health, comfort, or convenience : the annual assignment made to each district must not be less than the total amount of local rates levied in it ; but any portion of such assignment which remains unexpended at the end of the year may be spent in any way which the Lieutenant-Governor thinks beneficial to the North-Western Provinces generally.

The principle is thus recognized, that these rates may, in part at least, be expended on objects of provincial utility; and, as a matter of fact, a large portion of them has been so expended. As it is not now wished to increase the burdens on the land, the present Bill proposes to authorize the Local Government to make assignments from the local rates for the purpose of meeting charges on account of Irrigation-works and Railways of provincial utility: the maximum amount of such assignments is fixed at ten per cent. of the total sum levied under the proposed Act, leaving 90 per cent. to be spent as at present; but there is no reason for anticipating that the actual proportion of the rates so assigned will amount to this maximum. The total amount of the local rates levied annually in the North-Western Provinces is about £430,000, and the proposed amendment of the law will not seriously diminish the existing grants for local purposes.

CALCUTTA; *The 16th March, 1877.* } J. STRACHEY.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 15th March 1877:—

No. 7 OF 1877.

A Bill for the licensing of certain trades and dealings in the North-Western Provinces.

Preamble.

WHEREAS it is expedient that persons carrying on certain trades and dealings in the North-Western Provinces should take out licenses and pay for the same; It is hereby enacted as follows:—

Short title.

1. This Act shall be called "The North-Western Provinces License Act, 1877:"

Local extent.

It extends only to the provinces under the government of the Lieutenant-Governor of the North-Western Provinces;

Commencement.

And it shall come into force at once.

Annual licenses to be taken out.

2. Every person who, on and after the first day of April 1877, falls under any of the heads specified in the schedule hereto annexed and carries on (whether on behalf of himself or any other person) his trade or dealing, shall take out a license under this Act and shall pay for the same the annual fee mentioned in the same schedule as payable by persons of the class and grade to which he belongs: provided that, for any such license granted between the first day of November in each year, and the thirtieth day of April next ensuing, there shall be paid only one-half of such fee.

Officer to grant license.

3. Every license under this Act shall be granted by the Collector of Land Revenue of the district or place in which the person requiring such license carries on his trade or dealing: provided that, if such person carries on his trade or dealing in more than one district or place in the North-Western Provinces, the license shall be granted by the Collector of the district or place in which his principal place of business is situate.

Every such license shall be signed by the Collector granting it, or by any Assistant or Deputy Collector under the Collector's orders, and the Courts shall take judicial notice of such signature.

Particulars to be specified in the license.

4. Every such license shall specify—

(*a*) the date of the grant thereof:

(*b*) the name, father's name, caste, and trade or dealing of the licensee:

(*c*) the fee paid for the license:

(*d*) the place or places where the licensee intends to carry on trade or dealing for the ensuing year; and

(*e*) the term for which the license shall remain in force,

and shall be received in evidence as *primâ facie* proof of all matters contained therein.

Commencement and expiration of license.

5. Every such license shall have effect and continue in force from the day of the date thereof till the first day of April next after the day of the granting thereof.

Renewal of license.

6. Every person to whom any such license has been granted and who desires to continue to carry on his trade or dealing after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding section, and shall renew the same so long as he desires to continue to carry on such trade or dealing.

Collector to determine class and grade under which licensee is to be charged.

7. The Collector shall from time to time determine under which of the classes and grades mentioned in the said schedule every person to whom a license may be granted by him as aforesaid shall be charged.

List of Licensees.

Collector to prepare annual list of licensees.

8. As soon as may be after the first day of April 1877 and the first day of January in every subsequent year, the Collector shall prepare a list of the persons licensed under this Act in the district or place aforesaid. Such list shall state—

(*a*) the trade or calling of each of the persons therein named;

(*b*) the class and grade under which he is charged; and

(*c*) the fee paid for his license.

Such list shall be filed in the office of the Collector, and the list, or such part or parts thereof as he shall think fit, shall be filed in such other places as the Collector directs, and shall be open to public inspection at all reasonable times, without any payment.

Collector to issue notification showing classes and grades chargeable, &c.

9. The Collector shall, at or about the same time, issue a notification, in such form as the Local Government directs, showing the classes and grades chargeable under this Act, and the fees which members of each class and grade are charged, with such other information as the Local Government may direct.

The notification shall be published in the principal muhallas or ganjes of all towns, and in the chaupál, or other public place, in all villages concerned.

Notice to person charged.

10. So soon as may be practicable after the issue of such notification, notice shall be served on each person charged: provided that in any year it shall not be necessary that such notice shall be served on any person charged under this Act in the year immediately preceding.

Such notice shall contain—

the name, father's name, caste, and trade or dealing of the person charged;

the class and grade under which he falls;

the fee payable by him under this Act;

the date on which such payment is to be made;

the mode and place of payment and the person to whom the fee may be paid;

the penalty incurred by failure to make payment of the fee on the given date;

and shall notify that if the person so served continues his trade or dealing, payment of the amount specified in the notice must be made in the year 1877, within thirty days of receiving the notice, and within thirty days next after the first day of January of each subsequent year.

Petition of objector.

11. Any person served with such notice and objecting to the class or grade under which he is charged may, within thirty days after such service, apply by petition to the Collector in order to establish his right to have his name transferred to another class or grade or altogether removed from the list.

Verification.

The statements contained in the petition shall be verified by the petitioner or some other competent person in manner required by law for the verification of plaints.

Hearing of petition.

12. The Collector shall fix a day for the hearing of the petition, and on the day so fixed shall hear the same and pass such order thereupon as to him shall seem fit:

Appeal from order on petition.

Provided that if in his judgment the fee which the petitioner has been charged exceeds two per cent. upon his annual nett earnings, such excess shall, for the purpose of section eleven, be deemed a valid objection:

Provided also that if in the judgment of the Collector the nett annual earnings of the petitioner are less than two hundred rupees, the petitioner's name shall be removed from the list.

Any person dissatisfied with such order may, within fifteen days from the date thereof, present a petition of appeal to the Commissioner of Revenue of the Division, whose decision upon such appeal shall be final.

Every petition presented under this section shall be accompanied by a copy of the petition to the Collector, the Collector's order thereon, and all other documents (if any) connected with the case.

Penalties.

Penalty for carrying on business without a license.

13. If after expiry of the period mentioned in the notice served on him under section ten, for payment of the amount specified therein, any person carries on his trade or calling without having taken out a license as required by this Act, he shall be liable, by order of the Collector, to pay twice the fee with which he would otherwise have been chargeable under this Act, and on receipt of such payment, the Collector shall grant him a license.

All sums due under this section shall be recoverable as if they were arrears of land-revenue.

License to be produced on demand.

14. Every person required by this Act to take out a license, who without reasonable excuse neglects or refuses to produce and show his license when required so to do by an officer generally or specially empowered in writing by the Collector to make such requisition, shall, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees.

Prosecution to be at instance of Collector.

No person shall be proceeded against for any such offence except at the instance of the Collector, and there shall be no appeal from any sentence under this section.

Receivers, Courts of Wards and Trustees.

Receivers and managers chargeable.

15. Receivers or managers appointed by any Court in India, and the Courts of Wards, shall be chargeable under this Act in respect of any trade or dealing of which the income is officially in their possession or under their control.

Power to retain assessment paid by trustee, &c.

16. When any trustee, guardian, curator, committee or agent is charged under this Act in such capacity, or when any receiver appointed by any Court or Court of Wards is charged under this Act, every person and Court so charged may, from time to time, out of the money coming to his or its possession as such trustee, guardian, curator, committee or agent, or as such receiver or Court of Wards, retain so much as is sufficient to pay the fee charged.

Every such person or Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Municipalities.

Power to require returns from Municipalities

17. The Collector of the District may require any Municipal Committee constituted under Act No. XV of 1873 to furnish, within a period to be specified under the orders of the Local Government, returns showing the names and numbers of persons chargeable under this Act resident within the limits of such Municipality, together with the class and grade under which they respectively fall and the fees payable by them respectively.

If the Municipal Committee fails within the period prescribed to make such returns, or if it make such returns, but the Collector of the District has reason to doubt their accuracy, he may at any time cause a return showing the names, numbers, classes and grades aforesaid to be prepared in such manner as may be prescribed by the Local Government.

Notice to Municipalities.

18. When the return mentioned in section 17 has been furnished or prepared, notice shall be served on the Municipality, calling

on it to pay to the Collector of the District, within a period to be specified in the notice, a sum calculated on such return in accordance with the provisions of this Act.

Any Municipality may appropriate any part of its revenues to the payment of the sum leviable from it under this section, or raise such further sums in addition to its existing revenue as may be needful for such payment: provided that such further sums be raised in accordance with the said Act No. XV of 1873.

Miscellaneous.

19. All taxes raised and penalties recovered under this Act shall be paid to the credit of the Local Government, or as such Government shall from time to time direct.

Payment of taxes raised and penalties recovered under Act.

20. All or any of the powers and duties conferred and imposed by this Act on a Collector, an Assistant or Deputy Collector, and a Commissioner of Revenue, may be exercised and performed by such other officers or persons as the Local Government shall from time to time appoint in this behalf.

Powers of Collector and Commissioner under Act may be exercised by other officers.

Every person shall be legally bound to furnish information to any officer or person so appointed when required by him to do so.

21. Nothing in this Act applies to (*a*) persons being itinerant vendors only, or (*b*) persons earning their livelihood solely by agriculture.

Exemptions from Act.

22. The Local Government may, from time to time, with the previous sanction of the Governor General in Council,

Power to exempt and make rules.

(*a*) exempt from the operation of this Act any portion of the territories subject to such Government or any class of trade or dealings falling under the said schedule;

(*b*) make rules consistent with this Act, (1) for regulating the time and manner of collecting the fees charged under this Act, (2) for allowing to the persons employed in the collection fees not exceeding three per centum on the fees so collected charged to the licensees, and (3) generally for the guidance of officers in matters connected with the enforcement of this Act.

THE SCHEDULE ABOVE REFERRED TO.

CLASS I.

		Fee payable by licensee.
Bankers	First grade ...	Rs. 64
Wholesale-dealers in country-produce	Second grade	,, 32
	Third grade ...	,, 16

CLASS II.

		Fee payable by licensee.
Cloth-sellers ...		
Dealers in iron ...		
Metal-vessel-sellers ...		
Fuel-sellers (talwálas)		
Chaudhrís ...	First grade ...	Rs. 32
Agents	Second grade	,, 16
Letters-out of conveyances and cattle ...	Third grade ...	,, 8
Contractors (thíkadárs)		
Printers and publishers		

CLASS III.

Persons carrying on any trades or dealings not above specified.	First grade ...	Rs. 16
	Second grade	,, 8
	Third grade ...	,, 4
	Fourth grade	,, 2

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to impose a light License-tax on Traders and Dealers in the North-Western Provinces. Similar measures are in force in many large Indian towns and (under Act XIV of 1867) in the Central Provinces. The principal trades have been classified and graded, and a specific sum is put down against each class and grade: the highest license fees proposed are those on Bankers and wholesale dealers in country-produce, and they vary from Rs. 16 to Rs. 64 a year: other traders will have to pay smaller sums, which are in some cases as low as Rs. 2, and in no case exceed Rs. 32.

CALCUTTA, *16th March 1877.*

J. STRACHEY.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 24, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 15th March 1877:—

No. 6 OF 1877.

A Bill to amend the law relating to assignments from the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871.

WHEREAS it is expedient to authorise the Local Government of the North-Western Provinces to provide out of the general Provincial Fund established under the North-Western Provinces Local Rates Act, 1871, for payment of certain charges incurred or to be incurred on account of canals and railways in the North-Western Provinces; It is hereby enacted as follows:—

Preamble.

1. Section 10 of the said Act shall be repealed, and in lieu thereof the following shall be substituted:—

Substitution of new section for section 10 of Act XVIII, 1871.

"**10.** The Lieutenant-Governor may from time to time assign from such Fund such amount as he thinks fit, to be applied in payment of charges incurred or to be incurred on account of such canals and railways as he, with the previous sanction of the Governor General in Council, may declare to be works of general provincial utility, and he shall from time to time allot from such Fund an amount to be applied in each district for expenditure on all or any of the following purposes:—

Assignments from general fund.

(*a*) the construction, repair and maintenance of roads and communications;

(*b*) the maintenance of the rural police and district post;

(*c*) the construction and repair of schoolhouses, the maintenance and inspection of schools, the training of teachers, and the establishment of scholarships;

(*d*) the construction and repair of hospitals, dispensaries, lunatic asylums, markets, wells and tanks; the payment of all charges connected with the purposes for which such buildings or works have been constructed, and any other local works likely to promote the public health, comfort or convenience:

Provided that the amount assigned in respect of such canals and railways shall not exceed ten per cent. of the total sum levied under this Act in the year in which the assignment was made, and that the amount allotted to be applied in each district for expenditure on all or any of the purposes mentioned in clauses (*a*), (*b*), (*c*) and (*d*) of this section shall be at least ninety per cent. of the total sum levied under this Act in such district in the year in which the allotment was made."

Proviso.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make a small amendment of Act No. XVIII of 1871, which provides for the levy, in the North-Western Provinces, of rates on land for local purposes. These rates are in the first instance credited to a general Provincial Fund, from which the Lieutenant-Governor is bound to assign amounts to be applied in each district for certain specified purposes.

These are the construction and maintenance of Roads and Communications; Rural Police; District-post; Education; Hospitals; Lunatic Asylums; Markets; Wells and Tanks; and other local works likely to promote the public health, comfort, or convenience: the annual assignment made to each district must not be less than the total amount of local rates levied in it; but any portion of such assignment which remains unexpended at the end of the year may be spent in any way which the Lieutenant-Governor thinks beneficial to the North-Western Provinces generally.

The principle is thus recognized, that these rates may, in part at least, be expended on objects of provincial utility; and, as a matter of fact, a large portion of them has been so expended. As it is not now wished to increase the burdens on the land, the present Bill proposes to authorize the Local Government to make assignments from the local rates for the purpose of meeting charges on account of Irrigation-works and Railways of provincial utility: the maximum amount of such assignments is fixed at ten per cent. of the total sum levied under the proposed Act, leaving 90 per cent. to be spent as at present; but there is no reason for anticipating that the actual proportion of the rates so assigned will amount to this maximum. The total amount of the local rates levied annually in the North-Western Provinces is about £430,000, and the proposed amendment of the law will not seriously diminish the existing grants for local purposes.

CALCUTTA; *The 16th March 1877.* } J. STRACHEY.

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

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 15th March 1877:—

No. 7 OF 1877.

A Bill for the licensing of certain trades and dealings in the North-Western Provinces.

Preamble.

WHEREAS it is expedient that persons carrying on certain trades and dealings in the North-Western Provinces should take out licenses and pay for the same; It is hereby enacted as follows:—

Short title.

1. This Act shall be called "The North-Western Provinces License Act, 1877:"

Local extent.

It extends only to the provinces under the government of the Lieutenant-Governor of the North-Western Provinces;

Commencement.

And it shall come into force at once.

Annual licenses to be taken out.

2. Every person who, on and after the first day of April 1877, falls under any of the heads specified in the schedule hereto annexed and carries on (whether on behalf of himself or any other person) his trade or dealing, shall take out a license under this Act and shall pay for the same the annual fee mentioned in the same schedule as payable by persons of the class and grade to which he belongs: provided that, for any such license granted between the first day of November in each year, and the thirtieth day of April next ensuing, there shall be paid only one-half of such fee.

Officer to grant license.

3. Every license under this Act shall be granted by the Collector of Land Revenue of the district or place in which the person requiring such license carries on his trade or dealing: provided that, if such person carries on his trade or dealing in more than one district or place in the North-Western Provinces, the license shall be granted by the Collector of the district or place in which his principal place of business is situate.

Every such license shall be signed by the Collector granting it, or by any Assistant or Deputy Collector under the Collector's orders, and the Courts shall take judicial notice of such signature.

Particulars to be specified in the license.

4. Every such license shall specify—

(*a*) the date of the grant thereof:

(*b*) the name, father's name, caste, and trade or dealing of the licensee:

(*c*) the fee paid for the license:

(*d*) the place or places where the licensee intends to carry on trade or dealing for the ensuing year; and

(*e*) the term for which the license shall remain in force,

and shall be received in evidence as *primâ facie* proof of all matters contained therein.

Commencement and expiration of license.

5. Every such license shall have effect and continue in force from the day of the date thereof till the first day of April next after the day of the granting thereof.

Renewal of license.

6. Every person to whom any such license has been granted and who desires to continue to carry on his trade or dealing after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding section, and shall renew the same so long as he desires to continue to carry on such trade or dealing.

Collector to determine class and grade under which licensee is to be charged.

7. The Collector shall from time to time determine under which of the classes and grades mentioned in the said schedule every person to whom a license may be granted by him as aforesaid shall be charged.

List of Licensees.

Collector to prepare annual list of licensees.

8. As soon as may be after the first day of April 1877 and the first day of January in every subsequent year, the Collector shall prepare a list of the persons licensed under this Act in the district or place aforesaid. Such list shall state—

(*a*) the trade or calling of each of the persons therein named;

(*b*) the class and grade under which he is charged; and

(*c*) the fee paid for his license.

Such list shall be filed in the office of the Collector, and the list, or such part or parts thereof as he shall think fit, shall be filed in such other places as the Collector directs, and shall be open to public inspection at all reasonable times, without any payment.

Collector to issue notification showing classes and grades chargeable, &c.

9. The Collector shall, at or about the same time, issue a notification, in such form as the Local Government directs, showing the classes and grades chargeable under this Act, and the fees which members of each class and grade are charged, with such other information as the Local Government may direct.

The notification shall be published in the principal muhallas or ganjes of all towns, and in the chaupál, or other public place, in all villages concerned.

Notice to person charged.

10. So soon as may be practicable after the issue of such notification, notice shall be served on each person charged: provided that in any year it shall not be necessary that such notice shall be served on any person charged under this Act in the year immediately preceding.

Such notice shall contain—

the name, father's name, caste, and trade or dealing of the person charged;

the class and grade under which he falls;

the fee payable by him under this Act;

the date on which such payment is to be made;

the mode and place of payment and the person to whom the fee may be paid;

the penalty incurred by failure to make payment of the fee on the given date;

and shall notify that if the person so served continues his trade or dealing, payment of the amount specified in the notice must be made in the year 1877, within thirty days of receiving the notice, and within thirty days next after the first day of January of each subsequent year.

Petition of objector.

11. Any person served with such notice and objecting to the class or grade under which he is charged may, within thirty days after such service, apply by petition to the Collector in order to establish his right to have his name transferred to another class or grade or altogether removed from the list.

Verification.

The statements contained in the petition shall be verified by the petitioner or some other competent person in manner required by law for the verification of plaints.

Hearing of petition.

Appeal from order on petition.

12. The Collector shall fix a day for the hearing of the petition, and on the day so fixed shall hear the same and pass such order thereupon as to him shall seem fit:

Provided that if in his judgment the fee which the petitioner has been charged exceeds two per cent. upon his annual nett earnings, such excess shall, for the purpose of section eleven, be deemed a valid objection:

Provided also that if in the judgment of the Collector the nett annual earnings of the petitioner are less than two hundred rupees, the petitioner's name shall be removed from the list.

Any person dissatisfied with such order may, within fifteen days from the date thereof, present a petition of appeal to the Commissioner of Revenue of the Division, whose decision upon such appeal shall be final.

Every petition presented under this section shall be accompanied by a copy of the petition to the Collector, the Collector's order thereon, and all other documents (if any) connected with the case.

Penalties.

Penalty for carrying on business without a license.

13. If after expiry of the period mentioned in the notice served on him under section ten, for payment of the amount specified therein, any person carries on his trade or calling without having taken out a license as required by this Act, he shall be liable, by order of the Collector, to pay twice the fee with which he would otherwise have been chargeable under this Act, and on receipt of such payment, the Collector shall grant him a license.

All sums due under this section shall be recoverable as if they were arrears of land-revenue.

License to be produced on demand.

14. Every person required by this Act to take out a license, who without reasonable excuse neglects or refuses to produce and show his license when required so to do by an officer generally or specially empowered in writing by the Collector to make such requisition, shall, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees.

Prosecution to be at instance of Collector.

No person shall be proceeded against for any such offence except at the instance of the Collector, and there shall be no appeal from any sentence under this section.

Receivers, Courts of Wards and Trustees.

Receivers and managers chargeable.

15. Receivers or managers appointed by any Court in India, and the Courts of Wards, shall be chargeable under this Act in respect of any trade or dealing of which the income is officially in their possession or under their control.

Power to retain assessment paid by trustee, &c.

16. When any trustee, guardian, curator, committee or agent is charged under this Act in such capacity, or when any receiver appointed by any Court or Court of Wards is charged under this Act, every person and Court so charged may, from time to time, out of the money coming to his or its possession as such trustee, guardian, curator, committee or agent, or as such receiver or Court of Wards, retain so much as is sufficient to pay the fee charged.

Every such person or Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Municipalities.

Power to require returns from Municipalities.

17. The Collector of the District may require any Municipal Committee constituted under Act No. XV of 1873 to furnish, within a period to be specified under the orders of the Local Government, returns showing the names and numbers of persons chargeable under this Act resident within the limits of such Municipality, together with the class and grade under which they respectively fall and the fees payable by them respectively.

If the Municipal Committee fails within the period prescribed to make such returns, or if it make such returns, but the Collector of the District has reason to doubt their accuracy, he may at any time cause a return showing the names, numbers, classes and grades aforesaid to be prepared in such manner as may be prescribed by the Local Government.

Notice to Municipalities.

18. When the return mentioned in section 17 has been furnished or prepared, notice shall be served on the Municipality, calling

on it to pay to the Collector of the District, within a period to be specified in the notice, a sum calculated on such return in accordance with the provisions of this Act.

Any Municipality may appropriate any part of its revenues to the payment of the sum leviable from it under this section, or raise such further sums in addition to its existing revenue as may be needful for such payment: provided that such further sums be raised in accordance with the said Act No. XV of 1873.

Miscellaneous.

Payment of taxes raised and penalties recovered under Act.

19. All taxes raised and penalties recovered under this Act shall be paid to the credit of the Local Government, or as such Government shall from time to time direct.

Powers of Collector and Commissioner under Act may be exercised by other officers.

20. All or any of the powers and duties conferred and imposed by this Act on a Collector, an Assistant or Deputy Collector, and a Commissioner of Revenue, may be exercised and performed by such other officers or persons as the Local Government shall from time to time appoint in this behalf.

Every person shall be legally bound to furnish information to any officer or person so appointed when required by him to do so.

Exemptions from Act.

21. Nothing in this Act applies to (*a*) persons being itinerant vendors only, or (*b*) persons earning their livelihood solely by agriculture.

Power to exempt and make rules.

22. The Local Government may, from time to time, with the previous sanction of the Governor General in Council,

(*a*) exempt from the operation of this Act any portion of the territories subject to such Government or any class of trade or dealings falling under the said schedule;

(*b*) make rules consistent with this Act, (1) for regulating the time and manner of collecting the fees charged under this Act, (2) for allowing to the persons employed in the collection fees not exceeding three per centum on the fees so collected charged to the licensees, and (3) generally for the guidance of officers in matters connected with the enforcement of this Act.

THE SCHEDULE ABOVE REFERRED TO.

CLASS I.

	Fee payable by licensee.
Bankers ... ... in country-produce	First grade ... Rs. 64 Second grade ,, 32 Third grade ... ,, 16

CLASS II.

	Fee payable by licensee.
Cloth-sellers ... Dealers in iron ... Metal-vessel-sellers ... Fuel-sellers (talwálas) Chaudhrís ... Agents ... ... Letters-out of conveyances and cattle ... Contractors (thíkadárs) ... ... Printers and publishers	First grade ... Rs. 32 Second grade ,, 16 Third grade ... ,, 8

CLASS III.

Persons carrying on any trades or dealings not above specified.	First grade ... Rs. 16 Second grade ,, 8 Third grade ... ,, 4 Fourth grade ,, 2

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to impose a light License-tax on Traders and Dealers in the North-Western Provinces. Similar measures are in force in many large Indian towns and (under Act XIV of 1867) in the Central Provinces. The principal trades have been classified and graded, and a specific sum is put down against each class and grade: the highest license fees proposed are those on Bankers and wholesale dealers in country-produce, and they vary from Rs. 16 to Rs. 64 a year: other traders will have to pay smaller sums, which are in some cases as low as Rs. 2, and in no case exceed Rs. 32.

CALCUTTA,
16th March 1877.

J. STRACHEY.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 21st March 1877:—

No. 8 OF 1877.

A Bill to facilitate the admission of Military Lunatics into Asylums.

Preamble.

WHEREAS it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics; It is hereby enacted as follows:—

Short title.

1. This Act may be called the "Military Lunatics Act, 1877:"

Local extent.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty;

Commencement.

And it shall come into force on the passing thereof.

Repeal of Act XXI of 1872.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed.

Procedure in respect of European officer or soldier declared lunatic.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters, for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor General in Council;

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

Report in case of Native officer or soldier appearing to be insane.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving.

Examination of Native by committee.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part.

Procedure on Native being found by committee to be insane.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Payment of expenses of lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Legalization of past receptions in asylum.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

STATEMENT OF OBJECTS AND REASONS.

It appears that at present there is no law whatever under which British soldiers afflicted with mental disease can be admitted into, or (when cured) discharged from, Lunatic Asylums in this country; and the primary object of this Bill is to legalize such admission and discharge.

At the same time the opportunity has been taken to amend the law as to the discharge of Native military lunatics. The Bill proposes to repeal Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) and re-enact it with the necessary addition.

H. W. NORMAN.

CALCUTTA,
The 2nd March 1877.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 21st March 1877 :—

No. 9 OF 1877.

A Bill to revive and amend Act No. XXIII of 1867.

WHEREAS Act No. XXIII of 1867 (*for the suppression of murderous outrages in certain districts of the Panjáb*) received the assent of the Governor General on the 18th day of March 1867, and by section 17 of the said Act was limited to expire in ten years from the date of passing it; And whereas it is expedient to revive the same Act and to amend it in manner hereinafter appearing; It is hereby enacted as follows :—

Preamble.

1. The said Act shall be revived and shall remain in force until the Governor General in Council otherwise directs.

Act XXIII of 1867 to be revived.

2. For the word "Commissioner" wherever it occurs in the said Act, the words "Sessions Judge or Commissioner" shall be substituted.

Amendment of Act XXIII of 1867.

STATEMENT OF OBJECTS AND REASONS.

The Panjáb Murderous Outrages Act, XXIII of 1867, expired on the 18th instant, and the primary object of this Bill is to revive it.

At the same time the opportunity has been taken to amend the Act by extending to the Sessions Judge the jurisdiction which it gives to the Commissioner only.

E. C. BAYLEY.

CALCUTTA,
The 19th March 1877.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 31, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 21st March 1877:—

No. 8 OF 1877.

A Bill to facilitate the admission of Military Lunatics into Asylums.

WHEREAS it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics; It is hereby enacted as follows:— Preamble.

1. This Act may be called the "Military Lunacies Act, 1877:" Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty; Local extent.

And it shall come into force on the passing thereof. Commencement.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed. Repeal of Act XXI of 1872.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras, or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor-General in Council; Procedure in respect of European officer or soldier declared lunatic.

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving. Report in case of Native officer or soldier appearing to be insane.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native Examination of Native by committee.

belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part.

Procedure on Native being found by committee to be insane.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Payment of expenses of lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Legalization of past receptions in asylum.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

STATEMENT OF OBJECTS AND REASONS.

It appears that at present there is no law whatever under which British soldiers afflicted with mental disease can be admitted into, or (when cured) discharged from, Lunatic Asylums in this country; and the primary object of this Bill is to legalize such admission and discharge.

At the same time the opportunity has been taken to amend the law as to the discharge of Native military lunatics. The Bill proposes to repeal Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) and re-enact it with the necessary addition.

H. W. NORMAN.

CALCUTTA,
The 2nd March 1877.

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

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th March 1877, and was referred to a Select Committee:—

No. 10 OF 1877.

A Bill to provide for the execution of emergent works in connection with embankments in British Burma.

Preamble.

WHEREAS it is expedient to provide for the execution of emergent works in connection with embankments in British Burma; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Burma Embankment Act, 1877:"

Local extent.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma; but nothing herein contained applies to embankments belonging to private persons;

Commencement.

And it shall come into force on the passing thereof.

Interpretation-clause.

2. In this Act—

"Embankment" means any embankment constructed for the purpose of excluding, regulating or retaining water, and includes all earthen walls, dams, canals, drains, piers, groins, sluices, buildings, water-gauges, bench-marks and other works subsidiary to any such embankment; and

"Embankment."

"Embankment-officer," used with reference to an embankment, means the officer appointed by the Chief Commissioner to carry out this Act in respect of such embankment.

"Embankment-officer."

Circumstances under which this Act may be put in operation.

3. Whenever it appears probable to the embankment-officer that unless some work is quickly executed in connection with an embankment, loss of life or extensive damage to property will ensue, and that the labourers or materials required for the execution of such work cannot be obtained in the ordinary course in time to enable him to execute such work with the expedition necessary in order to avert such loss or damage, he may, by order under his hand, direct that the provisions of this Act shall be put into operation for the execution of such work; and thereupon

Power to impress labour.

(*a*) every able-bodied male person belonging to any class of labourers, and residing in the neighbourhood of such embankment, shall, if required to do so by such officer or by any person authorized by him in this behalf, be bound to assist such officer in the execution of such work by labouring thereon, after the manner of his class or trade, as such officer or any person authorized by him in this behalf may direct; and

Power to take materials.

(*b*) such officer or any person authorized by him in this behalf may enter upon any immoveable property in the said neighbourhood and take possession of, appropriate and remove, any trees or bamboos, whether standing or not, and any timber, mats, rope or other materials found on such property, and use the same for the purposes of such work.

Payment for labour impressed and materials taken.

4. All persons labouring in compliance with a requisition made under section three, or whose materials may be taken under that section, shall as soon as may be reasonably practicable be paid by the embankment-officer for their labour or for such materials (as the case may be) at such rates not being less than fifteen per cent. above the market-rates for similar labour or materials for the time being prevailing in the said neighbourhood as the Chief Commissioner may from time to time by written order direct.

Compensation for damage done in taking materials.

5. When from the removal of any trees, bamboos or other materials under section three, any damage over and above the price payable for such materials under section four, results directly to any person, the embankment-officer shall pay to such person such sum as may be agreed upon as compensation for such damage, or in case of dispute as to the amount so to be paid, as the Deputy Commissioner of the district may award.

Penalties for trespass on embankments, &c.

6. Where an embankment-officer has been appointed for any embankment, any person who, without the permission of such officer—

(*a*) grazes any cattle or allows any cattle under his charge to trespass on such embankment, or

(*b*) cuts or roots out any trees, shrubs or grass growing on such embankment, or

(*c*) obstructs any drain or sluice connected with such embankment,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Certain persons to be deemed public servants.

7. Every embankment-officer and every officer authorized by an embankment-officer to act under section three, shall be deemed to be a "public servant" within the meaning of the Indian Penal Code.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to legalize and regulate the levying of labour when sudden danger threatens embankment-works in floods, and when such labour cannot be hired. The necessity for provisions of this kind became apparent in the Irrawaddy floods of 1875, when some of the embankments were breached and others overflowed. In some cases the people whose property was threatened with injury came forward cheerfully and prevented further disaster; but in others, where the danger was equally real and of greater extent, but not so immediately apparent, great difficulty was experienced in getting the people whose lives and property were jeopardized to assist in any way in saving the works.

The great losses of life and property that have occurred during the last few years all over the world prove that the works esteemed the most perfect are liable to such sudden and unforeseen failures, and almost universal experience proves that the only remedy possible to apply in such cases consists in the labour of the persons most interested being concentrated on the weaker spots under proper direction.

This Bill will therefore legalize a practice which already obtains imperfectly in Burma, and which is general where embankment-works exist.

In drawing up the details of the Bill, attention has been given to Act No. I of 1858 relating to similar works in Madras.

CALCUTTA;
The 12th March 1877.

A. CLARKE.

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

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th March 1877:—

We, the undersigned Members of the Select Committee to which the Bill for the limitation of suits and for other purposes was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Financial Department, No. 178, dated 5th May 1873.
„ Government of Bombay, No. 4418, dated 31st July 1875.
Note by Sir R. Garth, C.J., dated 8th March 1876.
„ by Secretary, Legislative Department, dated August 1876.
„ by Hon'ble Mr. Hobhouse, dated 22nd October 1876.
From Home Department, No. 1884, dated 18th December 1876.
Observations by Sir R. Garth, C.J., dated 12th January 1877.
Suggestions by Bábu Opendro Nauth Mullick, dated 2nd March 1877.
Remarks by Bábu Abinásh Chandra Bánnerjee, Munsif of Agra, dated 7th March 1877.
Note by N. H. Thomson, Esq., dated 23rd March 1877.
From Department of Revenue, Agriculture and Commerce, No. 216, dated 19th March 1877, and enclosures.

2. We have postponed the commencement of the proposed Act to 1st October 1877, the day on which the Code of Civil Procedure is to come into force.

3. We have declared that nothing in the proposed Act shall operate to revive any right to sue which was barred under Act IX of 1871.

4. We have struck out as unnecessary the definition of 'minor.'

5. We have extended to appeals and applications, the provisions of section 13 as to excluding the day on which the right to sue accrued.

6. We have also excluded, in the case of appeals, the time necessary for obtaining a copy of the judgment.

7. In computing the period prescribed for any suit, we think that the time during which the plaintiff has been prosecuting any proceeding (whether it be a suit, an appeal or an appli-

cation for execution) against the same defendant in a Court unable to entertain it should be excluded.

8. We have made a similar alteration in section 17, so as to exclude the time occupied by a judgment-debtor in setting aside an execution-sale.

9. In the Schedule we have made the following substantial amendments :—

10. We have provided (No. 11) for suits by persons against whom orders are passed under sections 280, 281, 282, 335 of the Code of Civil Procedure, to establish their right to, or to the present possession of, property comprised in the order.

11. In the case of suits for the restitution of conjugal rights, we think that the refusal mentioned in the third column should be by a husband or wife of full age and sound mind. It is clear, for instance, that the refusal of a minor wife should not make time run against the husband.

12. We have made the No. (104) relating to suits by managers of the joint estates of undivided families apply as well to Muhammadans as to Hindús. In Lower Bengal, the joint family system prevails among both classes of religionists.

13. We have altered Nos. 125, 123 and 124 as follows :—

115. To obtain a declaration that an adoption is invalid	Six years	When the alleged adoption becomes known to the plaintiff.
116. To obtain a declaration that an adoption is valid	Ditto ...	When the rights of the adopted son as such are interfered with.
123. By a person excluded from joint family property to enforce a right to share therein	Twelve years	When the exclusion becomes known to the plaintiff.
124. By a Hindú for arrears of maintenance ...	Ditto ...	When the arrears are payable.
125. By a Hindú for a declaration of his right to maintenance	Ditto ...	When the right is denied.

14. We have struck out No. 135 as being comprised in No. 139, and No. 168 as being now useless.

15. We have provided for application for a re-hearing on an appeal heard *ex parte*.

16. We have cut down from 90 to 30 days the time allowed a pauper to apply for leave to appeal.

17. We have provided a general clause for applications for which no period is expressly provided.

18. We have made a few changes in wording and arrangement, and we recommend that the Bill thus amended be passed. But first we think that it should be republished.

ARTHUR HOBHOUSE.
E. C. BAYLEY.
F. R. COCKERELL.
JOTÍNDRA MOHAN TAGORE.

No. II.

THE INDIAN LIMITATION BILL, 1877.

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SCHEDULE.
I. SUITS. II. APPEALS. III. APPLICATIONS.

A Bill for the Limitation of Suits, and for other Purposes.

WHEREAS it is expedient to amend the law relating to the limitation of suits, appeals and certain applications to Courts; And whereas it is also expedient to provide rules for acquiring by possession the ownership of easements and other property; It is hereby enacted as follows :— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called 'The Indian Limitation Act, 1877 :' Short title.

It extends to the whole of British India; but nothing contained in sections two and three or in Parts II and III applies— Extent of Act.

(*a*) to suits under the Indian Divorce Act, or

(*b*) to suits under Madras Regulation VI of 1831;

And it shall come into force on the first day of October 1877. Commencement.

2. On and from that day Act No. IX of 1871 (*An Act for the Limitation of Suits and for other purposes*) shall be repealed. Repeal of Act IX of 1871.

But all references to such Act shall be read as if made to this Act; and nothing herein or in that Act contained shall be deemed to affect any title acquired, or to revive any right to sue barred, under that Act or under any enactment thereby repealed.

Notwithstanding anything herein contained, any suit mentioned in No. 143, No. 144 or No. 145 of the schedule hereto annexed, may be brought within five years next after the said first day of October 1877, unless where the period prescribed for such suit by the said Act No. IX of 1871, shall have expired before the completion of the said five years.

3. In this Act, unless there be something repugnant in the subject or context— Interpretation-clause.

'plaintiff' includes also any person from or through whom a plaintiff derives his right to sue:

'easement' includes also a right, not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another, or anything growing in, or attached to, or subsisting upon, the land of another:

'bill of exchange' includes also a hundí:

'trustee' does not include a benámidár, a mortgagee remaining in possession after the mortgage has been satisfied, or a wrong-doer in possession without title:

'suit' does not include an appeal or an application:

'registered' means duly registered under the law for the registration of documents in force at the time and place of executing the document referred to in the context:

'foreign country' means any country other than British India;

and nothing shall be deemed to be done in 'good faith' which is not done with due care and attention.

PART II.

LIMITATION OF SUITS, APPEALS AND APPLICATIONS.

4. Subject to the provisions contained in sections five to twenty-six (inclusive), every suit instituted, appeal presented, and application made after the period of limitation prescribed therefor by the schedule hereto annexed, shall be dismissed, although limitation has not been set up as a defence. Dismissal of suits, &c., instituted, &c., after period of limitation.

Explanation.—A suit is instituted in ordinary cases when the plaint, stamped in accordance with the law for the time being in force, is presented to the proper officer: in the case of a pauper, when his application for leave to sue as a pauper is filed;

and in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

Illustrations.

(*a*).—A suit is instituted after the prescribed period of limitation. Limitation is not set up as a defence and judgment is given for the plaintiff. The defendant appeals. The appellate court must dismiss the suit.

(*b*).—An appeal presented after the prescribed period is admitted and registered. The appeal shall, nevertheless, be dismissed.

5. If the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, presented or made on the day that the Court re-opens :

Proviso where Court is closed when period expires.

Any appeal or application for a review of judgment may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not presenting the appeal or making the application within such period.

Proviso as to appeals and applications for review.

6. When, by any special or local law now or hereafter in force in British India, a period of limitation is specially prescribed for any suit, appeal or application, nothing herein contained shall affect or alter the period so prescribed.

Different periods of limitation prescribed by local laws.

And nothing herein contained shall affect the periods of limitation prescribed for appeals from, or applications to review, any decree, order or judgment of a High Court in the exercise of its original jurisdiction.

Appeals from decrees of High Courts on original side.

7. If a person entitled to sue be, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefor in the third column of the schedule hereto annexed.

Legal disability.

When he is, at the time from which the period of limitation is to be reckoned, affected by two disabilities, or when before his disability has ceased he is affected by another disability, he may institute the suit within the same period after both disabilities have ceased as would otherwise have been allowed from the time so prescribed.

Double and successive disabilities.

When his disability continues up to his death, his representative in interest may institute the suit within the same period after the death as would otherwise have been allowed from the time so prescribed.

When such representative is at the date of the death affected by any disability, the rules contained in the former part of this section shall apply.

Disability of representative.

Nothing in this section shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which the suit must be brought.

Illustrations.

(*a*). The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accruer. He may institute his suit at any time within three years from the date of his attaining majority.

(*b*). A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accruer. A has, under the ordinary law, only one year remaining within which to sue. But under this section an extension of two years will be allowed him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(*c*). A right to sue accrues to Z during his minority. After the accruer, but while Z is still a minor, he becomes insane. Time runs against Z from the date when his insanity ceases.

(*d*). A right to sue accrues to X during his minority. X dies before attaining majority and is succeeded by Y his minor son. Time runs against Y from the date of his attaining majority.

(*e*). A right to sue for an hereditary office accrues to A, who at the time is insane. Six years after the accrual A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under this section.

(*f*). A right to sue as landlord to recover possession from a tenant accrues to A who is an idiot. A dies three years after the accruer, his idiocy continuing up to the date of his death. A's representative in interest has, under the ordinary law, nine years from the date of A's death within which to bring a suit. This section does not extend that time, except where the representative is himself under disability when the representation devolves upon him.

8. When one of several joint creditors or claimants is under any such disability, and when a discharge can be given without the concurrence of such person, time will run against them all : but where no such discharge can be given, time will not run as against any of them until they all are free from disability.

Disability of one joint creditor.

Illustrations.

(*a*) A incurs a debt to a firm of which B, C and D are partners. B is insane and C is a minor. D can give a discharge of the debt without the concurrence of B and C Time runs against B, C and D.

(*b*) A incurs a debt to a firm of which E, F and G are partners. E and F are insane, and G is a minor. Time will not run against any of them until they are all free from disability.

9. When once time has begun to run, no subsequent disability or inability to sue stops it :

Continuous running of time.

Provided that where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

10. Notwithstanding anything hereinbefore contained, no suit against a person in whom property has become vested in trust for any specific purpose, or

Suits against express trustees and their representatives.

against his representatives, for the purpose of following in his or their hands such property, shall be barred by any length of time.

Explanation.—A purchaser in good faith for value from a trustee is not his representative within the meaning of this section.

11. Suits instituted in British India on contracts entered into in a foreign country are subject to the rules prescribed by this Act.

Suits on foreign contracts.

12. No foreign rule of limitations shall be a defence to a suit instituted in British India on a contract entered into in a foreign country, unless the rule has extinguished the contract, and the parties were domiciled in such country during the period prescribed by such rule.

Foreign limitation law.

PART III.

COMPUTATION OF PERIOD OF LIMITATION.

13. In computing the period of limitation prescribed for any suit, appeal or application, the day from which such period is to be reckoned shall be excluded.

Exclusion of day on which right to sue accrues.

In computing the period of limitation prescribed for an appeal, an application for leave to appeal as a pauper, and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed against or sought to be reviewed, shall be excluded.

Exclusion in case of appeals and certain applications.

Where a decree is appealed against or sought to be reviewed, the time requisite for obtaining a copy of the judgment on which it is founded shall also be excluded.

In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

14. In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from British India shall be excluded, unless service of a summons to appear and answer in the suit can, during such absence, be made under the Code of Civil Procedure, section 89.

Exclusion of time of defendant's absence from British India.

15. In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another proceeding, whether in a Court of first instance or in a Court of appeal, against the defendant or some person whom he represents, shall be excluded, where the proceeding is founded upon the same cause of action, and is prosecuted in good faith in a Court which, from defect of jurisdiction, or other cause of a like nature, is unable to entertain it.

Exclusion of time of proceeding *bonâ fide* in Court without jurisdiction.

In computing the period of limitation prescribed for a suit proceedings in which have been stayed by order under the Code of Civil Procedure, section 20, the interval between the institution of the suit and the date of so staying proceedings, and the time requisite for going from the Court in which proceedings are stayed to the Court in which the suit is re-instituted, shall be excluded.

Like exclusion in case of order under Civil Procedure Code, s. 20.

In computing the period of limitation prescribed for any application, the time during which the applicant has been making another application for the same relief, shall be excluded, where the last-mentioned application is made in good faith to a Court which from defect of jurisdiction, or other cause of a like nature, is unable to grant it.

Like exclusion in case of application.

Explanation 1.—In excluding the time during which a former suit or application was pending or being made, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation 2.—A plaintiff resisting an appeal presented on the ground of want of jurisdiction, shall be deemed to be prosecuting a suit within the meaning of this section.

16. In computing the period of limitation prescribed for any suit, the institution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, shall be excluded.

Exclusion of time during which commencement of suit is stayed by injunction or order.

17. In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which the judgment-debtor has been prosecuting a proceeding to set aside the sale, shall be excluded.

Exclusion of time during which judgment-debtor is attempting to set aside execution-sale.

18. When a person who would, if he were living, have a right to sue, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative in interest of the deceased capable of suing.

Effect of death before right to sue accrues.

When a person against whom, if he were living, a right to sue would have accrued, dies before the right accrues, the period of limitation shall be computed from the time when there is a representative whom the plaintiff may sue.

Nothing in the former part of this section applies to suits for the possession of immoveable property or of an hereditary office.

19. When any person having a right to sue has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded,

Effect of fraud.

or where any document necessary to establish such right has been fraudulently concealed,

the time limited for commencing a suit,

(*a*) against the person guilty of the fraud or accessory thereto, or,

(*b*) against any person claiming through him otherwise than in good faith and for a valuable consideration,

shall be computed from the time when the fraud first became known to the person injuriously affected thereby, or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

Effect of acknowledgment in writing.

20. If before the expiration of the period prescribed for a suit in respect of any property or right a substantial acknowledgment of liability in respect of such property or right has been made in writing signed by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the acknowledgment was so signed.

When the writing containing the acknowledgment is undated, oral evidence may be given of the time when it was signed. But oral evidence of its contents shall not be received unless it has been destroyed wrongfully by the person on whom the acknowledgment would be binding.

EXPLANATION 1.—For the purposes of this section an acknowledgment may be sufficient, though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery or performance has not yet come, or is accompanied by a refusal to pay, deliver or perform, or is coupled with a claim to a set-off, or is addressed to a person other than the person entitled to the property or right:

EXPLANATION 2.—In this section "signed" means signed either personally or by an agent generally or specially authorised in this behalf.

EXPLANATION 3.—Nothing in this section renders one of several partners or executors chargeable by reason only of a written acknowledgment signed by another of them.

Illustrations.

Z, a bond-debtor, himself writes a letter promising to pay the debt to his creditor A. Z affixes his seal, but does not sign the letter:

Z pays part of the debt, making no written record of the fact of the payment, and promises orally to pay the rest:

Z publishes an advertisement, requesting his creditors to bring in their claims for examination:

In none of these cases is the debt taken out of the operation of this Act.

Effect of payment of interest as such.

21. When interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy, or by his agent generally or specially authorized in this behalf,

or when part of the principal of a debt is, before the expiration of the prescribed period, paid by the debtor or by his agent generally or specially authorized in this behalf,

Effect of part-payment of principal.

a new period of limitation, according to the nature of the original liability, shall be computed from the time when the payment was made:

Provided that, in the case of part-payment of principal, the debt has arisen from a contract in writing and the fact of the payment appears in the hand-writing of the person making the same, on the instrument, or in his own books, or in the books of the creditor.

Effect of receipt of produce of mortgaged land.

Where mortgaged land is in the possession of the mortgagee, the receipt of the produce of such land shall be deemed to be a payment for the purpose of this section.

Effect of substituting or adding new plaintiff or defendant.

22. When, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party:

Proviso where original plaintiff dies.

Provided that, when a plaintiff dies, and the suit is continued by his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted by the deceased plaintiff:

Proviso where original defendant dies.

Provided also, that, when a defendant dies, and the suit is continued against his representatives in interest, it shall, as regards them, be deemed to have been instituted when it was instituted against the deceased defendant.

Computation where there are successive breaches of contract.

23. In the case of a suit for the breach of a contract, where there are successive breaches, a fresh right to sue arises, and a fresh period of limitation begins to run, upon every fresh breach.

Nothing in the former part of this section applies to suits for the breach of contracts for the payment of money by instalments, where, on default made in payment of one instalment, the whole becomes due.

Illustration.

(*a*).—A contracts to pay an annuity to B for his life by quarterly instalments. A fails to pay any of the instalments. Here upon every fresh failure, a fresh right to sue arises and a fresh period of limitation begins to run; and this Act may bar the remedy on the earlier breaches without affecting the remedy on the later breaches.

Continuing breaches and wrongs.

24. In the case of a continuing breach of contract and in the case of a continuing wrong independent of contract, a fresh right to sue arises, and a fresh period of limitation begins to run, at every moment of the time during which the breach or the wrong, as the case may be, continues.

Illustrations.

(*a*).—A, a tenant, covenants with B, his landlord, to keep certain buildings in repair. At every moment of the time during which the buildings continue out of repair and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

(*b*).—A diverts B's watercourse. At every moment of the time during which the diversion continues and B retains his right of entry, a fresh right to sue arises and a fresh period of limitation begins to run.

Suit for compensation for act becoming unlawful.

25. In the case of a suit for compensation for an act lawful in itself which becomes unlawful in case it causes damage, the period of limitation shall be computed from the time when the damage accrues.

Illustration.

A owns the surface of a field. B owns the subsoil. B digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. The period of limitation runs from the time of the subsidence.

Computation of time mentioned in instruments.

26. All instruments shall, for the purposes of this Act, be deemed to be made with reference to the Gregorian calendar.

Illustrations.

(*a*).—A Hindú makes a promissory note bearing a Native date only, and payable four months after date. The period of limitation applicable to a suit on the note runs from the expiry of four months after date computed according to the Gregorian calendar.

(*b*).—A Hindú makes a bond, bearing a Native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiry of one year after date computed according to the Gregorian calendar.

PART IV.

ACQUISITION OF OWNERSHIP BY POSSESSION.

Acquisition of right to easements.

27. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right, without interruption, and for twenty years,

and where any way or watercourse, or the use of any water, or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, way, watercourse, use of water, or other easement, shall be absolute and indefeasible.

Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested.

EXPLANATION.—Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Illustrations.

(*a*).—A suit is brought in 1881 for obstructing a right of way. The defendant admits the obstruction but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January 1860 to 1st January 1880. The plaintiff is entitled to judgment.

(*b*).—In a like suit also brought in 1881 the plaintiff merely proves that he enjoyed the right in manner aforesaid from 1858 to 1878. The suit shall be dismissed, as no exercise of the right by actual user has been proved to have taken place within two years next before the institution of the suit.

(*c*).—In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had asked his leave to enjoy the right. The suit shall be dismissed.

(*d*).—A diverts B's watercourse and claiming title thereto as an easement, peaceably and openly enjoys the same for twenty years without interruption. At the end of that period A's right to the watercourse becomes absolute and indefeasible.

Exclusion in favour of reversioner of servient tenement.

28. Provided that, when any land or water upon, over, or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term, shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C had a life interest in the land, that on C's death B became entitled to the land, and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

Extinguishment of right to property.

29. At the determination of the period hereby limited to any person for instituting a suit for possession of any property, his right to such property shall be extinguished.

Possession by successive trespassers.

30. Where a series of trespassers adverse to one another and to the rightful owner of any immoveable property or hereditary office take and keep possession thereof for several periods each less than the period so limited, but collectively exceeding such period, the person who is in possession of such property or office when the title of the rightful owner would have been extinguished had the trespassers not been adverse to one another, shall have a right to such possession.

Nothing in this section shall operate to bar any right to possession which any earlier trespasser may have against any later trespasser who has illegally dispossessed him.

SCHEDULE.

(*See section* 4).

FIRST DIVISION: SUITS.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part I.—Thirty days.	
1.—To contest an award of the Board of Revenue under Act No. XXIII of 1863 (*to provide for the adjudication of claims to waste-lands*).	Thirty days ...	When notice of the award is delivered to the plaintiff.
	Part II.—Ninety days.	
2.—For doing, or for omitting to do, an act in pursuance of any enactment in force for the time being in British India.	Ninety days ...	When the act or omission took place.
	Part III.—Six months.	
3.—Under the Specific Relief Act, 1877, section 9, to recover possession of immoveable property.	Six months ...	When the dispossession occurs.
4.—Under Act No. IX of 1860 (*to provide for the speedy determination of certain disputes between workmen engaged in Railway and other public works and their employers*), section one.	Ditto ...	When the wages, hire or price of work claimed accrued due.
5.—Under the Code of Civil Procedure, chapter XXXIX (*Of summary procedure on negotiable instruments*).	Ditto ...	When the instrument sued upon becomes due and payable.
	Part IV.—One year.	
6.—Upon a Statute, Act, Regulation or Bye-law, for a penalty or forfeiture.	One year ...	When the penalty or forfeiture is incurred.
7.—For the wages of a household servant, artisan or labourer not provided for by this schedule, No. 4.	Ditto ...	When the wages sued for accrue due.
8.—For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	Ditto ...	When the food or drink is delivered.
9.—For the price of lodging	Ditto ...	When the price becomes payable.
10.—To enforce a right of pre-emption, whether the right is founded on law, or general usage, or on special contract.	Ditto ...	When the purchaser takes actual possession, under the sale sought to be impeached, of the whole of the property sold.
11.—By a person against whom an order is passed under section 280, 281, 282 or 335 of the Code of Civil Procedure, to establish his right to, or to the present possession of, the property comprised in the order.	Ditto ...	The date of the order.
12.—To set aside any of the following sales:—	Ditto ...	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
(*a*) sale in execution of a decree of a Civil Court;		

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part IV.—One year—continued.	
(*b*) sale in pursuance of a decree or order of a Collector or other officer of revenue;		
(*c*) sale for arrears of Government revenue, or for any demand recoverable as such arrears;		
(*d*) sale of a patní táluq sold for current arrears of rent.		
Explanation.—In this clause 'patní' includes any intermediate tenure saleable for current arrears of rent.		
13.—To alter or set aside a decision or order of a Civil court in any proceeding other than a suit.	One year ...	The date of the final decision or order in the case by a Court competent to determine it finally.
14.—To set aside any act of an officer of Government in his official capacity, not herein otherwise expressly provided for.	Ditto ...	The date of the act.
15.—Against Government to set aside any attachment, lease or transfer of immoveable property by the revenue authorities for arrears of Government revenue.	Ditto ...	When the attachment, lease or transfer is made.
16.—Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears.	Ditto ...	When the payment is made.
17.—Against Government for compensation for land acquired for public purposes.	Ditto ...	The date of determining the amount of the compensation.
18.—Like suit for compensation when the acquisition is not completed.	Ditto ...	The date of the refusal to complete.
19.—For false imprisonment	Ditto ...	When the imprisonment ends.
20.—By executors, administrators or representatives under Act No. XII of 1855 (*to enable the executors, administrators or representatives to sue and be sued for certain wrongs*).	Ditto ...	The date of the death of the person wronged.
21.—By executors, administrators or representatives under Act No. XIII of 1855 (*to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong*).	Ditto ...	The date of the death of the person killed.
22.—For any other injury to the person ...	Ditto ...	When the injury is committed.
23.—For a malicious prosecution ...	Ditto ...	When the plaintiff is acquitted, or the prosecution is otherwise terminated.
24.—For libel	Ditto ...	When the libel is published.
25.—For slander	Ditto ...	When the words are spoken.
26.—For loss of service occasioned by the seduction of the plaintiff's servant or daughter.	Ditto ...	When the loss occurs.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part IV.—One year—continued.	
27.—For inducing a person to break a contract with the plaintiff.	One year ...	The date of the breach.
28.—For an illegal, irregular or excessive distress.	Ditto ...	The date of the distress.
29.—For wrongful seizure of moveable property under legal process.	Ditto ...	The date of the seizure.
	Part V.—Two years.	
30.—Against a carrier for losing or injuring goods.	Two years ...	When the loss or injury occurs.
31.—Against a carrier for delay in delivering goods.	Ditto ...	When the goods ought to be delivered.
32.—Against one who, having a right to use property for specific purposes, perverts it to other purposes.	Ditto ...	When the perversion first becomes known to the person injured thereby.
33.—Under Act No. XII of 1855 (*to enable executors, administrators or representatives to sue and be sued for certain wrongs*) against an executor, administrator or other representative.	Ditto ...	When the wrong complained of is done.
34.—For the recovery of a wife ...	Ditto ...	When possession is demanded and refused.
35.—For the restitution of conjugal rights ...	Ditto ...	When restitution is demanded and is refused by the husband or wife, being of full age and sound mind.
36.—For compensation for any malfeasance, misfeasance or nonfeasance independent of contract and not herein specially provided for.	Ditto ...	When the malfeasance misfeasance or nonfeasance takes place.
	Part VI.—Three years.	
37.—For obstructing a way or a watercourse.	Three years ...	The date of the obstruction.
38.—For diverting a watercourse ...	Ditto ...	The date of the diversion.
39.—For trespass upon immoveable property.	Ditto ...	When the trespass takes place.
40.—For infringing copyright or any other exclusive privilege.	Ditto ...	When the infringement takes place.
41.—To restrain waste	Ditto ...	When the waste begins.
42.—For compensation for injury caused by an injunction wrongfully obtained.	Ditto ...	When the injunction ceases.
43.—Under the Indian Succession Act, section 320 or 321, to compel a refund by a legatee or a person to whom an executor or administrator has distributed assets.	Ditto ...	The death of the testator or intestate, or (where the legacy or assets has or have been paid or distributed) the expiration of two years next after such payment or distribution, whichever event first occurs.
44.—By a ward who has attained majority, to set aside a sale by his guardian.	Ditto ...	The date of the sale.
45.—To contest an award under any of the following Regulations of the Bengal Code:— VII of 1822, IX of 1825, and IX of 1833.	Ditto ...	The date of the final award or order in the case.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VI.—Three years—contd.	
46.—By a party bound by such award to recover any property comprised therein.	Three years ...	The date of the final award or order in the case.
47.—By any person bound by an order respecting the possession of property made under the Code of Criminal Procedure, chapter XL, or the Bombay Mámlatdárs' Act, or by any one claiming under such person, to recover the property comprised in such order.	Ditto ...	The date of the final order in the case.
48.—For specific moveable property lost, or acquired by theft, or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same.	Ditto ...	When the person having the right to the possession of the property first learns in whose possession it is.
49.—For other specific moveable property, or for compensation for wrongfully taking or injuring or wrongfully detaining the same.	Ditto ...	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
50.—For the hire of animals, vehicles, boats or household furniture.	Ditto ...	When the hire becomes payable.
51.—For the balance of money advanced in payment of goods to be delivered.	Ditto ...	When the goods ought to be delivered.
52.—For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Ditto ...	The date of the delivery of the goods.
53.—For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit.	Ditto ...	When the period of credit expires.
54.—For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Ditto ...	When the period of the proposed bill elapses.
55.—For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Ditto ...	The date of the sale.
56.—For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Ditto ...	When the work is done.
57.—For money payable for money lent ...	Ditto ...	When the loan is made.
58.—Like suit when the lender has given a cheque for the money.	Ditto ...	When the cheque is paid.
59.—For money lent under an agreement that it shall be payable on demand.	Ditto ...	When the demand is made.
60.—For money payable to the plaintiff for money paid for the defendant.	Ditto ...	When the money is paid.
61.—For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.	Ditto ...	When the money is received.
62.—For money payable for interest upon money due from the defendant to the plaintiff.	Ditto ...	When the interest becomes due.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VI—Three years—contd.	
63.—For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Three years ...	When the accounts are stated in writing unless where the debt is made payable at a future time and then when that time arrives.
64.—For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Ditto ...	At the time specified or upon the contingency happening.
65.—On a single bond where a day is specified for payment.	Ditto ...	The day so specified.
66.—On a single bond where no such day is specified.	Ditto ...	The date of executing the bond.
67.—On a bond subject to a condition ...	Ditto ...	When the condition is broken.
68.—On a bill of exchange or promissory note payable at a fixed time after date.	Ditto ...	When the bill or note falls due.
69.—On a bill of exchange payable at sight, or after sight, but not at a fixed time.	Ditto ...	When the bill is presented.
70.—On a bill of exchange accepted payable at a particular place.	Ditto ...	When the bill is presented at that place.
71.—On a bill of exchange or promissory note payable at a fixed time after sight or after demand.	Ditto ...	When the fixed time expires.
72.—On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.	Ditto ...	When the demand is made.
73.—On a promissory note or bond payable by instalments.	Ditto ...	The expiration of the first term of payment, as to the part then payable; and, for the other parts, the expiration of the respective terms of payment.
74.—On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one instalment, the whole shall be due.	Ditto ...	The time of the first default, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made in respect of which there is no such waiver.
75.—On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.	Ditto ...	The time of the delivery to the payee.
76.—On a dishonoured foreign bill where protest has been made and notice given.	Ditto ...	When the notice is given.
77.—By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance.	Ditto ...	The date of the refusal to accept.
78.—By the acceptor of an accommodation-bill against the drawer.	Ditto ...	When the acceptor pays the amount of the bill.
79.—Suit on a bill of exchange or promissory note not herein expressly provided for.	Ditto ...	When the bill or note becomes payable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VI.—Three years—contd.	
80.—By a surety against the principal debtor	Three years ...	When the surety pays the creditor.
81.—By a surety against a co-surety ...	Ditto ...	When the plaintiff pays anything in excess of his own share.
82.—Upon any other contract to indemnify	Ditto ...	When the plaintiff is actually damnified.
83.—By an attorney or vakíl for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid.	Ditto ...	The termination of the suit or business, or (where the attorney or vakíl properly discontinues the suit or business), the date of such discontinuance.
84.—For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Ditto ...	The latest date at which any item is entered in the account by or on behalf of the defendant.
85.—On a policy of insurance when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers.	Ditto ...	When proof of the death or loss is given or received, to or by the insurers, whether by or from the plaintiff, or any other person.
86.—By the assured to recover premia paid under a policy voidable at the election of the insurers.	Ditto ...	When the insurers elect to avoid the policy.
87.—Against a factor for an account.	Ditto ...	When the account is demanded, or where no such demand is made, when the agency terminates.
88.—By a principal against his agent for moveable property received by the latter and not accounted for.	Ditto ...	When the account is demanded and refused, or the agency terminates, whichever first happens.
89.—Other suits by principals against agents for neglect or misconduct.	Ditto ...	When the neglect or misconduct becomes known to the plaintiff.
90.—To cancel or set aside an instrument not otherwise provided for.	Ditto ...	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
91.—To declare the forgery of an instrument issued, or registered, or attempted to be enforced against the plaintiff.	Ditto ...	The date of the issue, registration, or attempt, whichever last happens.
92.—For property which the plaintiff has conveyed while insane.	Ditto ...	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
93.—To set aside a decree obtained by fraud, or for other relief on the ground of fraud.	Ditto ...	When the fraud becomes known to the party wronged.
94.—For relief on the ground of mistake in fact.	Ditto ...	When the mistake becomes known to the plaintiff.
95.—For money paid upon an existing consideration which afterwards fails.	Ditto ...	The date of the failure.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VI.—Three years—contd.	
96.—To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Three years ...	The date of the trustee's death, or, if the loss has not then resulted, the date of the loss.
97.—For contribution by a party who has paid the whole amount due under a joint decree, or by a sharer in a joint estate who has paid the whole amount of revenue due from himself and his co-sharers.	Ditto ...	The date of the plaintiff's advance in excess of his own share.
98.—By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.	Ditto ...	When the right to contribution accrues.
99.—For a seaman's wages	Ditto ...	The end of the voyage during which the wages are earned.
100.—By a Muhammadan for exigible dower (*mu'ajjal*).	Ditto ...	When the dower is demanded and refused, or (where during the continuance of the marriage no such demand has been made) when the marriage is dissolved by death or divorce.
101.—By a Muhammadan for deferred dower (*mu'wajjal*).	Ditto ...	When the marriage is dissolved by death or divorce.
102.—By a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	Ditto ...	The date of the receipt.
103.—For an account and a share of the profits of a dissolved partnership.	Ditto ...	The date of the dissolution.
104.—By the manager of a joint estate of an undivided family for contribution in respect of a payment made by him on account of the estate.	Ditto ...	The date of the payment.
105.—By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.	Ditto ...	When the trees are cut down.
106.—For the profits of immoveable property belonging to the plaintiff wrongfully received by the defendant.	Ditto ...	When the profits are received, or, where the plaintiff has been dispossessed by a decree afterwards set aside on appeal, the date of the decree of the appellate Court.
107.—For arrears of rent	Ditto ...	When the arrears become due.
108.—By a vendor of immoveable property to enforce his lien for unpaid purchase-money.	Ditto ...	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
109.—For a call by a company registered under any Statute or Act.	Ditto ...	When the call is payable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VI.—Three years.—continued.	
110.—For specific performance of a contract.	Three years.	The date fixed for the performance, or if no such date is fixed, when the plaintiff has notice that performance is refused.
111.—For the rescission of a contract ...	Ditto ...	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
112.—For the breach of any contract, express or implied, not in writing registered, and not herein specially provided for.	Ditto ...	When the contract is broken, or (where there are successive breaches) when the breach sued for occurs, or (where the breach is continuing) when it ceases.
	Part VII.—Six years.	
113.—Upon a foreign judgment as defined in the Code of Civil Procedure.	Six years ...	The date of the judgment.
114.—On a promise or contract in writing registered.	Ditto ...	When the period of limitation would begin to run against a suit brought on a similar promise or contract not registered.
115.—To obtain a declaration that an adoption is invalid.	Ditto ...	When the alleged adoption becomes known to the plaintiff.
116.—To obtain a declaration that an adoption is valid.	Ditto ...	When the rights of the adopted son as such are interfered with.
117.—Suit for which no period of limitation is provided elsewhere in this schedule.	Ditto ...	When the right to sue accrues.
	Part VIII.—Twelve years.	
118.—By an auction-purchaser or any one claiming under him to avoid incumbrances or under-tenures in an entire estate sold for arrears of Government revenue, the estate being, by virtue of such sale, freed from incumbrances and under-tenures.	Twelve years ...	When the sale becomes final and conclusive.
119.—To avoid incumbrances or under-tenures in a *patní táluq* or other saleable tenure sold for arrears of rent, the táluq or tenure being, by virtue of such sale, freed from incumbrances and under-tenures.	Ditto ...	When the sale becomes final and conclusive.
120.—Upon a judgment obtained in British India, or a recognizance.	Ditto ...	The date of the judgment or recognizance.
121.—For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate.	Ditto ...	When the legacy or share becomes payable or deliverable.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VIII.—Twelve years—continued.	
122.—For possession of an hereditary office ...	Twelve years ...	When the defendant, or some person through whom he claims, took possession of the office adversely to the plaintiff. *Explanation.*—An hereditary office is possessed when the profits thereof are usually received, or (if there are no profits) when the duties thereof are usually performed.
123.—Suit during the life of a Hindú female by a Hindú entitled to the possession of land on her death to have an alienation made by the female declared to be void except for her life.	Ditto ...	The date of the alienation.
124.—By a Hindú governed by the law of the Mitákshará to set aside his father's alienation of ancestral property.	Ditto ...	When the alienee takes possession of the property.
125.—By a person excluded from joint-family property to enforce a right to share therein.	Ditto ...	When the exclusion becomes known to the plaintiff.
126.—By a Hindú for arrears of maintenance	Ditto ...	When the arrears are payable.
127.—By a Hindú for a declaration of his right to maintenance.	Ditto ...	When the right is denied.
128.—For the resumption or assessment of rent-free land.	Ditto ...	When the right to resume or assess the land first accrued: Provided that no such suit shall be maintained where the land forms part of a permanently-settled estate, and has been held rent-free from the time of the Permanent Settlement.
129.—To establish a periodically recurring right.	Ditto ...	When the plaintiff is first refused the enjoyment of the right.
130.—To enforce payment of money charged upon immoveable property. *Explanation.*—The allowance and fees respectively called *málikána* and *haqqs* shall, for the purpose of this clause, be deemed to be money charged upon immoveable property.	Ditto ...	When the money sued for becomes due.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of suit.	Period of limitation.	Time from which period begins to run.
	Part VIII.—Twelve years—continued.	
131.—To recover moveable property conveyed or bequeathed in trust, deposited or pawned and afterwards bought from the trustee, depositary or pawnee in good faith and for value as property to which the vendor was absolutely entitled.	Twelve years ...	The date of the purchase.
132.—To recover possession of immoveable property conveyed or bequeathed in trust or mortgaged and afterwards purchased from the trustee or mortgagee, in good faith and for value, as property to which the vendor was absolutely entitled.	Ditto ...	The date of the purchase.
133.—Suit instituted in a Court not established by Royal Charter by a mortgagee for possession of immoveable property mortgaged.	Ditto ...	When the mortgagee is first entitled to possession.
134.—By a purchaser at a private sale for possession of immoveable property sold, when the vendor was out of possession at the date of the sale.	Ditto ...	When the vendor is first entitled to possession.
135.—Like suit by a purchaser at a sale in execution of a decree, when the execution-debtor was out of possession at the date of the sale.	Ditto ...	When the execution-debtor is first entitled to possession.
136.—By a purchaser of land at a sale in execution of a decree, for possession of the purchased land, when he never has had possession.	Ditto ...	The date of the sale.
137.—By a landlord to recover possession from a tenant.	Ditto ...	When the tenancy is determined.
138.—By a remainderman, a reversioner (other than a landlord), or a devisee, for possession of immoveable property.	Ditto ...	When his estate falls into possession.
139.—Like suit by a Hindú entitled to the possession of immoveable property on the death of a Hindú female.	Ditto ...	When the female dies.
140.—For possession of immoveable property, when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession.	Ditto ...	The date of the dispossession or discontinuance.

SCHEDULE—*continued.*

FIRST DIVISION: SUITS—continued.

Description of application.	Period of limitation.	Time from which period begins to run.
	Part VIII.—Twelve years—continued.	
141.—Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition.	Twelve years ...	When the forfeiture was incurred or the condition broken.
142.—For possession of immoveable property or any interest therein not hereby otherwise specially provided for.	Ditto ...	When the possession of the defendant, or of some person through whom he claims, became adverse to the plaintiff.
	Part IX.—Thirty years.	
143.—Against a depositary or pawnee to recover moveable property deposited or pawned.	Thirty years ...	The date of the deposit or pawn.
144.—Against a mortgagee to recover possession of immoveable property mortgaged.	Ditto ...	The date of the mortgage: Provided that all claims to redeem, arising under instruments of mortgage of immoveable property situate in British Burma, which have been executed before the first day of May 1863, shall be governed by the rules of limitation in force in that province immediately before the same day.
145.—Before a Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction by a mortgagee to recover from the mortgagor the possession of immoveable property mortgaged.	Ditto ...	When any part of the principal or interest was last paid on account of the mortgage debt.
146.—Any suit in the name of the Secretary of State for India in Council.	Ditto ...	When the right to sue accrued.

SCHEDULE—*continued.*

SECOND DIVISION: APPEALS.

Description of appeals.	Period of limitation.	Time from which period begins to run.
147.—Under the Code of Civil Procedure to the Court of a District Judge.	Thirty days ...	The date of the decree or order appealed against.
148.—Under the Code of Criminal Procedure to any Court other than the High Court.	Ditto ...	The date of the sentence or order appealed against.
149.—Under the same Code to the High Court except in the case provided for by No. 151.	Sixty days ...	Ditto.
150.—Under the Code of Civil Procedure to the High Court.	Ninety days ...	The date of the decree or order appealed against.
151.—Under the Code of Criminal Procedure from a judgment of acquittal.	Six months ...	The date of the judgment appealed against.

THIRD DIVISION: APPLICATIONS.

Description of application.	Period of limitation.	Time from which period begins to run.
152.—Under the Code of Civil Procedure to set aside an award.	Ten days ...	When the award is submitted to the Court, and notice of the submission has been given to the persons and in manner prescribed by the High Court.
153.—For an order under section 258 of the same Code compelling a decreeholder to certify payment or adjustment.	Ditto ...	When the payment or adjustment is made.
154.—For dismissal of a suit on the ground of the plaintiff's bankruptcy or insolvency.	Ditto ...	When the plaintiff's assignee or receiver neglects or refuses to continue the suit.
155.—For leave to appear and defend a suit under chapter XXXIX of the Code of Civil Procedure.	Ditto ...	When the summons is served.
156.—For an order under section 629 of the same Code restoring to the file a rejected application for review.	Fifteen days ...	When the application for review is rejected.
157.—By a plaintiff for an order to set aside a judgment by default.	Thirty days ...	The date of the judgment.
158.—By a defendant for an order to set aside a judgment *ex parte*.	Ditto ...	The date of executing any process for enforcing the judgment.
159.—Under the Code of Civil Procedure, by a person dispossessed of immoveable property, and disputing the right of the decreeholder to be put into possession.	Ditto ...	The date of the dispossession.
160.—To set aside a sale in execution of a decree, on the ground of irregularity in publishing or conducting the sale.	Ditto ...	The date of the sale.
161.—Complaining of resistance or obstruction to delivery of possession of immoveable property decreed or sold in execution of a decree, or of dispossession in the delivery of possession to the decreeholder or the purchaser of such property.	Ditto ...	The date of the resistance, obstruction or dispossession.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS—continued.

Description of application.	Period of limitation.	Time from which period begins to run.
162.—Under section 363 or 365 of the Code of Civil Procedure by a person claiming to be the legal representative of a deceased plaintiff.	Thirty days ...	The date of the plaintiff's death.
163.—For re-admission of an appeal dismissed for want of prosecution.	Ditto ...	The date of the dismissal.
164.—For a rehearing of an appeal heard *ex parte* in the absence of the respondent.	Ditto ...	The date of the decree.
165.—For leave to appeal as a pauper.	Ditto ...	The date of the decree appealed against.
166—By a purchaser at an execution-sale to set aside the sale on the ground that the person whose interest in the property purported to be sold had no saleable interest therein.	Sixty days ...	The date of the sale.
167.—For a review of judgment.	Ninety days ...	The date of the decree.
168.—For payment of the amount of a decree by instalments.	Six months ...	The date of the decree.
169.—Under the Code of Civil Procedure, that an award be filed in Court.	Ditto ...	The date of the award.
170.—For the execution of a decree or order of any Civil Court not provided for by No. 173.	Three years ...	1. The date of the decree or order, or 2. (where there has been an appeal) the date of the final decree or order of the Appellate Court, or 3. (where there has been a review of judgment) the date of the decision passed on the review, or 4. (where the application next hereinafter mentioned has been made) the date of applying in accordance with law to the proper Court to enforce, or keep in force, the decree or order, or 5. (where the notice next hereinafter mentioned has been issued) the date of issuing a notice under the Code of Civil Procedure, section 248, or 6. (where the application is to enforce payment of an instalment which the decree or order directs to be paid at a specified date) the date so specified. *Explanation I.*—Where the decree or order has been passed severally in favour of more persons than one, distinguishing portions of the subject-matter as payable or deliverable to each, the application mentioned in clause 4 of this Number shall take effect in favour only of such of the said persons or their representatives as it may be made by. But when the decree or order has been passed jointly in favour of more persons than one, such application, if made by any one or more of them, or by his or their representatives, shall take effect in favour of them all. Where the decree or order has been passed, severally, against more persons than one, distinguishing portions of the subject-matter as payable or deliverable by each, the application shall take effect against only such of the said persons or their representatives as it may be made against. But where the decree or order has been passed, jointly, against more persons than one, the application, if made against any one or more of them, or against his or their representatives, shall take effect against them all. *Explanation II.*—"proper Court" means the Court whose duty it is (whether under section 226 or 227 of the Code of Civil Procedure or otherwise) to execute the decree or order.
171.—Applications for which no period of limitation is provided elsewhere in this schedule.	Three years ...	When the right to apply accrued.
172.—For the execution of any such decree or order of which a certified copy has been registered under the Indian Registration Act.	Six years ...	The date of the decree or order, or (where there has been an appeal) the date of the final decree or order of the Appellate Court, or (where there has been a review of judgment) the date of the decision passed on the review.

SCHEDULE—*continued.*

THIRD DIVISION: APPLICATIONS—continued.

SCHEDULE—*concluded.*

THIRD DIVISION: APPLICATIONS—concluded.

Description of application.	Period of limitation.	Time from which period begins to run.
173.—To enforce a judgment, decree or order of any Court established by Royal Charter in the exercise of its ordinary original civil jurisdiction, or an order of Her Majesty in Council.	Twelve years ...	When a present right to enforce the judgment, decree or order accrued to some person capable of releasing the right: Provided that when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgment of the right thereto has been given in writing, signed by the person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or acknowledgment, or the latest of such revivors, payments or acknowledgments, as the case may be.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 7, 1877. { Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 21st March 1877:—

No. 8 OF 1877.

A Bill to facilitate the admission of Military Lunatics into Asylums.

WHEREAS it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics; It is hereby enacted as follows:— Preamble.

1. This Act may be called the "Military Lunatics Act, 1877:" Short title.

It extends to the whole of British India and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty; Local extent.

And it shall come into force on the passing thereof. Commencement.

2. Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) shall be repealed. Repeal of Act XXI of 1872.

3. Whenever any European officer, Warrant-officer, Non-commissioned officer, soldier or other person subject to the provisions of the Act for punishing Mutiny and Desertion and for the better payment of the Army and their quarters for the time being in force has been declared a lunatic, in accordance with the provisions of the military regulations of the Presidency to which he belongs, and has been ordered to be forwarded to any one of the Presidency-towns, and it appears to one of the Surgeons General, either of the British Forces or of the Indian Medical Service, according to the Presidency and the service to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in military custody until he can be conveniently sent to England, such Surgeon General may, if he think fit, make an order under his hand for the reception of the said lunatic into the Lunatic Asylum at Bhowanipur, Madras, or Bombay, or such other Lunatic Asylum as may be duly authorized for the purpose by the Governor-General in Council; Procedure in respect of European officer or soldier declared lunatic.

and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the local military regulations in force for the time being, or until the Surgeon General applies for his transfer to the military authorities in view to his removal to England.

4. Whenever any Native officer, Non-commissioned officer or soldier appears to be insane, the officer commanding the regiment or detachment to which he belongs shall report the case to the general officer commanding the division or district or force in which such regiment or detachment is serving. Report in case of Native officer or soldier appearing to be insane.

5. Such general officer shall thereupon cause the said Native to be examined by a committee composed of at least two medical officers, or (if this be impracticable) by a regimental committee comprising the officer in command of the wing or squadron to which the Native Examination of Native by committee.

belongs and the medical officer in charge of the corps or detachment of which such wing or squadron forms part.

Procedure on Native being found by committee to be insane.

6. If the said committee or regimental committee (as the case may be) are satisfied that the Native is insane, the officer commanding the division or district or force may, if he thinks fit, make an order under his hand for the reception of the said Native into a Lunatic Asylum, and shall then send him thither under military escort; and the officer in charge of such asylum shall receive the Native into the asylum and detain him therein until he is discharged therefrom in accordance with the local military regulations in force for the time being.

Procedure for discharge of European or Native military lunatic.

7. Whenever it appears to the officer in charge of a Lunatic Asylum that the discharge of a military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge should be made, the general officer commanding the division, district or force, or other officer authorized to order the admission of military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the local military regulations in force for the time being.

Payment of expenses of lunatic.

8. The Paymaster of the military circle within which any such asylum is situate shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

Legalization of past receptions in asylum.

9. All military lunatics heretofore received into Lunatic Asylums shall be deemed to have been so received in accordance with law.

STATEMENT OF OBJECTS AND REASONS.

It appears that at present there is no law whatever under which British soldiers afflicted with mental disease can be admitted into, or (when cured) discharged from, Lunatic Asylums in this country; and the primary object of this Bill is to legalize such admission and discharge.

At the same time the opportunity has been taken to amend the law as to the discharge of Native military lunatics. The Bill proposes to repeal Act XXI of 1872 (*to facilitate the admission of Native Military Lunatics into Asylums*) and re-enact it with the necessary addition.

H. W. NORMAN.

CALCUTTA,
The 2nd March 1877.

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

[Second Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th March 1877, and was referred to a Select Committee:—

No. 10 OF 1877.

A Bill to provide for the execution of emergent works in connection with embankments in British Burma.

Preamble.

WHEREAS it is expedient to provide for the execution of emergent works in connection with embankments in British Burma; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Burma Embankment Act, 1877:"

Local extent.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma; but nothing herein contained applies to embankments belonging to private persons;

Commencement.

And it shall come into force on the passing thereof.

Interpretation-clause.

2. In this Act—

"Embankment."

"Embankment" means any embankment constructed for the purpose of excluding, regulating or retaining water, and includes all earthen walls, dams, canals, drains, piers, groins, sluices, buildings, water-gauges, bench-marks and other works subsidiary to any such embankment; and

"Embankment-officer."

"Embankment-officer," used with reference to an embankment, means the officer appointed by the Chief Commissioner to carry out this Act in respect of such embankment.

Circumstances under which this Act may be put in operation.

3. Whenever it appears probable to the embankment-officer that unless some work is quickly executed in connection with an embankment, loss of life or extensive damage to property will ensue, and that the labourers or materials required for the execution of such work cannot be obtained in the ordinary course in time to enable him to execute such work with the expedition necessary in order to avert such loss or damage, he may, by order under his hand, direct that the provisions of this Act shall be put into operation for the execution of such work; and thereupon

Power to impress labour.

(*a*) every able-bodied male person belonging to any class of labourers, and residing in the neighbourhood of such embankment, shall, if required to do so by such officer or by any person authorized by him in this behalf, be bound to assist such officer in the execution of such work by labouring thereon, after the manner of his class or trade, as such officer or any person authorized by him in this behalf may direct; and

Power to take materials.

(*b*) such officer or any person authorized by him in this behalf may enter upon any immoveable property in the said neighbourhood and take possession of, appropriate and remove, any trees or bamboos, whether standing or not, and any timber, mats, rope or other materials found on such property, and use the same for the purposes of such work.

Payment for labour impressed and materials taken.

4. All persons labouring in compliance with a requisition made under section three, or whose materials may be taken under that section, shall as soon as may be reasonably practicable be paid by the embankment-officer for their labour or for such materials (as the case may be) at such rates not being less than fifteen per cent. above the market-rates for similar labour or materials for the time being prevailing in the said neighbourhood as the Chief Commissioner may from time to time by written order direct.

Compensation for damage done in taking materials.

5. When from the removal of any trees, bamboos or other materials under section three, any damage over and above the price payable for such materials under section four, results directly to any person, the embankment-officer shall pay to such person such sum as may be agreed upon as compensation for such damage, or in case of dispute as to the amount so to be paid, as the Deputy Commissioner of the district may award.

Penalties for trespass on embankments, &c.

6. Where an embankment-officer has been appointed for any embankment, any person who, without the permission of such officer—

(*a*) grazes any cattle or allows any cattle under his charge to trespass on such embankment, or

(*b*) cuts or roots out any trees, shrubs or grass growing on such embankment, or

(*c*) obstructs any drain or sluice connected with such embankment,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Certain persons to be deemed public servants.

7. Every embankment-officer and every officer authorized by an embankment-officer to act under section three, shall be deemed to be a "public servant" within the meaning of the Indian Penal Code.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to legalize and regulate the levying of labour when sudden danger threatens embankment-works in floods, and when such labour cannot be hired. The necessity for provisions of this kind became apparent in the Irrawaddy floods of 1875, when some of the embankments were breached and others overflowed. In some cases the people whose property was threatened with injury came forward cheerfully and prevented further disaster; but in others, where the danger was equally real and of greater extent, but not so immediately apparent, great difficulty was experienced in getting the people whose lives and property were jeopardized to assist in any way in saving the works.

The great losses of life and property that have occurred during the last few years all over the world prove that the works esteemed the most perfect are liable to such sudden and unforeseen failures, and almost universal experience proves that the only remedy possible to apply in such cases consists in the labour of the persons most interested being concentrated on the weaker spots under proper direction.

This Bill will therefore legalize a practice which already obtains imperfectly in Burma, and which is general where embankment-works exist.

In drawing up the details of the Bill, attention has been given to Act No. I of 1858 relating to similar works in Madras.

CALCUTTA;
The 12th March 1877.

A. CLARKE.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 14, 1877. { Register No. 33.

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PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th March 1877, and was referred to a Select Committee:—

No. 10 OF 1877.

A Bill to provide for the execution of emergent works in connection with embankments in British Burma.

WHEREAS it is expedient to provide for the execution of emergent works in connection with embankments in British Burma; It is hereby enacted as follows:— Preamble.

1. This Act may be called "The Burma Embankment Act, 1877:" Short title.

It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma; but nothing herein contained applies to embankments belonging to private persons; Local extent.

And it shall come into force on the passing thereof. Commencement.

Interpretation-clause. 2. In this Act—

"Embankment" means any embankment constructed for the purpose of excluding, regulating or retaining water, and includes all earthen walls, dams, canals, drains, piers, groins, sluices, buildings, water-gauges, bench-marks and other works subsidiary to any such embankment; and "Embankment."

"Embankment-officer," used with reference to an embankment, means the officer appointed by the Chief Commissioner to carry out this Act in respect of such embankment. "Embankment-officer."

3. Whenever it appears probable to the embankment-officer that unless some work is quickly executed in connection with an embankment, loss of life or extensive damage to property will ensue, and that the labourers or materials required for the execution of such work cannot be obtained in the ordinary course in time to enable him to execute such work with the expedition necessary in order to avert such loss or damage, he may, by order under his hand, direct that the provisions of this Act shall be put into operation for the execution of such work; and thereupon Circumstances under which this Act may be put in operation.

(*a*) every able-bodied male person belonging to any class of labourers and residing in the neighbourhood of such embankment, shall, if required to do so by such officer or by any person authorized by him in this behalf, be bound to assist such officer in the execution of such work by labouring thereon, after the manner of his class or trade, as such officer or any person authorized by him in this behalf may direct; and Power to impress labour.

(*b*) such officer or any person authorized by him in this behalf may enter upon any immoveable property in the said neighbourhood and take possession of, appropriate and remove, any trees or bamboos, whether standing or not, and any Power to take materials.

timber, mats, rope or other materials found on such property, and use the same for the purposes of such work.

Payment for labour impressed and materials taken.

4. All persons labouring in compliance with a requisition made under section three, or whose materials may be taken under that section, shall as soon as may be reasonably practicable be paid by the embankment-officer for their labour or for such materials (as the case may be) at such rates not being less than fifteen per cent. above the market-rates for similar labour or materials for the time being prevailing in the said neighbourhood as the Chief Commissioner may from time to time by written order direct.

Compensation for damage done in taking materials.

5. When from the removal of any trees, bamboos or other materials under section three, any damage over and above the price payable for such materials under section four, results directly to any person, the embankment-officer shall pay to such person such sum as may be agreed upon as compensation for such damage, or in case of dispute as to the amount so to be paid, as the Deputy Commissioner of the district may award.

Penalties for trespass on embankments, &c.

6. Where an embankment-officer has been appointed for any embankment, any person who, without the permission of such officer—

(a) grazes any cattle or allows any cattle under his charge to trespass on such embankment, or

(b) cuts or roots out any trees, shrubs or grass growing on such embankment, or

(c) obstructs any drain or sluice connected with such embankment,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Certain persons to be deemed public servants.

7. Every embankment-officer and every officer authorized by an embankment-officer to act under section three, shall be deemed to be a "public servant" within the meaning of the Indian Penal Code.

STATEMENT OF OBJECTS AND REASONS.

The primary object of this Bill is to legalize and regulate the levying of labour when sudden danger threatens embankment-works in floods, and when such labour cannot be hired. The necessity for provisions of this kind became apparent in the Irrawaddy floods of 1875, when some of the embankments were breached and others overflowed. In some cases the people whose property was threatened with injury came forward cheerfully and prevented further disaster; but in others, where the danger was equally real and of greater extent, but not so immediately apparent, great difficulty was experienced in getting the people whose lives and property were jeopardized to assist in any way in saving the works.

The great losses of life and property that have occurred during the last few years all over the world prove that the works esteemed the most perfect are liable to such sudden and unforeseen failures, and almost universal experience proves that the only remedy possible to apply in such cases consists in the labour of the persons most interested being concentrated on the weaker spots under proper direction.

This Bill will therefore legalize a practice which already obtains imperfectly in Burma, and which is general where embankment-works exist.

In drawing up the details of the Bill, attention has been given to Act No. I of 1858 relating to similar works in Madras.

CALCUTTA;
The 12th March 1877.

A. CLARKE.

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

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 16, 1877. Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877:—

No. 11 OF 1877.

A Bill to amend the Bombay Revenue Jurisdiction Act, 1876.

Preamble.

WHEREAS it is expedient to exempt from the operation of the fourth section of the Bombay Revenue Jurisdiction Act, 1876, certain suits instituted in the Districts mentioned in the Schedule hereto annexed; It is hereby enacted as follows:—

Addition to section 5, Act X of 1876.

1. To section five of the said Act the following clause shall be added (namely)—

"and nothing in section four shall be held to prevent the Civil Courts in the Districts mentioned in the second Schedule hereto annexed from exercising such jurisdiction as, according to the terms of Acts No. XI of 1852, No. XXIII of 1871, and Bombay Acts No. II of 1863, No. VII of 1863 and No. III of 1874, or of any other law in force on the twenty-eighth day of March 1876, they could have exercised over claims against Government—

"*(a)* relating to any property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act No. III of 1874, or any other law for the time being in force, or of any other village-officer or servant:

"*(b)* to hold land wholly or partially free from payment of land-revenue:

"*(c)* to receive payments charged on, or payable out of, the land-revenue."

Schedule added to Act X of 1876.

2. The following Schedule shall be added to the said Bombay Revenue Jurisdiction Act, 1876, (namely)—

"THE SECOND SCHEDULE.

The District of Ahmedabad.

The District of Kaira, exclusive of the Panch Mahâls.

The District of Broach.

The District of Surat, exclusive of the lapsed State of Mándvi, as described in the schedule annexed to Act X of 1848.

The District of Tanna.

The District of Colába, exclusive of the lapsed State of Colába mentioned in Act VIII of 1853.

The District of Ratnágiri.

The District of Kanara."

STATEMENT OF OBJECTS AND REASONS.

1. The Bombay Revenue Jurisdiction Act (X of 1876), section 4, sub-section (*a*), article 1, and sub-section (*f*), articles 1 and 2, withdraw from the jurisdiction of the Civil Courts in every part of the Bombay Presidency (1) claims against Government relating to property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act III of 1874, or any other law for the time being in force, or of any other village-officer or servant, and (2) claims against Government to hold land wholly or partially free from payment of land-revenue, or to receive payments charged on, or payable out of, the land-revenue.

2. The object of this Bill is to restore to the Civil Courts, so far as the Old Provinces are concerned, whatever jurisdiction has been taken away by the articles above referred to.

3. The reasons for the Bill are shortly as follows: In the Old Provinces the Courts had, to a certain extent, cognizance of the claims in question; obscure and disputed claims to exemption from land-revenue or from enhanced assessments are commoner there than in other parts of India; and for these and other causes the change effected by the articles above mentioned is distasteful to the population.

SIMLA, } A. J. ARBUTHNOT.
The 19th April 1877. }
A. PHILLIPS,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877:—

No. 12 OF 1877.

A Bill to amend the Chutia Nágpur Encumbered Estates Act, 1876.

FOR the purpose of amending the Chutia Nágpur Encumbered Estates Act No. VI of 1876; It is hereby enacted as follows:—

Preamble.

1. For the word "six" shall be substituted the word "twelve" in the second clause of the twelfth section of the said Act.

Amendment of Act VI of 1876, section 12, clause 2.

STATEMENT OF OBJECTS AND REASONS.

The Government of Bengal being of opinion that the period of six months provided by section 12 of the Chutia Nágpur Encumbered Estates Act, 1876, is too short for deciding whether an estate should be retained under management or relinquished under that section, the period of six months is, by the amending Bill, increased to twelve months, which period it is believed will be sufficient for the purpose.

SIMLA; } A. J. ARBUTHNOT.
The 25th May 1877. }
A. PHILLIPS,
Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877, and was referred to a Select Committee:—

No. 13 of 1877.

THE TRANSFER OF PROPERTY BILL, 1877.

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A Bill to define and amend the law relating to the Transfer of Property.

WHEREAS it is expedient to define and amend the law relating to the transfer of property; It is hereby enacted as follows :— Preamble.

CHAPTER I.

PRELIMINARY.

This Act may be called "The Transfer of Property Act, 1877 :" Short title.

It extends to the whole of British India ; Extent.

And it shall come into force on the day of 1878. Commencement.

2. On and from that day the enactments specified in the first schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof. Repeal of Acts.

Nothing herein contained shall be deemed to affect— Saving of certain rights, liabilities, &c.

(*a*) any right or liability acquired or incurred before this Act comes into force or any remedy in respect of any such right or liability :

(*b*) any right of pre-emption acquired after this Act comes into force :

(*c*) any option of a mortgagee to make further advances required by the mortgagor :

(*d*) any contract of bottomry or respondentia :

(*e*) any sale, mortgage or other transfer of a British ship :

(*f*) any sale in execution of a decree or order, or for arrears of rent or revenue :

(*g*) the construction of any instrument executed before this Act comes into force.

3. In this Act, unless there be something repugnant in the subject or context— Interpretation-clause.

"assurance" means any instrument not testamentary, creating, transferring or otherwise disposing of any interest in immoveable property : "assurance."

the person so creating, transferring or otherwise disposing, is called a grantor : the person in whose favour such creation, transfer or disposition is made, is called a grantee ; and the operation effected by an assurance is called a grant : "grantor." "grantee." "grant."

"registered" means registered in British India under the law for the time being regulating the registration of documents. "registered."

"affixed to the soil" means— "affixed to the soil."

(*a*) imbedded in the soil, as in the case of walls ;

(*b*) permanently resting upon it, as in the case of buildings ; or

(*c*) permanently attached to what so rests, as by means of nails, bolts or screws.

and all words occurring in this Act and defined in the Indian Contract Act, 1872, shall have the meaning attributed to them respectively by that Act. Words defined in Act IX of 1872.

CHAPTER II.

OF ASSURANCES OF IMMOVEABLE PROPERTY.

4. Every person competent to contract may make an assurance of any immoveable property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. Persons competent to make assurances.

5. Immoveable property may be granted with the right to an easement affecting any other immoveable property belonging to the grantor, or subject to an easement for the benefit of any other property. Conveyance of easements.

Easements may be made the subject of separate grants.

Where any easement is actually enjoyed with any property the subject of any grant, the grant shall, unless a contrary intention appears by the assurance, be deemed to pass such easement.

6. Immoveable property may be granted subject to an obligation for the benefit of the public or of any neighbouring owner. Power to convey subject to obligation for benefit of public or neighbour.

Such obligation shall bind the grantee and all persons claiming the granted property under him, and may be the subject of a separate grant.

Whenever such an obligation is created for the benefit of the public, it may be enforced by the grantor and his legal representatives or by the Government as a civil right.

Illustrations.

(*a*). A grants certain land to Z subject to the condition that Z shall not, without the consent of A, build any dwelling-house within a hundred yards of certain adjoining land of A. A and all persons claiming such land under him may enforce this obligation on Z, and all persons claiming the granted land under him.

(*b*). A grants certain land to Z, subject to the condition that Z shall for ever maintain thereon a fountain for the use of travellers.

Z, being the owner of certain land, covenants with A that he will for ever maintain thereon a fountain for the use of travellers.

In each case either A or the Government may enforce the obligation against Z, and all persons claiming the land under him.

7. Immoveable property may be granted with the reservation of any right of using the same or of severing and removing any part thereof. Such rights may be the subject of separate grant. Power to convey with reservation of certain rights.

Illustrations.

(*a*). A may grant to B his lands of Rámnagar, reserving to himself the right to dig for and remove the coal and other minerals thereon, and to do in person, or by his servants, whatever is necessary for obtaining and removing the coal and other minerals.

(*b*). A may grant to B, by a separate assurance, the right to plant fruit-trees on A's lands of Rámnagar, and to gather the fruit.

8. An assurance may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention thereby, and without any further act, to grant any interest in immoveable property. Form of assurance.

9. The rules of construction which apply to testamentary instruments shall also be applicable to assurances, so far as the different nature of assurances will permit. Application of rules of construction.

10. Unless a contrary intention appears by the assurance, a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject of the grant, and to comprise— Operation of assurance.

(*a*) trees and all other products of the soil ;

(*b*) things affixed to the soil, and, in the case of machinery so affixed, the moveable parts thereof ;

(*c*) in the case of a house, the locks, keys, bars, doors and windows,

and a covenant by the grantee concerning the subject of the assurance binds all persons claiming such subject under the grantee, and may be enforced by all persons claiming under the grantor, and a like covenant by the grantor binds all persons claiming the subject under the grantor, and may be enforced by all persons claiming under the grantee. Covenants concerning its subject.

CHAPTER III.

OF SALES OF IMMOVEABLE PROPERTY.

11. Unless a contrary intention appears from the assurance or, when no assurance has been made, from the contract, the seller and the buyer of immoveable property respectively possess the rights and are subject to the liabilities mentioned in the nine rules next following, or such of them as are applicable to the property sold : Rights and liabilities of seller and buyer.

(*a*). If the buyer, or any person claiming under him, suffers loss by reason of any invalidity of the seller's title not known to the buyer when the contract was entered into, the seller, or, where the seller is not the person for whose benefit the consideration was received, then such other person, is responsible for the loss so suffered.

(*b*). The seller has a charge upon the property for the amount of the purchase-money, or any part thereof, remaining unpaid; but as soon as the assurance (if any) is registered, such charge shall cease.

EXPLANATION.—Money for which a bill of exchange has been taken remains unpaid, within the meaning of this clause, until the bill is paid.

(*c*). After the contract has been made, the seller is entitled to the rents and profits of the property until the time fixed for the completion of the sale, and if he has received any such rents and profits which accrued after that time, he must on completion account for them to the buyer. The buyer must, on completion, pay to the seller interest on the purchase-money from the time fixed for the completion of the sale. But this is not to preclude either party from obtaining compensation where loss has been occasioned by the default or delay of the other party.

(*d*). The buyer is entitled to a charge on the property for the amount of any purchase-money properly paid by him in anticipation of the completion of the sale.

(*e*). In the absence of fraud or misrepresentation the seller is not answerable for any latent defect in the property sold.

(*f*). After the contract has been made, the buyer is liable to bear any loss arising from the destruction or decrease in value of the property, and not caused by the vendor's fault, and is entitled to the benefit of any improvement in, or increase in value of, the property.

(*g*). The seller is bound to execute a proper assurance of the property when the buyer tenders it to him for execution at a proper time and place.

(*h*). When the buyer has been let into beneficial possession of the property pending discussions as to the seller's title thereto, and the contract is not completed owing to defects in such title, the buyer is not liable to pay for his use of the property.

(*i*). When the completion of the contract is delayed by the buyer, and, after the day fixed for completing it, the seller expends money on the property, the seller is entitled to recover the amount so expended, provided that such expenditure was required for the preservation of the property, or by any law for the time being in force.

12. Save as provided by section 11, clause (*b*), a contract for the sale of, or relating to, immoveable property, whether registered or not, shall not have the effect of creating any interest in, or charge on, such property; but the only right of any person under the contract shall be to apply for specific performance, or for compensation, or for both, according to the rules laid down in the Indian Contract Act, 1872, and the Specific Relief Act, 1877. Contract for sale not of itself to create interest in property.

13. A person paying the consideration for any immoveable property, but having the transfer of it made to another person, is not, by reason of such payment, entitled to such property or to any interest therein. Purchase of immoveable property which buyer causes to be transferred to another.

CHAPTER IV.

OF MORTGAGES AND CHARGES.

Mortgage, mortgagor and mortgagee defined.

14. When any interest in specific property is actually or contingently transferred by one person to another for the purpose of securing the payment of money, the transfer is called a mortgage, the transferor is called a mortgagor, the transferee a mortgagee, the money of which payment is secured is called the mortgage-money, and the instrument (if any) by which the transfer is effected is called a mortgage-deed.

For the purposes of this chapter, any person claiming as heir, legatee, assignee, lessee or otherwise the interest of the transferor in the property subject to the mortgage, or any part of such interest, is a mortgagor; and any person claiming as heir, legatee, assignee or otherwise the interest of the transferee under the mortgage, or any part thereof, is a mortgagee.

EXPLANATION.—A judgment-creditor who attaches any mortgaged property or mortgage-money claims under the transferor or transferee (as the case may be) within the meaning of the second paragraph of this section.

Illustrations.

(*a*). A binding himself personally for the repayment of a loan, pledges certain land to B as collateral security for such repayment, but does not actually deliver possession.

(*b*). A not so binding himself, pledges certain land as in illustration (*a*), and covenants that in default of payment of the loan on a certain date the land pledged shall pass to B.

(*c*). A borrows money from B, and gives up certain land to B that he may retain possession thereof until he has from the rents and profits of the land repaid himself the sum so lent.

(*d*). A binding himself as in illustration (*a*), pledges certain land to B as a collateral security for the repayment, and permits B to receive the rents and profits of the land until he has repaid himself the loan, but does not actually deliver possession.

(*e*). A not so binding himself covenants that on default of payment of the loan on a certain date the land pledged shall pass to B. A meanwhile puts B into possession of the land, and allows him to receive the rents and profits in discharge of the loan.

(*f*). A charges certain land in favour of B with Rs. 1,000 and interest at the rate of twelve per cent. per annum.

(*g*). A charges a certain fund in favour of B with the amount which shall be due to him on the balance of A's account not exceeding Rs. 1,000, together with interest thereon at the rate of twelve per cent. per annum.

(*h*). A borrows Rs. 10,000 from B and conveys certain land to B in trust that the same shall stand charged with the payment to B of the Rs. 10,000 and interest and subject thereto in trust for C and others, and the deed confers express power on B in default of payment to sell the land.

Each of these transactions is a mortgage. A is the mortgagor, B the mortgagee.

(*i*). A, in consideration of a loan of money paid to him by B, makes over his land to B for a term of twenty years, but does not bind himself to pay to B principal or interest. This is not a mortgage.

Respective rights of mortgagor and mortgagee.

15. On the completion of a mortgage the mortgagor has the following rights:—

(*a*) he may, at any time after the mortgage-money has become payable, or has been paid, and before his right to redeem the mortgaged property is foreclosed or the property is sold, institute a suit (hereinafter called a suit for redemption) to have the mortgaged property retransferred to him;

(*b*) he may, at any time after the mortgage-money has become payable and before such suit is barred, tender to the mortgagee or deposit in the principal Civil Court within the local limits of whose ordinary original civil jurisdiction the mortgaged property or any part thereof is situate, to the account of the mortgagee, the whole amount for the time being due on the mortgage.

And the mortgagee has the following rights:—

(*c*) he may take possession of the mortgaged property at or after the time, if any, specified in the mortgage-deed for payment of the mortgage-money, or, if no time is so specified, at any time after the mortgage-money has become payable to him;

(*d*) he may, at any time after he is entitled to take possession of the mortgaged property, and before it is redeemed, institute a suit against the mortgagor (1) for a foreclosure of his right to redeem the property, with or without possession thereof, or (2) for a sale of the property, or (3) for either of such remedies;

(*e*) where the mortgagor deposits money in court under clause (*b*) of this section, the Court shall forthwith cause written notice of the deposit to be served on the mortgagee, and the mortgagee may, on depositing the mortgage-deed (if any) in the same Court and on filing a written statement (verified in manner prescribed by law for the verification of plaints) of the amount due to him under the mortgage, apply for and receive in payment of such amount the money so deposited;

(*f*) if at the date of the mortgage the mortgaged property is insured against fire, the mortgagee, in case of damage to the property by fire, may (in the absence of a contract to the contrary) require the insurance-money to be laid out in reinstating the property.

Rights and duties of mortgagee in possession.

16. When, during the continuance of the mortgage, the mortgagee takes possession of the mortgaged property, he has the following duties and rights:—

(*a*) he shall manage the property as a person of ordinary prudence would manage it if it were his own;

(*b*) he shall collect all rents and other profits arising out of the property;

(*c*) he shall, in the absence of an express contract to the contrary, pay out of the income of the property the Government revenue and all other charges of a public nature due in respect thereof and keep down the interest due on all mortgages of the property prior to his own, and on all mortgages of the property subsequent to his own, of which he has notice;

(*d*) he may spend such money as is necessary for the due management and preservation of the property and add it to the principal money secured, at the same rate of interest;

(*e*) where the property is by its nature insurable, he may insure and keep insured from loss or damage by fire the whole or any part of such property, and add the premiums paid for any such insurance to the principal money secured, at the same rate of interest;

(*f*) he shall keep accurate accounts of all sums received and spent by him as mortgagee;

(*g*) he shall, at any time during the continuance of the mortgage, give the mortgagor, at his request and cost, true copies of such accounts and of the vouchers by which they are supported.

Receipts of mortgagee in possession.

17. When the mortgagee is in possession of the mortgaged property, unless there is an express contract in writing between the mortgagee and the mortgagor that his net receipts therefrom shall, so long as the mortgagee is in possession thereof, be taken in lieu of interest on the principal sum secured by the mortgage, such receipts shall be debited against him in reduction of the amount (if any) from time to time due to him on account of interest on the principal sum so secured, or, so far as such receipts exceed any interest due, in reduction of such principal sum.

Injunctions to restrain waste.

18. Where the mortgagor remains in possession of the mortgaged property or any part thereof, and commits or threatens to commit waste thereon, the mortgagee may obtain an injunction to stay the waste: provided that the security is insufficient or will be rendered insufficient by the waste complained of. Where the mortgagee takes possession of the mortgaged property or any part thereof and commits or threatens to commit waste thereon, the mortgagor may obtain an injunction to stay the waste.

EXPLANATION.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of houses, exceeds by one-half, the mortgage-money.

Foreclosure and Sale.

Preliminary decree in foreclosure-suit.

19. In a suit for foreclosure or sale, if the plaintiff succeed, the Court shall pass a preliminary decree, ordering—

(*a*) that an account be taken of what will be due to the mortgagee for principal and interest on the mortgage and for his costs of the suit, on the day next hereinafter referred to,

(*b*) that, upon the defendant paying to the plaintiff or into Court the amount so due, on a day within six months from the date of the decree, to be fixed by the Court, the mortgagor shall, if necessary, be put in possession of the mortgaged property by the mortgagee free from all incumbrances created by the mortgagee or any person claiming under him, or, where the mortgagee claims by derived title, by those under whom he claims; but

(*c*) that, if such payment is not made on or before such day, the mortgagor shall be absolutely foreclosed of all right to redeem such property.

Procedure in case of payment of amount due and subsequent costs.

If payment is so made of such amount and of such subsequent costs as are mentioned in section 30, the mortgagor shall (if necessary) be put into possession of the mortgaged property.

Final decree for foreclosure.

If such payment is not so made, the plaintiff shall be at liberty to apply to the Court for a decree for the foreclosure of the said mortgage, and the Court may then pass a decree ordering the defendant to be foreclosed of all right to redeem the mortgaged property, and may, if necessary, deliver possession of the property to the mortgagee; and thereupon the mortgagor's right to redeem and the debt secured by the mortgage shall both be extinguished.

Power to order sale at instance of mortgagee.

20. In any suit by the mortgagee under this chapter, the Court may, at the instance of the plaintiff, decree that in default of the defendant paying to the plaintiff or into court the amount for the time being due on the mortgage and the plaintiff's costs of the suit, the mortgaged property or a sufficient part thereof be sold, and that the proceeds of the sale (after defraying thereout the expenses of the sale) be paid into court and applied in payment of what is due for the time being to the plaintiff on the mortgage, and that the balance, if any, be paid to the defendant or other persons entitled to receive the same.

Power to decree sale in foreclosure-suit.

21. When the mortgagee sues only for a foreclosure, the Court may, at the instance of the mortgagor, decree that in default of such payment, the mortgaged property or a sufficient part thereof be sold, if (*a*) the Court considers that the mortgagee will not be damnified thereby, and (*b*) the mortgagor furnishes such security, if any, as the Court thinks fit for the payment of the balance due for the time being by him on the mortgage.

Mortgagee not to bid at sale.

22. At any sale under section 20 or section 21, the mortgagee shall not bid for or acquire any interest in the property sold without the leave of the Court, or without submitting to such conditions as the Court may impose.

Recovery of balance due on mortgage.

23. If the nett proceeds of any such sale are insufficient to pay the amount due for the time being on the mortgage, the balance may be recovered in the same suit in the same manner as under a decree for money, or by any other legal process open to the mortgagee.

Power of sale.

24. Power may be expressly conferred by the mortgage-deed on the mortgagee to sell or concur in selling the mortgaged property, or any part thereof, on default made in payment of any principal money or interest, payment of which is secured by the mortgage-deed. But in exercising such a power, the mortgagee shall be subject to the following rules (namely)—

(*a*) he shall use all reasonable diligence to obtain a fair price for the property:

(*b*) no such sale shall be made (1) until after six months' notice in writing of the intended sale has been given to the mortgagor, or (2) after the amount for the time being due on the mortgage has been paid or tendered to the mortgagee by or on behalf of the mortgagor, or (3) pending a suit for redemption of the property, or (4) so as to give the mortgagee any interest in the property.

When a sale has been effected in professed exercise of any such power, the title of the purchaser shall not be liable to be impeached on the ground that no such default had been made or that the rules so prescribed had not been complied with.

Receipts for purchase-money given by the mortgagee exercising such power shall discharge the purchasers therefrom.

The proceeds of every such sale shall be applied as follows:—

first, in defraying the expenses incident to the sale, or properly incurred in any attempted sale under the power;

secondly, in or towards satisfaction of the amount for the time being due on the mortgage; and

thirdly, the surplus (if any) of the said proceeds shall be paid to the mortgagor.

Redemption.

25. In a suit for redemption, if the plaintiff succeed, the Court shall pass a preliminary decree for taking the accounts, as provided by section 19, between the mortgagor and mortgagee, and directing that upon the mortgagor paying within six months from the date of the decree to the mortgagee or into Court what (if anything) is found due to the mortgagee for principal, interest and costs, the mortgaged property to the mortgagor, free from the mortgage, and from all incumbrances created by the mortgagee or any persons claiming under him, and that if such amount is not so paid, the plaintiff's suit shall thenceforth stand dismissed, and that he shall be foreclosed of all right to redeem the mortgaged property.

Preliminary decree in redemption-suit.

26. If the mortgagee fail to perform any of the duties imposed upon him by section 16, he may, when the said accounts are taken, be debited with the loss, if any, occasioned by such failure.

Loss occasioned by mortgagee's default.

27. If on taking the accounts nothing is found due to the mortgagee, or if the amount found due together with such subsequent costs as are mentioned in section 30 is paid according to the decree, the mortgagor shall, if necessary, be put into possession of the property. But if such amount and costs are not so paid, the mortgagor shall be absolutely foreclosed of all right to redeem the property, and the Court shall, if necessary, deliver possession thereof to the mortgagee.

Procedure where nothing due or amount paid.

Procedure when amount due is not paid.

Interest.

28. When the mortgagor and mortgagee have contracted as to the payment of interest on the principal money for the time being due to the mortgagee under the mortgage, interest shall be payable in accordance with such contract: Provided that where the mortgagor has tendered or deposited in Court the whole amount due to the mortgagee, such interest shall cease from the date of the tender or from the time when the mortgagee could take such amount out of Court, as the case may be.

Payment of interest.

Proviso.

Costs.

29. The mortgagee is ordinarily entitled to add to his debt his costs properly incurred of any suit under this chapter. But such costs, or any part thereof, may be disallowed if the mortgagor has tendered to the mortgagee or has deposited in Court the whole amount due to him under the mortgage, and if the mortgagee has unreasonably refused to accept such tender or to take such money out of Court in discharge of his claim, or if he has prevented a mortgagor willing and able to make such tender or deposit from making it by refusing or neglecting to give him proper information as to the state of the accounts required to be kept under section 16.

Costs of mortgagee.

30. In finally adjusting the amount to be paid to a mortgagee in case of a redemption or a sale by the Court under this chapter, the Court shall, unless the conduct of the mortgagee has been such as to disentitle him to costs, add to the principal debt such costs of suit as have been properly incurred by him since the decree for foreclosure, redemption or sale up to the time of actual payment.

Costs of mortgagee subsequent to decree.

Deposit of Title-deeds.

31. The deposit of title-deeds with intent to create a mortgage on the property comprised therein, but without actual transfer of such property, shall be deemed to be only evidence of a contract for a mortgage of the property, and shall entitle the depositee merely to institute a suit for specific performance of such contract.

Effect of deposit of title-deeds.

Sale of property subject to prior mortgage.

32. If any property the sale of which is directed under this chapter is subject to a prior mortgage, the Court may, with the consent of the prior mortgagee, order that the property be sold free from the same, giving to such prior mortgagee the same interest in the proceeds of the sale as he had in the property sold.

Sale of property subject to prior mortgage.

33. Such proceeds shall be brought into Court and applied as follows:

Application of proceeds.

first, in payment of all expenses incident to the sale or properly incurred in any attempted sale;

secondly, if the property has been sold free from any prior mortgage, in payment of whatever is due on account of such mortgage;

thirdly, in payment of all interest due on account of the mortgage in consequence whereof the sale was directed, and of the costs of the suit in which the decree directing the sale was made;

fourthly, in payment of all principal moneys due on account of that mortgage; and

fifthly, the residue (if any) shall be paid to the person proved to be interested in the property sold, or if there be more such persons than one, then to such persons according to their respective interests therein.

34. If a mortgage made to secure the balance of a running account expresses the maximum to be secured thereby, a subsequent mortgage on the same property shall, if made with notice of the prior mortgage, be postponed to the prior mortgage in respect of all advances or debits not exceeding the maximum, though made or allowed with notice of the subsequent mortgage.

Mortgage to secure balance of account.

Illustration.

A gives to his bankers, B & Co., a charge on Sultánpur to secure the balance of his account with them to the extent of Rs. 10,000. A then gives to C a charge on Sultánpur to secure Rs. 10,000; and C gives notice thereof to B & Co. At the date of the second charge, the balance due to B & Co. does not exceed Rs. 5,000. B & Co. subsequently advance to A sums making the balance of the account against him exceed the sum of Rs. 10,000. B & Co. are entitled, to the extent of Rs. 10,000, to priority over C.

35. Any person having an interest in mortgaged immoveable property may, at any time before a sale of such property has taken place under this chapter, tender to the next prior mortgagee the amount due to him on account of his mortgage. Such mortgagee is bound to accept such tender and to give a receipt for the sum due, and on such receipt being registered, his interest in the property in respect of the mortgage shall absolutely cease.

Right to pay off mortgagee in order to prevent sale.

36. In such case, where the person making the tender has, subject to the mortgage, the absolute ownership of the property, the mortgage shall cease to exist and the property shall vest in the person making such tender.

Effect of such payment by person having whole interest in property charged.

37. If the tender be made by a person not having, subject to the mortgage, the absolute ownership of the property, he shall acquire in respect of the property all the rights and powers of the mortgagee to whom he has made such tender.

Effect of payment by person only partially interested.

38. No mortgagee paying off a prior mortgage, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his original security. And no mortgagee making a subsequent advance to the mortgagor, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his security for such subsequent advance.

Tacking abolished.

39. If the owner of two or more properties creates separate mortgages on them by separate assurances, each mortgage may be dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

Redemption of one of two properties separately mortgaged.

Illustration.

A, the owner of farms Z and Y, mortgages Z to B for Rs. 1,000. A afterwards mortgages Y to B for Rs. 1,000, making no stipulation as to any additional charge on Z. A may institute a suit for the redemption of the mortgage on Z alone.

40. If property subject to a mortgage, or the right to receive mortgage-money, be transferred to a third person, the transferee has all the rights and powers of his transferor, under the mortgage, and is subject to the liabilities existing between his transferor and the mortgagor or mortgagee, as the case may be.

Rights and powers of transferee of mortgage-debt or mortgaged property.

Where such a transfer is made for the purpose of securing the payment of money, the original mortgage-debt, if recovered by either the transferor or the transferee, is applicable, *first*, in payment of the costs of such recovery, *secondly*, in or towards satisfaction of the amount for the time being secured by the transfer; and the residue, if any, belongs to the transferor.

41. If by any assurance other than a mortgage-deed, or by any will, or under the provisions of this or any other Act, or by operation of law, certain property of one person is made security for the payment of certain money to another, all the provisions hereinbefore applied to a mortgagor shall apply to the owner of such property, and all the provisions hereinbefore applied to a mortgagee shall apply to the owner of such money.

Charge made by assurance or will.

CHAPTER V.

OF LEASES OF IMMOVEABLE PROPERTY.

42. A lease may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention of the parties to give and take, for rent or a fine, possession of, or profits derived from, immoveable property, for a time shorter in duration than the lessor's interest therein.

Form of written lease.

43. Where the time limited by a lease is expressed as commencing from a particular day, in computing that time such day shall be excluded.

Exclusion of day on which term commences.

Where the time so limited is a year or a number of years, in the absence of any express agreement to the contrary, the lease shall last during the whole anniversary of the day on which such time commences.

Duration of term.

Where the time so limited is expressed to be determinable before its expiration, and there is no express agreement as to the party having the option of determining it, the lessee shall have such option.

Option to determine lease.

44. Unless a contrary intention appears from the lease, the lessor and the lessee, as against one another, respectively possess the rights and are subject to the liabilities mentioned in the twenty-two rules next following, or such of them as are applicable to the property leased:—

Rights and liabilities of lessor and lessee.

(*a*). During the continuance of the lease, the lessee is entitled to the enjoyment of all lights, waters, water-courses, drains, ways and other easements enjoyed as incident to the property leased at the time when the lease was made.

(*b*). The lessor is bound to put the lessee in possession of the property leased, and to deliver it to him in a condition reasonably fit for the purpose for which both parties contemplate that the lessee is to use it.

(*c*). If the lessee is, by reason of the invalidity of the lessor's title, or by any act or default of the lessor, or of any person claiming under him, or of any person claiming by a superior title to his, disturbed in the peaceable enjoyment of the property leased, the lessee is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*d*). If the lessee is, by reason of the invalidity of the lessor's title, deprived of any substantial part of the property leased, or of anything essential to his enjoyment thereof, he is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*e*). In the absence of fraud or misrepresentation, the lessor is not answerable for any latent defect in the thing leased.

(*f*). The lessor is bound to do all things necessary for maintaining the roof, walls, beams, floors, stairs and drains of any house or other building comprised in the lease, and may for that purpose enter such building at all reasonable times.

(*g*). In all other respects the lessee is bound to keep, and at the end of the lease to restore, the property leased in as good condition as it was in at the time when he was put in possession, subject only to reasonable wear and tear.

(*h*). Deteriorations arising from want of painting or plastering, or from breaking of glass, are not to be considered as wear and tear, but shall be made good by the lessee.

(*i*). If by fire, tempest or flood, or violence of an army or of a mob, or other superior force, any part of the property leased be wholly destroyed or rendered substantially unfit for the purposes for which it was let, the obligation of the lessor as to that part shall cease unless he consents to reinstate the part so destroyed or rendered unfit; but in case of refusal or neglect to reinstate the same, the lessee shall be entitled to be discharged from his lease.

If the injury be occasioned by the wrongful act of either party, such party shall not be entitled to avail himself of the benefit of this provision.

(*j*). In case any rent remains unpaid at the end of a month from the time when it was payable and demanded, or in case within a reasonable time after notice default is made by the lessee in the performance of any of his other obligations under the lease, the lessor may institute a suit for a decree for the rescission of the lease and for possession of the property leased, unless the lessee shall, within a time to be specified by the Court, pay such arrears and perform such obligations, and also pay all costs and expenses sustained by the lessor through the lessee's default.

(*k*). In case the lease is rescinded for the default of the lessee, he is bound to pay the rent up to the time of such rescission, and also to make compensation for any other loss resulting from his default.

(*l*). If the lessor neglects to make, within a reasonable time after notice, repairs which he ought to make, the lessee may make the same himself, and deduct the expense of such repairs from the rent, or otherwise recover it from the lessor.

(*m*). If the lessor neglects to make any payment which he is bound to make, and which if not made is recoverable against the property leased, the lessee may make such payment himself, and deduct it from his rent, or otherwise recover it from the lessor.

(*n*). Every lessee who receives notice of any proceeding to recover the property leased to him or any part thereof, is bound to give notice thereof to the lessor with reasonable diligence; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*o*). The lessee is bound to give notice to the lessor, within a reasonable time, of any encroachment made upon, or any interference with the lessor's rights concerning, the property leased; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*p*). The lessee may use the soil and its products for all purposes of enjoyment as a reasonable owner would use them: but he may not destroy them wastefully, nor remove them after the expiration of the lease.

(*q*). No lessee of immoveable property who erects thereon any building, engine or machinery for agricultural purposes shall remove the same without first giving to the lessor or his agent one month's previous notice in writing of his intention so to do, and thereupon the lessor or his agent may elect to purchase the thing so proposed to be removed, and the lessee's right to remove the same shall thereby cease, and the same shall belong to the lessor, and the value thereof shall in case of dispute be ascertained and determined by two referees, one to be chosen by each party, or by an umpire to be named by such referees, and shall be paid or allowed in account by the lessor.

(*r*). Subject to the provisions of clause (*g*) and clause (*q*), the lessee has a right to remove at any time during his possession of the property leased, or within a reasonable time afterwards, all things not being products of the soil which he has affixed to the soil.

(*s*). When a lease of land determines in consequence of an uncertain event over which the lessee has no control, the lessee is entitled to all the crops growing upon the land for the season current when the lease determines, and to free ingress, egress and regress to reap and carry them.

(*t*). Upon the death of the lessor or of the lessee, his legal representative shall have all the rights and be subject to all liabilities of the lessor or lessee whom he represents.

(*u*). If the lessor transfers the property leased, or any part thereof, or any part of his interest therein, the transferee shall possess all the rights and, if the lessee so elects, be subject to all the liabilities of the lessor as to the property or part transferred so long as he is the owner of it; but the lessor shall not by reason only of such transfer cease to be subject to any of the liabilities imposed upon him by the lease, unless the lessee elects to treat the transferee as the person liable to him: Provided that if the lessee pay rent to the lessor without having reason to believe that such transfer has been made, he shall not be liable to pay such rent over again to the transferee.

Where only a part of the property leased is transferred by the lessor, he may determine what proportion of the rent reserved by the lease is payable in respect of the part so transferred.

(*v*). The lessee has a right to transfer his lease. The transferee may again transfer it. The lessee shall not, by reason of such transfer, cease to be subject to any of the liabilities attaching to the lease, unless the lessor elects to treat the transferee as the person subject to such liabilities. Subject as aforesaid, each successive transferee, so long as he is entitled to the property leased, possesses all the rights, and is subject to all the liabilities, of the lessee.

45. Nothing in this Act shall affect any right to distrain which a lessor may exercise under any local law for the time being in force.

Saving of right to distrain.

46. In the absence of any written agreement and of any local law or usage to the contrary, a lease of property for purposes of cultivation shall be a lease from year to year terminable by six months' notice ending with the end of a year of the tenancy; and a lease of property for any other purpose shall be a lease from month to month, terminable by fifteen days' notice ending with the end of a month of the tenancy.

Duration of certain leases in absence of written agreement or local usage.

Every notice under this section must be in writing signed by or on behalf of the party giving it and served on the party who is intended to be bound by it.

47. If a lessee of property remains in possession thereof after the expiration of the lease, and the lessor accepts rent from him, or otherwise assents to his continuing in possession, the lease is, in the absence of an agreement to the contrary, renewed from year to year or from month to month, according to the purpose for which the property is leased, as specified in the last preceding section.

Effect of holding over.

Illustrations.

(*a*). A lets a house to B for five years. B sub-lets the house to C at a monthly rent of Rs. 100. The five years expire, but C continues in possession of the house and pays the rent to A. C's lease is renewed from month to month.

(*b*). A lets a farm to B for the life of C. C dies, but B continues in possession with A's assent. B's lease is renewed from year to year.

CHAPTER VI.

OF EXCHANGES.

48. Exchange is a contract by which the parties mutually give, or agree to give, one thing for another, neither thing or both things being money only.

"Exchange" defined.

Each party has the rights and obligations of a seller as to that which he gives and the rights and obligations of a buyer as to that which he takes.

Rights and obligations of parties.

On an exchange of money, each party thereby warrants the genuineness of the money given by him.

Exchange of money.

CHAPTER VII.

OF SETTLEMENTS.

49. "Settlement" means in this chapter any disposition of property—

"Settlement" defined.

(*a*) which is not testamentary, and is not founded on any valuable consideration, or

(*b*) which is made in consideration of marriage, or

(*c*) which is made for the purpose of dividing property of the settlor among his family or those for whom he desires to provide,

but does not include a gift made by a Hindú Muhammadan or Buddhist.

50. In order that a settlement should be binding, it is not necessary that it should be made for a consideration.

Consideration not necessary to make settlement binding.

51. A settlement made for the purpose of depriving present or future creditors or other persons having demands against the settlor, of their demands on him, is voidable at the option of such creditors or other persons, and so far as regards the demands of such creditors or other persons, but not as against a person who, having no knowledge of the purpose for which the settlement was made, has contracted for or acquired an interest therein by marriage or for other valuable consideration, nor as against claimants under such persons. Such settlement is nevertheless binding on the settlor and on all persons claiming under him.

Voidability of settlement made in fraud of creditors.

EXPLANATION.—Where there is no positive evidence of fraud, the intent to deprive creditors and other persons of their demands on the settlor may be inferred from

(*a*) the indebtedness of the settlor at the date of the settlement,

(*b*) want of consideration for the settlement, and

(*c*) any other circumstance indicative of fraud.

52. A condition or limitation in a settlement or will restraining any person from parting with or disposing of his interest, is void.

Condition restraining alienation of interest.

53. A condition or limitation contained in a settlement or will making an interest thereby reserved or given to or in trust for any person to cease on his becoming insolvent, or endeavouring to transfer or dispose of the same, is void.

Condition making interest determinable on insolvency or alienation.

54. If by a settlement property be given to a person then living in general terms, without indicating the time when it is to be paid or delivered, such person has a vested interest therein from the day of the execution of the settlement, and if he dies without having received it, it shall (subject to any legal disposition thereof which he may have made) pass to his legal representatives.

Vesting of gift in general terms.

55. Where by the terms of a settlement a thing is given to a person not in existence, but he is not entitled to possession of it immediately upon his birth, a right to receive it at the proper time shall, unless a contrary intention appears by the settlement, become vested in such person upon his birth, and shall (subject to any legal disposition thereof which he may have made) pass to his legal representative if he dies before that time, and without having received it. And in such cases it is from his birth said to be vested in interest.

Vesting in interest of gift to unborn person not entitled to possession immediately on birth.

56. The provisions of the Indian Succession Act, 1865, sections 100 to 104, both inclusive, 107 and 108, 111 to 127, both inclusive, and 167, shall be applicable, so far as the nature of the case will admit, to gifts contained in settlements.

Application of sections of Act X of 1865 to gifts contained in settlements.

57. Whenever a person becomes entitled in possession by virtue of a settlement to money or any other property yielding income, he shall be entitled to receive the interest or income thereof from that time.

Right to income of property coming into possession under settlement.

CHAPTER VIII.

OF GIFTS FOR RELIGIOUS AND CHARITABLE PURPOSES.

58. No person having a nephew or niece, or any nearer relative, shall have power to give any property to religious or charitable uses, by any instrument which is required to be registered, unless such instrument be executed not less than twelve months before his death, and duly registered.

Gift to charitable uses by person having certain relatives.

59. Subject to the provisions of the last preceding section, property may be assured in perpetuity for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety, or any other object beneficial to mankind. But no such assurance shall take effect until it has been sanctioned by some public authority to be designated by the Local Government by notification in the official Gazette.

Assurance of property in perpetuity for use of any community or institution.

The grant or refusal of such sanction may be notified by an entry in the book in which the assurance is registered, and the registering officer shall make such entry on receiving from the public authority aforesaid a written order in this behalf.

If no such order is made within two years next after the time when the property becomes applicable for the benefit of the public, it shall be deemed that sanction has been granted.

If such sanction is refused, the property shall devolve as if no such assurance had been made.

CHAPTER IX.

OF APPORTIONMENT.

60. All rents, annuities, pensions, dividends and other periodical payments shall, upon the determination of such payments by the death of the recipient or otherwise, be apportionable as if they had been made to accrue due from day to day, but to be payable on the days appointed for the payment thereof.

Apportionment of rents and other periodical payments.

Nothing in this section shall affect any express provision in any instrument binding on the recipient.

CHAPTER X.

OF CERTAIN RIGHTS AND LIABILITIES OF LIMITED OWNERS.

61. A person having a limited interest in any immoveable property is not entitled to do or omit any act the doing or omitting of which is destructive or permanently injurious to such property.

Rights and obligations of persons having limited interest in property.

EXPLANATION.—No act done in the reasonable use and enjoyment of property is destructive or injurious within the meaning of this section, though it may exhaust the substance of the property.

Illustrations.

(*a*). A Hindú widow is in possession as such of land protected from floods and rendered cultivable by a dyke. She is not entitled to cut the dyke and turn the land into a lake.

(*b*). A is tenant for life of land on which a dwelling-house stands. He is not entitled to pull down the house. Nor must he suffer it to fall for want of necessary repairs.

(*c*). A is tenant for life of land in which coal lies. He is entitled to work and use the coal.

(*d*). A is tenant for life of land planted with trees. He is entitled to cut the trees at maturity, but is not entitled to cut them when immature, except for the purpose of thinning out or otherwise benefiting the plantation.

Save as aforesaid, such person or his legal representative has the same right as a lessee to remove during the continuance of such interest, or within a reasonable time afterwards, all things which he has affixed to the soil in which he had such limited interest, and all crops growing upon the land for the season current when such limited interest determines.

62. A person having a limited interest in possession in any property, is bound to discharge all periodical payments due on account of any mortgage thereon taking effect during the continuance of his interest in priority to such interest, and all taxes and other public periodical charges to which such property is liable.

Obligation of limited owner in possession of property mortgaged.

63. Every advantage or increase of value accruing (accidentally or through the exertions of any one having a limited interest) to any property in which successive interests exist, belongs to all the persons having any interest in the property in the same shares and manner as they are entitled to the property.

Right to increase of value to property in which there are successive interests.

EXPLANATION.—A person having a mortgage on property has not thereby an interest within the meaning of this section.

64. Any person claiming any immoveable property after the death of any minor, married woman, or other person, and having reason to believe that such minor, married woman or other person is dead, and that his or her death is concealed by his or her guardian, husband or any other person, may once a year move the High Court to order the person concealing or suspected to conceal such person to produce him or her at such time and place, and before such persons (if any), as the Court may direct. And the High Court, if it think fit, shall make such order, and in case of disobedience thereto, the person so claiming the property may enter thereon and receive the profits thereof as if the person so concealed or suspected to be concealed were dead.

Discovery of death of tenant for life.

65. Nothing in this chapter applies to lessees.

Saving of lessees.

CHAPTER XI.

OF THE DISCRETION OF THE COURTS TO DEAL WITH SETTLED LAND.

66. If any person having, under a settlement or will, a limited interest in possession in any immoveable property, apply under this section to the High Court or District Court within the local limits of whose ordinary original civil jurisdiction such property or any part thereof is situate, the Court may, if it deem it just and expedient to do so,—

Powers exercisable by Court on application of person interested in possession in settled immoveable property.

(*a*) make such leases of the whole or any part of the property for such terms of years, for such rents, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*b*) make such sales of the whole or any part of the property, for such sums, payable either at once or periodically, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*c*) appropriate any part of the property for the formation of streets, roads, gardens or other open spaces, tanks, sewers, drains or water-courses, and authorize the erection of buildings and works thereon;

and generally deal with the property in any way the Court may think just and beneficial to the persons interested therein.

67. Every such application shall be in writing, and notice thereof shall be served through the Court on all trustees under the settlement or will and on any other persons who in the opinion of the Court ought to be so served, and shall be published in such newspapers as the Court may direct.

Service of notice and advertisement of application.

68. The Court may permit any person, whether interested in the property or not, to appear and be heard in opposition to or in support of any such application on such terms as to costs or otherwise as it thinks fit.

Appearance to oppose or support application.

69. The Court may order the costs of all or any parties to any application under this section to be paid out of any principal money receivable on account of any dealing with the property which is the subject of the application or to be a charge on such property or on any other property belonging to the same owners.

Costs of application.

70. Every lease made under section 66 shall take effect in possession; and on every such lease shall be reserved the best rent that can be reasonably obtained, to be made payable half-yearly or oftener without taking any fine or other benefit in the nature of a fine.

Leases under section 66.

71. All or any part of the proceeds of any lease, sale or disposition under section 66 may, if the Court think fit, be paid into Court.

Payment into Court of money receivable under section 66.

72. The Court shall declare what parts of such proceeds so received shall be considered as income, and may direct the same to be paid to the person for the time being entitled in possession to the property dealt with; and the residue of such money shall be applied as the Court shall direct in one or more of the manners following:—

Power to direct payment of income to person entitled.

Application of residue.

(*a*) the payment of the amount due in respect of any charge on the property dealt with;

(*b*) the purchase of other property or the investment in securities for the benefit of the persons interested in the property dealt with;

(*c*) the payment to any person becoming absolutely entitled to the property dealt with;

EXPLANATION—In this section the term "securities" means—

(*d*) promissory notes, debentures, stock and other securities of the Government of India;

(*e*) bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*f*) stock or debentures of, or shares in, railway or other companies, the interest whereon has been guaranteed by the Government of India; and

(*g*) debentures or other securities for money issued by or on behalf of any municipal body under the authority of any Act of an Indian legislature.

CHAPTER XII.

OF POWERS.

73. Where a person is authorized to determine the disposition of property otherwise than by virtue of his ownership, he is said to have power to appoint such property.

Power to appoint, defined.

The person who gives the power is called the donor, the person to whom the power is given is called the donee, and the persons for whose benefit the power is to be exercised are called the objects of the power. A person to whom any property is appointed is called an appointee.

Donor, donee, objects, appointee, defined.

Illustration.

A grants land to B for life, with remainder to such of B's children as B shall appoint. B appoints to C and D two of his children, in equal shares. A is the donor of the power, B the donee, B's children the objects, and C and D the appointees.

A power authorising the donee to appoint to whomsoever and for whatsoever interest he pleases, is called a general power.

General power.

A power restricted in respect either of its objects or the interests that may be conferred under it, is called a special power.

Special power.

Rules as to all powers.

74. Where a power is vested in several donees, all who are living must unite in its execution; but in case any one or more of them die during the continuance of the power, it may be exercised by the survivors or the survivor, unless a contrary intention appears by the instrument creating the power.

Exercise of power vested in several donees.

75. The donor may direct that the power shall be exercised by will only or by non-testamentary instrument only.

Modes in which powers may be executed.

If he directs that the power shall be exercised by will only, it must be exercised by will duly executed according to the provisions of the Indian Succession Act, or according to such other law as at the time of the execution of the power may be applicable to a will executed by the donee.

If he directs that the power shall be exercised by non-testamentary instrument only, it must be exercised by an instrument executed as an assurance and registered.

If he imposes no such restriction on the exercise of the power, it may be exercised either by such will or by such instrument as lastly hereinbefore mentioned.

When the power is not properly exercised, no Court shall in any case compel the person in possession of the property to which the power relates to deliver the property as if the power had been properly exercised or shall otherwise aid the defective execution.

Jurisdiction to aid defective executions abolished.

76. All appointments made in the manner directed by section 75 shall be deemed to be executed and attested in proper form, notwithstanding that some other mode of execution or attestation has been prescribed by the donor.

Validity of forms hereby prescribed.

77. Where a power is to be exercised with the consent of several persons, all who are living must concur in the consent, but in case any one or more of them die during the continuance of the power, the consent of the survivors or the survivor is sufficient, unless a contrary intention appears by the instrument creating the power.

Concurrence where power is to be exercised with consent of several persons.

Consent to the exercise of a power must be given by an instrument executed as an assurance and registered.

Consent to the exercise of a power need not be given by the instrument by which the power is exercised, but if it is given by a different instrument, such instrument must be executed at a time not later than the time at which the donee of the power executes the instrument by which he exercises the power.

78. If a person disposes of property in such manner as is authorized by a power vested in him, such disposition shall take effect out of the power, notwithstanding that the power is not mentioned or referred to in the instrument of disposition.

Recital of power not necessary.

Illustration.

Land is settled upon A for life with a special power to charge, by a non-testamentary instrument, portions in favour of his children. Subsequently a general power to dispose of the land by any instrument is vested in A. He executes an assurance, by which he directs that a sum of money shall be raised out of the land and settled on his son B for life, with remainder to B.'s wife and children. Such an appointment cannot take effect under the special power, but may be treated as a valid exercise of the general power.

79. The donee of a power need not exercise it entirely and at once by a single instrument, but he may from time to time exercise any unexhausted part thereof at his discretion.

Power exercisable by several instruments executed at different times.

If the donee has purported to exercise his power in such a manner that his appointment is void, the power is, to that extent, unexhausted.

80. Where a power given by any instrument is void in its creation, no disposition or gift made by the same instrument shall be deemed void merely because it is intended to take effect after the interests to be appointed under the power or in default of any such appointment.

Disposition intended to take effect after interests appointed under void power.

Illustration.

A marriage-settlement provides that the settled property shall belong to the husband and wife successively for their lives; that after the death of the survivor of them, it shall go to such of the children of the marriage and in such shares as the husband and wife shall jointly appoint, the interest of each such child to become vested in him on his attaining the age of twenty-five years; and that in the event of there being no child of the marriage who shall attain that age, or in default of appointment, the property shall belong to the husband or his legal representative.

Here the power to appoint the property is, under section 56, void in its creation; but the ultimate interest given to the husband takes effect.

General Powers.

81. If the donor confers on the donee a general power, the donee shall, so far as regards his power of disposition, his creditors and all persons who contract with him for valuable consideration to obtain any interest in the property comprised in the power, be deemed to be the absolute owner of such property for such interest therein as the donor could dispose of.

Effect of general power.

This rule is to take effect notwithstanding that the donor has prescribed some particular method for executing the power.

Illustrations.

A, the absolute owner of land, settles it on B for life, with remainder to such purposes as B—

shall appoint, or
shall by deed appoint, or
shall by will appoint, or
shall by deed or will appoint,

and, in case B dies without making any such appointment, on C absolutely.

If B—

grants the land by assurance, or
bequeathes it, or
contracts to sell it, or
incurs debt,

the property is liable, in the hands of either B or C, as the case may be, to the claims of B.'s grantee, legatee, purchaser or creditors, as the case may be.

If B dies having made no disposition of the property, C is entitled to it, subject to any claims which B's creditors may establish against it.

82. If the donor confers on the donee a general power, and makes no disposition of the property in the event of non-appointment, the donee shall be considered as the absolute owner of the property for such interest therein as the donor could dispose of.

Effect of general power without disposition of property in case of non-appointment.

Illustration.

A, the absolute owner of property, settles it on B for life with remainder to such purposes as B shall appoint, and makes no gift over in default of appointment. B dies without making any disposition of the property. The property vests in the representatives of B, and does not revert to A or his representatives.

Special Powers.

83. If the donee has only a special power, he cannot confer any interest in the property comprised therein which could not have been conferred by the donor at the time of the creation of the power.

Interest conferrible by donee of special power.

Illustrations.

(*a*). A settles a fund upon B for life with remainder to such purposes as B shall appoint. After the settlement is made C is born. B then appoints the fund to C for life with remainder to C's children absolutely. The appointment is valid, though C has no children at the time.

(*b*). A settles a fund upon B for life with remainder to his children as he shall appoint. At the date of the settlement B has no child, but afterwards has a son C. B then appoints to C for his life, with remainder to his children. Such interest could not have been conferred by A, and B's appointment is void.

84. Where the donee of a special power purports, in exercise of the power, to appoint to objects authorized by the power and also to objects not so authorized, the appointment in favour of the authorized objects shall take effect if their interests can be separated from those of the unauthorized objects.

Effect of appointment to objects, some authorized and others unauthorized.

Illustration.

Property is settled on A for life, and after his death on such of his children as he shall appoint, and in default of appointment to all A's children equally. A appoints that the property shall go after his death to his widow for her life, and after her death to two of his sons, C and D, in equal shares. There are five children of A. The appointment in favour of A's widow is invalid, and the rents and profits of the property during her life will go to all the five children in equal shares, but after her death to C and D absolutely.

85. Where the donee of a special power purports in exercise of the power to confer a larger interest than is authorized thereby, such appointment shall, if the appointee so elect, be void only for the excess, and good for the residue, if they can be separated.

Appointment in excess of power when voidable at election of appointee.

Illustrations.

(*a*). A has a life-interest in Rámnagar, with power to grant leases thereof for 30 years. A makes a lease of Rámnagar for 50 years. Such lease is good for 30 years only.

(*b*). A having a life-interest in Rámnagar and Sultánpur, with power to grant leases of Rámnagar for 21 years, grants a lease comprising both Rámnagar and Sultánpur for 21 years. After A's death the lessee may, if he thinks fit, elect to retain the lease as a lease of Rámnagar only, till the end of the 21 years.

86. Where, by an appointment under a special power, interests authorized and also interests unauthorized are created, and the interests authorized cannot be distinguished from those unauthorized, the whole is void.

Invalidity of appointment creating authorized and unauthorized interests not separable.

Illustrations.

(*a*). A fund is settled on A during his life, and after his death on his children as he shall appoint. A appoints the annual income for the benefit of his son B and his wife and children, in such manner as trustees shall think fit. The appointment is wholly void.

(*b*). Under a similar settlement, A having legitimate children by B, his wife, and others by C and D, his concubines, appoints the property to be divided among his children by B, C and D, the shares of the sons to be double those of the daughters. Here the interests authorized and unauthorized cannot be distinguished, and the appointment is wholly void.

87. When a person exercising a special power annexes to the gift a condition or qualification which is not authorized by the power, the gift is good and the condition or qualification only is void.

Appointment with unauthorized condition.

Illustrations.

(*a*). A, having a power to appoint a fund among his children, gives a part of it to his son B on condition that B shall settle it on B's children. The condition is void, and the gift is absolute.

(*b*). A, having a power to appoint a fund to a limited class of objects of whom B is one, appoints it to B, adding a condition that B shall release a debt owing to him by A, and also pay Rs. 1,000 to C. The appointment is good; but the condition is void.

88. If a beneficial interest in immoveable property and also a power to let it are given to the same person and he grants his interest in the property, he may enter into a contract not to exercise his power.

Contract not to exercise power of leasing.

89. Save as provided by section 88, an agreement or undertaking not to exercise a power which is given for the benefit of persons other than the donee is void.

Invalidity of agreement not to exercise power.

90. Where a power given for the benefit of persons other than the donee is exercised with a view to the benefit, direct or indirect, of the donee, in any mode not intended by the donor, the appointment is void.

Frauds on powers.

Illustrations.

(*a*). A, having power to appoint a fund in favour of any of her children, appoints the whole fund absolutely to one child, who has previously entered into an agreement with her to give one-half of the fund to A's husband absolutely. The appointment is void.

(*b*). A, having power to appoint a fund in favour of any of his children, appoints a portion of the fund to his son C, a minor, whom he knows to be suffering from a mortal disease; A being the person entitled to C's property in the event of his death. The appointment is void.

(*c*). A, having power to grant leases of certain settled land, exercises the power in favour of B in consideration of Rs. 1,000 paid to A by B as a fine or premium. The lease is void, and A holds the Rs. 1,000 in trust for the persons interested under the settlement.

91. If the instrument by which a power of appointment is exercised or specified objects is created does not provide for the event of no appointment being made, the property belongs (subject to any appointment that may have been made) in equal shares to the said objects.

Right to property in default of appointment.

Illustration.

A settles property on B for life with remainder to B's children as he shall appoint, and makes no disposition in default of appointment. B has two children, C and D, and appoints Rs. 1,000, part of the property, to C. Then C dies. Then B dies without making any further appointment. After paying Rs. 1,000 to C or his representative, the residue of the property is divisible in equal moieties between D and the representative of C.

92. Under a power of appointment in favour of several objects, an appointment of the whole property to one or more of such objects exclusively of the others is valid:

Appointment of whole property to some only of several objects in favour of which power is given.

Provided that, where the assurance creating the power declares the minimum amount or value of the share from which no object of the power is to be excluded, the appointment shall be invalid so far as it excludes any such object from any such share, and no farther.

CHAPTER XIII.

OF PROPERTY HELD BY SEVERAL PERSONS.

93. Where property is held by more persons than one, the share of any of them having at the time of his death a beneficial heritable interest therein shall

Right to property by survivorship created only by express words.

become vested in his legal representative, unless the property is held under an instrument which expressly provides that on the death of one his share shall accrue to the survivors.

Nothing in this section applies to property belonging to an undivided Hindú family.

Illustration.

A and B jointly advance money on mortgage. A dies intestate. The money advanced by A belongs to his legal representative.

Partition of immoveable property.

94. When immoveable property is held in possession by joint owners, any one of them may institute a suit in the proper Court, and such Court may direct a partition of the property to be made among the joint owners, and for the purposes of partition may, in order to equalise the value of the shares, direct any money to be paid by one to another or to be charged on one share in favour of another.

Power to direct sale and to distribute proceeds.

If it appear to the Court that a sale of the property and a distribution of the proceeds would be more beneficial for the persons interested than a division of the property between them, the Court may, on the application of any such person, direct a sale of the property.

Power to allow person interested to bid for property sold for purpose of partition.

95. On any sale under the last preceding section, the Court may, if it think fit, allow any of the persons interested in the property to bid at the sale, on such terms as to setting-off or accounting for the purchase-money or any part thereof, or as to any other matters, as to the Court seems reasonable.

Payment into Court.

96. All sums of money paid under the two *last preceding sections* may if the Court think fit, be paid into Court.

Saving of laws relating to partition of revenue-paying estates.

97. Nothing in this chapter shall affect any local law for the time being in force relating to the partition of estates paying revenue to Government.

Waste by one joint-owner.

98. When one joint-owner of immoveable property commits, or threatens to commit, waste to the same without the consent of the other joint owner, that other may institute a suit to recover compensation for the injury caused to him by the waste or to obtain an injunction to stay the waste, as the case may require.

CHAPTER XIV.

OF ASSIGNMENTS OF THINGS IN ACTION.

Sale, &c., of things in action.

99. No sale or disposition of, or charge on, any debt, and no sale or disposition of, or charge on, any beneficial interest in moveable property, shall have any operation against the debtor or against the person in whom the property is vested, until notice of the sale, disposition or charge is given to him, unless he is a party to such sale, disposition or charge; and every dealing by such debtor or person, not being a party to, and not having received notice of, a sale, disposition or charge, with the debt owing by him, or with the property vested in him, shall be valid as against such sale, disposition or charge.

Illustrations.

(*a*). A owes money to B, who assigns the debt to C. B then demands the debt from A, who having no notice of the assignment, pays B. The payment is valid, and C cannot sue A for the debt.

(*b*). A has jewels deposited with B, a jeweller. A mortgages them to C. A then executes an assignment of them to D, who takes his assignment to B and gets the jewels from him before he, B, has received any notice of C's mortgage. B is justified in handing the jewels to D, and C has no remedy against D.

Notice to be in writing signed.

100. Every such notice must be in writing signed by the person making such sale, disposition or charge, or by his agent duly authorized in this behalf.

Liability of assignee of thing in action.

101. The person to whom a debt or charge is assigned shall take it subject to all the liabilities to which the assignor was subject in respect thereof at the date of the assignment.

Illustration.

(*a*). A debenture is issued in fraud of a public company to A. A sells and transfers the debenture to B, who has no notice of the fraud. The debenture is invalid in the hands of B.

Saving of negotiable instruments.

102. Nothing in this chapter applies to debts secured by negotiable instruments.

THE FIRST SCHEDULE.

(*a*). STATUTES.

Year and chapter.	Subject.	Extent of repeal.
13 Ed. I, c. 22	Waste	The whole.
31 Hen. VIII, c. 1 ...	Partition	The whole.
32 Hen. VIII, c. 62 ...	Do.	The whole.
13 Eliz., c. 5...	Fraudulent Conveyances	The whole.
27 Eliz., c. 4...	Do.	The whole.
6 Anne, c. 72	Discovery of deaths of tenants for life.	The whole.

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
XXIV of 1841	Illusory appointments, &c.	So far as regards illusory appointments.
X of 1865 ...	Succession ...	Illustration (*g*) to sec. 107.
IV of 1872 ...	Panjáb Laws Act ...	So far as it relates to Bengal Regulation I of 1798 and conditional sales made after this Act comes into force.
XX of 1875 ...	Central Provinces Laws Act.	So far as it relates to Bengal Regulation XVII of 1806

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL,—*concluded.*

Number and year.	Subject.	Extent of repeal.
		and mortgages and conditional sales made after this Act comes into force.
XVIII of 1876	Oudh Laws Act ...	So far as it relates to Bengal Regulation XVII of 1806 and mortgages and pledges made after this Act comes into force.

(*c*). REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bengal Regulation I of 1798.	Conditional sales ...	The whole Regulation except as to conditional sales made before this Act comes into force.
Bengal Regulation XVII of 1806.	Redemption ...	The whole Regulation except as to mortgages and conditional sales made before this Act comes into force.
Bombay Regulation V of 1827.	Mortgagees in possession	Section 15 except as to mortgages and pledges made before this Act comes into force.

THE SECOND SCHEDULE.

TRANSFER ON SALE.

(*See section* 8).

This assurance is made the day of 18 , between *A B*, of , and *C D*, of . In consideration of rupees paid to me, *A B*, by *C D*, the receipt whereof I do hereby acknowledge, I, *A B*, do hereby grant all that (*description of property*) unto *C D*. In witness whereof, I have signed these presents.

(*A B*)

CHARGE.

(*a*). This assurance is made the day of 18 , between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with five thousand rupees and interest at the rate of per cent. per , payable on the day of . In witness, &c.

(*b*). This assurance is made the day of 18 between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with the sum which shall be due to him on the balance of my account, not exceeding . rupees, together with interest thereupon at the rate of per cent. per . In witness, &c.

LEASE.

(*See section* 42).

This assurance is made the day of , between *A B*, of , and *C D*, of . I, *A B*, do hereby lease to *C D* all that (*description of property*), to hold the same from the day of for the term of at the rent of rupees, payable by equal payments on the day of and the day of in each year. In witness whereof we have, &c.

STATEMENT OF OBJECTS AND REASONS.

This Bill embodies the bulk of the rules submitted in the sixth report of the late Indian Law Commission. One of its chief objects is to bring the rules which regulate the transmission of property between living persons into harmony with the rules affecting its devolution upon death, and thus to furnish the necessary complement of the work commenced in framing the law of succession, now Act X of 1865. Another is to render more simple and efficient the law relating to mortgages and conditional sales. The expediency of legislation on this subject was affirmed by the Judicial Committee of the Privy Council in the case of *Tambasvámi Mudali* v. *Muhammad Husain*, L. R. 2 Indian Appeals, 241. Rules are also laid down on the other subjects hereinafter mentioned.

The Bill is divided into fourteen chapters.

Preliminary.

Chapter I contains the usual preliminary matter. The repealing clause will get rid of several obsolete statutes relating to land which are still in force in the Presidency Towns and, in the case of Europeans, may possibly be in force elsewhere. The saving clause exempts from the operation of the proposed Act acquired rights and liabilities incurred before the Act comes into force, subsequently acquired rights of pre-emption, options of mortgagees to make further advances (such options exist in Malabar and possibly elsewhere), contracts of bottomry and respondentia, transfers of British ships, sales in execution of decrees or for arrears of rent or revenue.

Assurances of Immoveable Property.

Chapter II deals with assurances of immoveable property. It declares (section 4) that every person competent to contract may make an assurance of property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. It declares (sections 5, 6 and 7) that land may be conveyed (*a*) with the benefit of, or subject to, an easement: (*b*) subject to an obligation for the benefit of the public or of the neighbouring owner, or (*c*) with the reservation of any right of user, severance and removal. It lays down rules (section 8) as to the mode in which the transfer *inter vivos* of immoveable property can alone be effected, and applies (section 9) to assurances the rules of construction contained in the Succession Act. It declares (section 10) that, unless a contrary intention appears by the assurance, a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject, and a grant of land shall be deemed to comprise trees and fixtures. Covenants running with the land are dealt with by the same section.

Sales of Immoveable Property.

The Bill then enumerates (section 11) the rights and liabilities which, in the absence of any provision to the contrary, arise in the case of a sale of land. The principal changes in the law here made are as follows: the seller will be responsible for loss caused to the buyer, or any person claiming under him, through any invalidity of the seller's title not known to the buyer when the contract was entered into and the seller's lien for unpaid purchase-money will cease as soon as the assurance is registered. Section 12 declares that, except so far as regards the vendor's lien, a contract for sale shall not of itself have the effect of creating any interest in the property sold: the Bill will thus get rid of much difficult law relating to the purchaser's equitable ownership, and the rights created by charging and assigning it. Lastly, section 13 declares that a person paying the purchase-money for any immoveable property, but having the transfer made to another, will not by reason of the payment be entitled to the property or to any interest therein. It will thus become the absolute property of the transferee, unless he is made a trustee in some way more definite than by the mere payment of the money by another person; and it is hoped that this rule will tend to prevent the litigation which arises from the doctrine of equitable presumption.

Mortgages and Charges.

Chapter IV deals with mortgages and charges. 'Mortgage' is so defined and explained as to include, besides simple mortgages, usufructuary mortgages, mortgages by conditional sale, and their combinations. The Bill declares (section 15) the respective rights of mortgagor and mortgagee on completion of a mortgage. It defines (sections 16, 17 and 18) the rights and duties of a mortgagee in possession. It shews when the mortgagor or the mortgagee may obtain an injunction to stay waste committed or threatened by the other. It provides rules (sections 19—24) as to suits for foreclosure or sale. Powers of sale given by the mortgage-deed to the mortgagee have been held void in the Mufassal: the Bill (section 24) declares them to be valid: but contains provisions for the protection of the mortgagor similar to those in 23 & 24 Vic., c. 145, ss. 11—14. It provides rules (sections 25, 26 and 27) as to suits for redemption. It contains provisions as to interest (section 28) and costs (sections 29, 30). It declares (section 31) that a deposit by a debtor of his title-deeds, shall be deemed to be only evidence of a contract for a mortgage and to entitle the creditor merely to sue for specific performance. Any person having an interest in the property charged may prevent a sale at the suit of a mortgagee (section 35) by paying off the mortgagee who requires it, and the registration of the mortgagee's receipt for the money will be sufficient without any further assurance. If the payment be made by a person having the whole interest in the property subject to the mortgage, the mortgage so paid off will (section 36) cease to exist: if the payment be made by a person not having the whole of such interest, he will acquire (section 37) the rights of the incumbrancer whom he has paid off.

The Bill abolishes the system of tacking, by declaring in sections 38 and 39 that no mortgagee paying off a prior mortgage shall thereby acquire any priority in respect of his original mortgage; that no mortgagee making a subsequent advance to the mortgagor shall thereby acquire any priority in respect of his security for such advance; and that, if the owner of two properties creates separate mortgages upon them by separate assurances, each property may be redeemed or dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

It has been held that, where a mortgage extends to future advances, the mortgagee cannot safely make such advances, if he has notice of an intervening second mortgage. But the Bill (section 34) provides that, if a charge made to secure the balance of a running account expresses the maximum to be secured thereby, a second charge shall be postponed to the first charge in respect of advances not exceeding the maximum, though made subsequently to the second charge with notice thereof.

Leases.

Chapter V deals with leases of immoveable property. It lays down rules (section 43) as to the commencement and duration of leases. It states in some detail (section 44) the obligations which, in the absence of any stipulation to the contrary, are to arise out of the relationship of landlord and tenant. Special notice may be called to the provision enabling a lessee, where the lessor omits to make repairs which he is bound to make, himself to make them and deduct the expense from the rent, and the similar provision for the case of failure on the part of the lessor to make payments, which, if not made, are recoverable against the thing leased; to the provisions binding tenants to inform their landlords of proceedings to eject, and of encroachments, and to the power of obtaining a decree for the rescission of a lease, in a suit by either party, in case of misconduct by the other.

The rules as to fixtures in section 44, clauses (*q*) and (*r*), are, it is thought, likely to prove useful. No distinction is made between ornamental, trade and agricultural fixtures, save that the landlord is given a right (resembling that conferred by 15 Vic., cap. 25, section 23) to purchase agricultural fixtures.

The rest of this chapter saves (section 45) any right to distrain possessed under any local law: provides rules (section 46) as to the duration of leases in the absence of written agreement or of local law or usage; and treats (section 47) of the effect of holding over.

Exchanges.

Chapter VI deals with Exchange or Barter. It is taken from the New York Civil Code, and merely declares that each party has the rights and obligations of a seller as to that which he gives, and those of a buyer as to that which he takes; and that, on an exchange of money, each party warrants the genuineness of the money given by him.

Settlements.

Chapter VII deals with settlements, which are defined so as to include endowments and absolute gifts to children and others, excluding, however, gifts by Natives. The Bill declares (section 50) that a settlement may be binding, though not made for a consideration. Settlements made in fraud of creditors will be voidable (section 51) at their option; but not as against persons who, without notice and for valuable consideration, have acquired interests thereunder. The English law, by which a voluntary settlor of land can by subsequent sale defeat the settlement he has made, is not perpetuated here. Conditions restraining any person from parting with his or her interest will be void (section 52), and when property is settled on a married woman, it will therefore no longer be possible to deprive her of the power of anticipation. Such power is the logical consequence of a married woman's capacity, under Act IX of 1872, to enter into contracts. The Bill also contains provisions as to making interests under settlements or wills determinable on insolvency or attempted alienation (section 53), as to the vesting of gifts in general terms (section 54), as to the vesting of a gift to an unborn person not entitled to possession immediately on birth (section 55). Various sections of the Indian Succession Act (100—104, 107, 108, 111—127, 167) are applied (section 56), so far as the nature of the case will admit, to gifts contained in settlements.

Gifts for Religious and Charitable purposes.

In accordance with the Succession Act, the Bill prohibits (section 58) persons who have near relatives from giving property to religious or charitable uses unless by an instrument executed not less than twelve months before their death and duly registered. And while allowing property to be given in perpetuity for such uses, the Bill requires (section 59) that it shall be given with the sanction of some public authority to be designated by the Government. A mode of notifying the grant or refusal of such sanction is provided. Where the sanction is refused, the property will devolve as if the gift had not been made.

Apportionment.

Chapter IX consists of a single section (60) treating of the apportionment of rents and other periodical payments.

Rights and Liabilities of limited Owners.

In Chapter X, the Bill abolishes the distinction between limited owners with, and those without, impeachment of waste. Such persons (section 61) will not be entitled to do any act destructive or permanently injurious to the property; but it is explained that no act done in the reasonable enjoyment of property (such, for example, as working a mine) is 'destructive' or 'injurious,' though it may exhaust the substance of the property. The power of such persons and their representatives to remove fixtures will be the same as that given to tenants under a lease. Persons having limited interests in possession will be bound (section 62) to discharge periodical payments due under prior mortgages and also taxes and other public periodical charges. The right to increase in the value of property in which there are successive interests is declared (section 63); and a provision (resembling that made by 6 Anne, chapter 72, section 1) is made for the production of tenants for life, when the remainder-man has reason to suspect fraud.

Leases and Sales of settled Estates.

Chapter XI is suggested by the English Statute 19 & 20 Vic., cap. 20. It gives the Courts (here defined to mean only the High Courts and the District Courts) a power to deal with lands subject to a settlement or will, by lease or sale, or by appropriating any part of the property for the formation of streets, roads, gardens, tanks, &c. The various modes in which the proceeds of the sales or leases may be applied are specified.

Powers.

Chapter XII treats of powers, *i. e.*, rights to determine the disposition of property otherwise than by virtue of ownership. It reproduces the principal rules of the English law on the subject. But the Bill does not propose to give the Courts power to aid defective executions of powers. This jurisdiction does not rest on any sound principle, and is, indeed, hardly consistent with a strict system of registration. In the case of the exercise of a power given to several donees some of whom die before it has been fully exercised, the Bill declares (section 74) that the survivors may do all that might have been done by the whole number. An analogous declaration is made (section 77) as to a power exercisable with the consent of several persons.

Property held by several Persons.

Chapter XIII contains some rules as to the devolution of shares of several persons holding the same property. The Bill proposes to declare that a right by survivorship can be created only by express words. This chapter also contains some provisions (sections 94, 95, 96) as to partitions of immoveable property, which may be useful in cases to which no local law as to the partition of revenue-paying estates applies. In case of illegal waste by one of several persons holding the same property, power is given (section 98) to sue for compensation or to obtain an injunction.

Assignments of Things in Action.

Chapter XIV deals with the assignment of debts and other things which are not in the possession of the person entitled to them, but for the recovery of which he may be obliged to sue. The only change proposed to be made in what is now the law in all Indian Courts is, that the Bill requires (section 99) the assignee to complete his title by giving the debtor notice in writing of the assignment. Negotiable instruments are excluded from the operation of this chapter.

The subject of the Bill is one of great difficulty and complexity, and errors will doubtless be found in the present draft. Ample time will be given for the searching criticism which it is hoped the draft will receive at the hands of the Local Governments, the Judges and the legal profession.

SIMLA,
The 10th May 1877.

WHITLEY STOKES.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 23, 1877. Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877 :—

No. II OF 1877.

A Bill to amend the Bombay Revenue Jurisdiction Act, 1876.

Preamble.

WHEREAS it is expedient to exempt from the operation of the fourth section of the Bombay Revenue Jurisdiction Act, 1876, certain suits instituted in the Districts mentioned in the Schedule hereto annexed; It is hereby enacted as follows :—

Addition to section 5, Act X of 1876.

1. To section five of the said Act the following clause shall be added (namely)—

"and nothing in section four shall be held to prevent the Civil Courts in the Districts mentioned in the second Schedule hereto annexed from exercising such jurisdiction as, according to the terms of Acts No. XI of 1852, No. XXIII of 1871, and Bombay Acts No. II of 1863, No. VII of 1863 and No. III of 1874, or of any other law in force on the twenty-eighth day of March 1876, they could have exercised over claims against Government—

"(*a*) relating to any property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act No. III of 1874, or any other law for the time being in force, or of any other village-officer or servant :

"(*b*) to hold land wholly or partially free from payment of land-revenue :

"(*c*) to receive payments charged on, or payable out of, the land-revenue."

Schedule added to Act X of 1876.

2. The following Schedule shall be added to the said Bombay Revenue Jurisdiction Act, 1876, (namely)—

"THE SECOND SCHEDULE.

The District of Ahmedabad.

The District of Kaira, exclusive of the Panch Mahâls.

The District of Broach.

The District of Surat, exclusive of the lapsed State of Mándvi, as described in the schedule annexed to Act X of 1848.

The District of Tanna.

The District of Colába, exclusive of the lapsed State of Colába mentioned in Act VIII of 1853.

The District of Ratnágiri.

The District of Kanara."

STATEMENT OF OBJECTS AND REASONS.

1. The Bombay Revenue Jurisdiction Act (X of 1876), section 4, sub-section (*a*), article 1, and sub-section (*f*), articles 1 and 2, withdraw from the jurisdiction of the Civil Courts in every part of the Bombay Presidency (1) claims against Government relating to property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act III of 1874, or any other law for the time being in force, or of any other village-officer or servant, and (2) claims against Government to hold land wholly or partially free from payment of land-revenue, or to receive payments charged on, or payable out of, the land-revenue.

2. The object of this Bill is to restore to the Civil Courts, so far as the Old Provinces are concerned, whatever jurisdiction has been taken away by the articles above referred to.

3. The reasons for the Bill are shortly as follows: In the Old Provinces the Courts had, to a certain extent, cognizance of the claims in question; obscure and disputed claims to exemption from land-revenue or from enhanced assessments are commoner there than in other parts of India; and for these and other causes the change effected by the articles above mentioned is distasteful to the population.

SIMLA, *The 19th April* 1877. } A. J. ARBUTHNOT.

A. PHILLIPS,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877:—

No. 12 OF 1877.

A Bill to amend the Chutia Nágpur Encumbered Estates Act, 1876.

FOR the purpose of amending the Chutia Nágpur Encumbered Estates Act No. VI of 1876; It is hereby enacted as follows:—

Preamble.

1. For the word "six" shall be substituted the word "twelve" in the second clause of the twelfth section of the said Act.

Amendment of Act VI of 1876, section 12, clause 2.

STATEMENT OF OBJECTS AND REASONS.

The Government of Bengal being of opinion that the period of six months provided by section 12 of the Chutia Nágpur Encumbered Estates Act, 1876, is too short for deciding whether an estate should be retained under management or relinquished under that section, the period of six months is, by the amending Bill, increased to twelve months, which period it is believed will be sufficient for the purpose.

SIMLA; *The 25th May* 1877. } A. J. ARBUTHNOT.

A. PHILLIPS,
Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877, and was referred to a Select Committee:—

No. 13 of 1877.

THE TRANSFER OF PROPERTY BILL, 1877.

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A Bill to define and amend the law relating to the Transfer of Property.

WHEREAS it is expedient to define and amend the law relating to the transfer of property; It is hereby enacted as follows :— (Preamble.)

CHAPTER I.

PRELIMINARY.

This Act may be called "The Transfer of Property Act, 1877 :" (Short title.)

It extends to the whole of British India ; (Extent.)

And it shall come into force on the day of 1878. (Commencement.)

2. On and from that day the enactments specified in the first schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof. (Repeal of Acts.)

Nothing herein contained shall be deemed to affect— (Saving of certain rights, liabilities, &c.)

(*a*) any right or liability acquired or incurred before this Act comes into force or any remedy in respect of any such right or liability :

(*b*) any right of pre-emption acquired after this Act comes into force :

(*c*) any option of a mortgagee to make further advances required by the mortgagor :

(*d*) any contract of bottomry or respondentia :

(*e*) any sale, mortgage or other transfer of a British ship :

(*f*) any sale in execution of a decree or order, or for arrears of rent or revenue :

(*g*) the construction of any instrument executed before this Act comes into force.

3. In this Act, unless there be something repugnant in the subject or context— (Interpretation-clause.)

"assurance" means any instrument not testamentary, creating, transferring or otherwise disposing of any interest in immoveable property : ("assurance.")

the person so creating, transferring or otherwise disposing, is called a grantor : the person in whose favour such creation, transfer or disposition is made, is called a grantee ; and the operation effected by an assurance is called a grant : ("grantor." "grantee." "grant.")

"registered" means registered in British India under the law for the time being regulating the registration of documents. ("registered.")

"affixed to the soil" means— ("affixed to the soil.")

(*a*) imbedded in the soil, as in the case of walls ;

(*b*) permanently resting upon it, as in the case of buildings ; or

(*c*) permanently attached to what so rests, as by means of nails, bolts or screws.

and all words occurring in this Act and defined in the Indian Contract Act, 1872, shall have the meaning attributed to them respectively by that Act. (Words defined in Act I of 1872.)

CHAPTER II.

OF ASSURANCES OF IMMOVEABLE PROPERTY.

4. Every person competent to contract may make an assurance of any immoveable property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. (Persons competent to make assurances.)

5. Immoveable property may be granted with the right to an easement affecting any other immoveable property belonging to the grantor, or subject to an easement for the benefit of any other property. (Conveyance of easements.)

Easements may be made the subject of separate grants.

Where any easement is actually enjoyed with any property the subject of any grant, the grant shall, unless a contrary intention appears by the assurance, be deemed to pass such easement.

6. Immoveable property may be granted subject to an obligation for the benefit of the public or of any neighbouring owner. (Power to convey subject to obligation for benefit of public or neighbour.)

Such obligation shall bind the grantee and all persons claiming the granted property under him, and may be the subject of a separate grant.

Whenever such an obligation is created for the benefit of the public, it may be enforced by the grantor and his legal representatives or by the Government as a civil right.

Illustrations.

(*a*). A grants certain land to Z subject to the condition that Z shall not, without the consent of A, build any dwelling-house within a hundred yards of certain adjoining land of A. A and all persons claiming such land under him may enforce this obligation on Z, and all persons claiming the granted land under him.

(*b*). A grants certain land to Z, subject to the condition that Z shall for ever maintain thereon a fountain for the use of travellers.

In each case either A or the Government may enforce the obligation against Z, and all persons claiming the land under him.

7. Immoveable property may be granted with the reservation of any right of using the same or of severing and removing any part thereof. Such rights may be the subject of separate grant. (Power to convey with reservation of certain rights.)

Illustrations.

(*a*). A may grant to B his lands of Rámnagar, reserving to himself the right to dig for and remove the coal and other minerals thereon, and to do in person, or by his servants, whatever is necessary for obtaining and removing the coal and other minerals.

(*b*). A may grant to B, by a separate assurance, the right to plant fruit-trees on A's lands of Rámnagar, and to gather the fruit.

8. An assurance may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention thereby, and without any further act, to grant any interest in immoveable property. (Form of assurance.)

9. The rules of construction which apply to testamentary instruments shall also be applicable to assurances, so far as the different nature of assurances will permit. (Application of rules of construction.)

10. Unless a contrary intention appears by the assurance, a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject of the grant, and to comprise— (Operation of assurance.)

(*a*) trees and all other products of the soil ;

(*b*) things affixed to the soil, and, in the case of machinery so affixed, the moveable parts thereof ;

(*c*) in the case of a house, the locks, keys, bars, doors and windows,

and a covenant by the grantee concerning the subject of the assurance binds all persons claiming such subject under the grantee, and may be enforced by all persons claiming under the grantor, and a like covenant by the grantor binds all persons claiming the subject under the grantor, and may be enforced by all persons claiming under the grantee. (Covenants concerning its subject.)

CHAPTER III.

OF SALES OF IMMOVEABLE PROPERTY.

11. Unless a contrary intention appears from the assurance or, when no assurance has been made, from the contract, the seller and the buyer of immoveable property respectively possess the rights and are subject to the liabilities mentioned in the nine rules next following, or such of them as are applicable to the property sold : (Rights and liabilities of seller and buyer.)

(*a*). If the buyer, or any person claiming under him, suffers loss by reason of any invalidity of the seller's title not known to the buyer when the contract was entered into, the seller, or, where the seller is not the person for whose benefit the consideration was received, then such other person, is responsible for the loss so suffered.

(*b*). The seller has a charge upon the property for the amount of the purchase-money, or any part thereof, remaining unpaid ; but as soon as the assurance (if any) is registered, such charge shall cease.

EXPLANATION.—Money for which a bill of exchange has been taken remains unpaid, within the meaning of this clause, until the bill is paid.

(*c*). After the contract has been made, the seller is entitled to the rents and profits of the property until the time fixed for the completion of the sale, and if he has received any such rents and profits which accrued after that time, he must on completion account for them to the buyer. The buyer must, on completion, pay to the seller interest on the purchase-money from the time fixed for the completion of the sale. But this is not to preclude either party from obtaining compensation where loss has been occasioned by the default or delay of the other party.

(*d*). The buyer is entitled to a charge on the property for the amount of any purchase-money properly paid by him in anticipation of the completion of the sale.

(*e*). In the absence of fraud or misrepresentation the seller is not answerable for any latent defect in the property sold.

(*f*). After the contract has been made, the buyer is liable to bear any loss arising from the destruction or decrease in value of the property, and not caused by the vendor's fault, and is entitled to the benefit of any improvement in, or increase in value of, the property.

(*g*). The seller is bound to execute a proper assurance of the property when the buyer tenders it to him for execution at a proper time and place.

(*h*). When the buyer has been let into beneficial possession of the property pending discussions as to the seller's title thereto, and the contract is not completed owing to defects in such title, the buyer is not liable to pay for his use of the property.

(*i*). When the completion of the contract is delayed by the buyer, and, after the day fixed for completing it, the seller expends money on the property, the seller is entitled to recover the amount so expended, provided that such expenditure was required for the preservation of the property, or by any law for the time being in force.

12. Save as provided by section 11, clause (*b*), a contract for the sale of, or relating to, immoveable property, whether registered or not, shall not have the effect of creating any interest in, or charge on, such property ; but the only right of any person under the contract shall be to apply for specific performance, or for compensation, or for both, according to the rules laid down in the Indian Contract Act, 1872, and the Specific Relief Act, 1877. (Contract for sale not of itself to create interest in property.)

13. A person paying the consideration for any immoveable property, but having the transfer of it made to another person, is not, by reason of such payment, entitled to such property or to any interest therein. (Purchase of immoveable property which buyer causes to be transferred to another.)

CHAPTER IV.

OF MORTGAGES AND CHARGES.

Mortgage, mortgagor and mortgagee defined.

14. When any interest in specific property is actually or contingently transferred by one person to another for the purpose of securing the payment of money, the transfer is called a mortgage, the transferor is called a mortgagor, the transferee a mortgagee, the money of which payment is secured is called the mortgage-money, and the instrument (if any) by which the transfer is effected is called a mortgage-deed.

For the purposes of this chapter, any person claiming as heir, legatee, assignee, lessee or otherwise the interest of the transferor in the property subject to the mortgage, or any part of such interest, is a mortgagor; and any person claiming as heir, legatee, assignee or otherwise the interest of the transferee under the mortgage, or any part thereof, is a mortgagee.

EXPLANATION.—A judgment-creditor who attaches any mortgaged property or mortgage-money claims under the transferor or transferee (as the case may be) within the meaning of the second paragraph of this section.

Illustrations.

(*a*). A binding himself personally for the repayment of a loan, pledges certain land to B as collateral security for such repayment, but does not actually deliver possession.

(*b*). A not so binding himself, pledges certain land as in illustration (*a*), and covenants that in default of payment of the loan on a certain date the land pledged shall pass to B.

(*c*). A borrows money from B, and gives up certain land to B that he may retain possession thereof until he has from the rents and profits of the land repaid himself the sum so lent.

(*d*). A binding himself as in illustration (*a*), pledges certain land to B as a collateral security for the repayment, and permits B to receive the rents and profits of the land until he has repaid himself the loan, but does not actually deliver possession.

(*e*). A not so binding himself covenants that on default of payment of the loan on a certain date the land pledged shall pass to B. A meanwhile puts B into possession of the land, and allows him to receive the rents and profits in discharge of the loan.

(*f*). A charges certain land in favour of B with Rs. 1,000 and interest at the rate of twelve per cent. per annum.

(*g*). A charges a certain fund in favour of B with the amount which shall be due to him on the balance of A's account not exceeding Rs. 1,000, together with interest thereon at the rate of twelve per cent. per annum.

(*h*). A borrows Rs. 10,000 from B and conveys certain land to B in trust that the same shall stand charged with the payment to B of the Rs. 10,000 and interest and subject thereto in trust for C and others, and the deed confers express power on B in default of payment to sell the land.

Each of these transactions is a mortgage. A is the mortgagor, B the mortgagee.

(*i*). A, in consideration of a loan of money paid to him by B, makes over his land to B for a term of twenty years, but does not bind himself to pay to B principal or interest. This is not a mortgage.

Respective rights of mortgagor and mortgagee.

15. On the completion of a mortgage the mortgagor has the following rights:—

(*a*) he may, at any time after the mortgage-money has become payable, or has been paid, and before his right to redeem the mortgaged property is foreclosed or the property is sold, institute a suit (hereinafter called a suit for redemption) to have the mortgaged property re-transferred to him;

(*b*) he may, at any time after the mortgage-money has become payable and before such suit is barred, tender to the mortgagee or deposit in the principal Civil Court within the local limits of whose ordinary original civil jurisdiction the mortgaged property or any part thereof is situate, to the account of the mortgagee, the whole amount for the time being due on the mortgage.

And the mortgagee has the following rights:—

(*c*) he may take possession of the mortgaged property at or after the time, if any, specified in the mortgage-deed for payment of the mortgage-money, or, if no time is so specified, at any time after the mortgage-money has become payable to him;

(*d*) he may, at any time after he is entitled to take possession of the mortgaged property, and before it is redeemed, institute a suit against the mortgagor (1) for a foreclosure of his right to redeem the property, with or without possession thereof, or (2) for a sale of the property, or (3) for either of such remedies;

(*e*) where the mortgagor deposits money in court under clause (*b*) of this section, the Court shall forthwith cause written notice of the deposit to be served on the mortgagee, and the mortgagee may, on depositing the mortgage-deed (if any) in the same Court and on filing a written statement (verified in manner prescribed by law for the verification of plaints) of the amount due to him under the mortgage, apply for and receive in payment of such amount the money so deposited;

(*f*) if at the date of the mortgage the mortgaged property is insured against fire, the mortgagee, in case of damage to the property by fire, may (in the absence of a contract to the contrary) require the insurance-money to be laid out in reinstating the property.

Rights and duties of mortgagee in possession.

16. When, during the continuance of the mortgage, the mortgagee takes possession of the mortgaged property, he has the following duties and rights:—

(*a*) he shall manage the property as a person of ordinary prudence would manage it if it were his own;

(*b*) he shall collect all rents and other profits arising out of the property;

(*c*) he shall, in the absence of an express contract to the contrary, pay out of the income of the property the Government revenue and all other charges of a public nature due in respect thereof and keep down the interest due on all mortgages of the property prior to his own, and on all mortgages of the property subsequent to his own, of which he has notice;

(*d*) he may spend such money as is necessary for the due management and preservation of the property and add it to the principal money secured, at the same rate of interest;

(*e*) where the property is by its nature insurable, he may insure and keep insured from loss or damage by fire the whole or any part of such property, and add the premiums paid for any such insurance to the principal money secured, at the same rate of interest;

(*f*) he shall keep accurate accounts of all sums received and spent by him as mortgagee;

(*g*) he shall, at any time during the continuance of the mortgage, give the mortgagor, at his request and cost, true copies of such accounts and of the vouchers by which they are supported.

Receipts of mortgagee in possession.

17. When the mortgagee is in possession of the mortgaged property, unless there is an express contract in writing between the mortgagee and the mortgagor that his net receipts therefrom shall, so long as the mortgagee is in possession thereof, be taken in lieu of interest on the principal sum secured by the mortgage, such receipts shall be debited against him in reduction of the amount (if any) from time to time due to him on account of interest on the principal sum so secured, or, so far as such receipts exceed any interest due, in reduction of such principal sum.

Injunctions to restrain waste.

18. Where the mortgagor remains in possession of the mortgaged property or any part thereof, and commits or threatens to commit waste thereon, the mortgagee may obtain an injunction to stay the waste: provided that the security is insufficient or will be rendered insufficient by the waste complained of. Where the mortgagee takes possession of the mortgaged property or any part thereof and commits or threatens to commit waste thereon, the mortgagor may obtain an injunction to stay the waste.

EXPLANATION.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of houses, exceeds by one-half, the mortgage-money.

Foreclosure and Sale.

Preliminary decree in foreclosure-suit.

19. In a suit for foreclosure or sale, if the plaintiff succeed, the Court shall pass a preliminary decree, ordering—

(*a*) that an account be taken of what will be due to the mortgagee for principal and interest on the mortgage and for his costs of the suit, on the day next hereinafter referred to,

(*b*) that, upon the defendant paying to the plaintiff or into Court the amount so due, on a day within six months from the date of the decree, to be fixed by the Court, the mortgagor shall, if necessary, be put in possession of the mortgaged property by the mortgagee free from all incumbrances created by the mortgagee or any person claiming under him, or, where the mortgagee claims by derived title, by those under whom he claims; but

(*c*) that, if such payment is not made on or before such day, the mortgagor shall be absolutely foreclosed of all right to redeem such property.

Procedure in case of payment of amount due and subsequent costs.

If payment is so made of such amount and of such subsequent costs as are mentioned in section 30, the mortgagor shall (if necessary) be put into possession of the mortgaged property.

Final decree for foreclosure.

If such payment is not so made, the plaintiff shall be at liberty to apply to the Court for a decree for the foreclosure of the said mortgage, and the Court may then pass a decree ordering the defendant to be foreclosed of all right to redeem the mortgaged property, and may, if necessary, deliver possession of the property to the mortgagee; and thereupon the mortgagor's right to redeem and the debt secured by the mortgage shall both be extinguished.

Power to order sale at instance of mortgagee.

20. In any suit by the mortgagee under this chapter, the Court may, at the instance of the plaintiff, decree that in default of the defendant paying to the plaintiff or into court the amount for the time being due on the mortgage and the plaintiff's costs of the suit, the mortgaged property or a sufficient part thereof be sold, and that the proceeds of the sale (after defraying thereout the expenses of the sale) be paid into court and applied in payment of what is due for the time being to the plaintiff on the mortgage, and that the balance, if any, be paid to the defendant or other persons entitled to receive the same.

Power to decree sale in foreclosure-suit.

21. When the mortgagee sues only for a foreclosure, the Court may, at the instance of the mortgagor, decree that in default of such payment, the mortgaged property or a sufficient part thereof be sold, if (*a*) the Court considers that the mortgagee will not be damnified thereby, and (*b*) the mortgagor furnishes such security, if any, as the Court thinks fit for the payment of the balance due for the time being by him on the mortgage.

Mortgagee not to bid at sale.

22. At any sale under section 20 or section 21, the mortgagee shall not bid for or acquire any interest in the property sold without the leave of the Court, or without submitting to such conditions as the Court may impose.

Recovery of balance due on mortgage.

23. If the nett proceeds of any such sale are insufficient to pay the amount due for the time being on the mortgage, the balance may be recovered in the same suit in the same manner as under a decree for money, or by any other legal process open to the mortgagee.

Power of sale.

24. Power may be expressly conferred by the mortgage-deed on the mortgagee to sell or concur in selling the mortgaged property, or any part thereof, on default made in payment of any principal money or interest, payment of which is secured by the mortgage-deed. But in exercising such a power, the mortgagee shall be subject to the following rules (namely)—

(*a*) he shall use all reasonable diligence to obtain a fair price for the property:

(*b*) no such sale shall be made (1) until after six months' notice in writing of the intended sale has been given to the mortgagor, or (2) after the amount for the time being due on the mortgage has been paid or tendered to the mortgagee by or on behalf of the mortgagor, or (3) pending a suit for redemption of the property, or (4) so as to give the mortgagee any interest in the property.

When a sale has been effected in professed exercise of any such power, the title of the purchaser shall not be liable to be impeached on the ground that no such default had been made or that the rules so prescribed had not been complied with.

Receipts for purchase-money given by the mortgagee exercising such power shall discharge the purchasers therefrom.

The proceeds of every such sale shall be applied as follows:—

first, in defraying the expenses incident to the sale, or properly incurred in any attempted sale under the power;

secondly, in or towards satisfaction of the amount for the time being due on the mortgage; and

thirdly, the surplus (if any) of the said proceeds shall be paid to the mortgagor.

Redemption.

Preliminary decree in redemption-suit.

25. In a suit for redemption, if the plaintiff succeed, the Court shall pass a preliminary decree for taking the accounts, as provided by section 19, between the mortgagor and mortgagee, and directing that upon the mortgagor paying within six months from the date of the decree to the mortgagee or into Court what (if anything) is found due to the mortgagee for principal, interest and costs, the mortgagee shall re-convey the mortgaged property to the mortgagor, free from the mortgage, and from all incumbrances created by the mortgagee or any persons claiming under him, and that if such amount is not so paid, the plaintiff's suit shall thenceforth stand dismissed, and that he shall be foreclosed of all right to redeem the mortgaged property.

Loss occasioned by mortgagee's default.

26. If the mortgagee fail to perform any of the duties imposed upon him by section 16, he may, when the said accounts are taken, be debited with the loss, if any, occasioned by such failure.

Procedure where nothing due or amount paid.

27. If on taking the accounts nothing is found due to the mortgagee, or if the amount found due together with such subsequent costs as are mentioned in section 30 is paid according to the decree, the mortgagor shall, if necessary,

Procedure when amount due is not paid.

be put into possession of the property. But if such amount and costs are not so paid, the mortgagor shall be absolutely foreclosed of all right to redeem the property, and the Court shall, if necessary, deliver possession thereof to the mortgagee.

Interest.

Payment of interest.

28. When the mortgagor and mortgagee have contracted as to the payment of interest on the principal money for the time being due to the mortgagee under the mortgage, interest shall be payable

Proviso.

in accordance with such contract: Provided that where the mortgagor has tendered or deposited in Court the whole amount due to the mortgagee, such interest shall cease from the date of the tender or from the time when the mortgagee could take such amount out of Court, as the case may be.

Costs.

Costs of mortgagee.

29. The mortgagee is ordinarily entitled to add to his debt his costs properly incurred of any suit under this chapter. But such costs, or any part thereof, may be disallowed if the mortgagor has tendered to the mortgagee or has deposited in Court the whole amount due to him under the mortgage, and if the mortgagee has unreasonably refused to accept such tender or to take such money out of Court in discharge of his claim, or if he has prevented a mortgagor willing and able to make such tender or deposit from making it by refusing or neglecting to give him proper information as to the state of the accounts required to be kept under section 16.

Costs of mortgagee subsequent to decree.

30. In finally adjusting the amount to be paid to a mortgagee in case of a redemption or a sale by the Court under this chapter, the Court shall, unless the conduct of the mortgagee has been such as to disentitle him to costs, add to the principal debt such costs of suit as have been properly incurred by him since the decree for foreclosure, redemption or sale up to the time of actual payment.

Deposit of Title-deeds.

Effect of deposit of title-deeds.

31. The deposit of title-deeds with intent to create a mortgage on the property comprised therein, but without actual transfer of such property, shall be deemed to be only evidence of a contract for a mortgage of the property, and shall entitle the depositee merely to institute a suit for specific performance of such contract.

Sale of property subject to prior mortgage.

Sale of property subject to prior mortgage.

32. If any property the sale of which is directed under this chapter is subject to a prior mortgage, the Court may, with the consent of the prior mortgagee, order that the property be sold free from the same, giving to such prior mortgagee the same interest in the proceeds of the sale as he had in the property sold.

Application of proceeds.

33. Such proceeds shall be brought into Court and applied as follows:

first, in payment of all expenses incident to the sale or properly incurred in any attempted sale;

secondly, if the property has been sold free from any prior mortgage, in payment of whatever is due on account of such mortgage;

thirdly, in payment of all interest due on account of the mortgage in consequence whereof the sale was directed, and of the costs of the suit in which the decree directing the sale was made;

fourthly, in payment of all principal moneys due on account of that mortgage; and

fifthly, the residue (if any) shall be paid to the person proved to be interested in the property sold, or if there be more such persons than one, then to such persons according to their respective interests therein.

Mortgage to secure balance of account.

34. If a mortgage made to secure the balance of a running account expresses the maximum to be secured thereby, a subsequent mortgage on the same property shall, if made with notice of the prior mortgage, be postponed to the prior mortgage in respect of all advances or debits not exceeding the maximum, though made or allowed with notice of the subsequent mortgage.

Illustration.

A gives to his bankers, B & Co., a charge on Sultánpur to secure the balance of his account with them to the extent of Rs. 10,000. A then gives to C a charge on Sultánpur to secure Rs. 10,000; and C gives notice thereof to B & Co. At the date of the second charge, the balance due to B & Co. does not exceed Rs. 5,000. B & Co. subsequently advance to A sums making the balance of the account against him exceed the sum of Rs. 10,000. B & Co. are entitled, to the extent of Rs. 10,000, to priority over C.

Right to pay off mortgagee in order to prevent sale.

35. Any person having an interest in mortgaged immoveable property may, at any time before a sale of such property has taken place under this chapter, tender to the next prior mortgagee the amount due to him on account of his mortgage. Such mortgagee is bound to accept such tender and to give a receipt for the sum due, and on such receipt being registered, his interest in the property in respect of the mortgage shall absolutely cease.

Effect of such payment by person having whole interest in property charged.

36. In such case, where the person making the tender has, subject to the mortgage, the absolute ownership of the property, the mortgage shall cease to exist and the property shall vest in the person making such tender.

Effect of payment by person only partially interested.

37. If the tender be made by a person not having, subject to the mortgage, the absolute ownership of the property, he shall acquire in respect of the property all the rights and powers of the mortgagee to whom he has made such tender.

Tacking abolished.

38. No mortgagee paying off a prior mortgage, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his original security. And no mortgagee making a subsequent advance to the mortgagor, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his security for such subsequent advance.

Redemption of one of two properties separately mortgaged.

39. If the owner of two or more properties creates separate mortgages on them by separate assurances, each mortgage may be dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

Illustration.

A, the owner of farms Z and Y, mortgages Z to B for Rs. 1,000. A afterwards mortgages Y to B for Rs. 1,000, making no stipulation as to any additional charge on Z. A may institute a suit for the redemption of the mortgage on Z alone.

Rights and powers of transferee of mortgage-debt or mortgaged property.

40. If property subject to a mortgage, or the right to receive mortgage-money, be transferred to a third person, the transferee has all the rights and powers of his transferor, under the mortgage, and is subject to the liabilities existing between his transferor and the mortgagor or mortgagee, as the case may be.

Where such a transfer is made for the purpose of securing the payment of money, the original mortgage-debt, if recovered by either the transferor or the transferee, is applicable, *first*, in payment of the costs of such recovery, *secondly*, in or towards satisfaction of the amount for the time being secured by the transfer; and the residue, if any, belongs to the transferor.

Charge made by assurance or will.

41. If by any assurance other than a mortgage-deed, or by any will, or under the provisions of this or any other Act, or by operation of law, certain property of one person is made security for the payment of certain money to another, all the provisions hereinbefore applied to a mortgagor shall apply to the owner of such property, and all the provisions hereinbefore applied to a mortgagee shall apply to the owner of such money.

CHAPTER V.

OF LEASES OF IMMOVEABLE PROPERTY.

Form of written lease.

42. A lease may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention of the parties to give and take, for rent or a fine, possession of, or profits derived from, immoveable property, for a time shorter in duration than the lessor's interest therein.

Exclusion of day on which term commences.

43. Where the time limited by a lease is expressed as commencing from a particular day, in computing that time such day shall be excluded.

Duration of term.

Where the time so limited is a year or a number of years, in the absence of any express agreement to the contrary, the lease shall last during the whole anniversary of the day on which such time commences.

Option to determine lease.

Where the time so limited is expressed to be determinable before its expiration, and there is no express agreement as to the party having the option of determining it, the lessee shall have such option.

Rights and liabilities of lessor and lessee.

44. Unless a contrary intention appears from the lease, the lessor and the lessee, as against one another, respectively possess the rights and are subject to the liabilities mentioned in the twenty-two rules next following, or such of them as are applicable to the property leased:—

(*a*). During the continuance of the lease, the lessee is entitled to the enjoyment of all lights, waters, water-courses, drains, ways and other easements enjoyed as incident to the property leased at the time when the lease was made.

(*b*). The lessor is bound to put the lessee in possession of the property leased, and to deliver it to him in a condition reasonably fit for the purpose for which both parties contemplate that the lessee is to use it.

(*c*). If the lessee is, by reason of the invalidity of the lessor's title, or by any act or default of the lessor, or of any person claiming under him, or of any person claiming by a superior title to his, disturbed in the peaceable enjoyment of the property leased, the lessee is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*d*). If the lessee is, by reason of the invalidity of the lessor's title, deprived of any substantial part of the property leased, or of anything essential to his enjoyment thereof, he is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*e*). In the absence of fraud or misrepresentation, the lessor is not answerable for any latent defect in the thing leased.

(*f*). The lessor is bound to do all things necessary for maintaining the roof, walls, beams, floors, stairs and drains of any house or other building comprised in the lease, and may for that purpose enter such building at all reasonable times.

(*g*). In all other respects the lessee is bound to keep, and at the end of the lease to restore, the property leased in as good condition as it was in at the time when he was put in possession, subject only to reasonable wear and tear.

(*h*). Deteriorations arising from want of painting or plastering, or from breaking of glass, are not to be considered as wear and tear, but shall be made good by the lessee.

(*i*). If by fire, tempest or flood, or violence of an army or of a mob, or other superior force, any part of the property leased be wholly destroyed or rendered substantially unfit for the purposes for which it was let, the obligation of the lessor as to that part shall cease unless he consents to reinstate the part so destroyed or rendered unfit; but in case of refusal or neglect to reinstate the same, the lessee shall be entitled to be discharged from his lease.

If the injury be occasioned by the wrongful act of either party, such party shall not be entitled to avail himself of the benefit of this provision.

(*j*). In case any rent remains unpaid at the end of a month from the time when it was payable and demanded, or in case within a reasonable time after notice default is made by the lessee in the performance of any of his other obligations under the lease, the lessor may institute a suit for a decree for the rescission of the lease and for possession of the property leased, unless the lessee shall, within a time to be specified by the Court, pay such arrears and perform such obligations, and also pay all costs and expenses sustained by the lessor through the lessee's default.

(*k*). In case the lease is rescinded for the default of the lessee, he is bound to pay the rent up to the time of such rescission, and also to make compensation for any other loss resulting from his default.

(*l*). If the lessor neglects to make, within a reasonable time after notice, repairs which he ought to make, the lessee may make the same himself, and deduct the expense of such repairs from the rent, or otherwise recover it from the lessor.

(*m*). If the lessor neglects to make any payment which he is bound to make, and which if not made is recoverable against the property leased, the lessee may make such payment himself, and deduct it from his rent, or otherwise recover it from the lessor.

(*n*). Every lessee who receives notice of any proceeding to recover the property leased to him or any part thereof, is bound to give notice thereof to the lessor with reasonable diligence; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*o*). The lessee is bound to give notice to the lessor, within a reasonable time, of any encroachment made upon, or any interference with the lessor's rights concerning, the property leased; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*p*). The lessee may use the soil and its products for all purposes of enjoyment as a reasonable owner would use them: but he may not destroy them wastefully, nor remove them after the expiration of the lease.

(*q*). No lessee of immoveable property who erects thereon any building, engine or machinery for agricultural purposes shall remove the same without first giving to the lessor or his agent one month's previous notice in writing of his intention so to do, and thereupon the lessor or his agent may elect to purchase the thing so proposed to be removed, and the lessee's right to remove the same shall thereby cease, and the same shall belong to the lessor, and the value thereof shall in case of dispute be ascertained and determined by two referees, one to be chosen by each party, or by an umpire to be named by such referees, and shall be paid or allowed in account by the lessor.

(*r*). Subject to the provisions of clause (*g*) and clause (*q*), the lessee has a right to remove at any time during his possession of the property leased, or within a reasonable time afterwards, all things not being products of the soil which he has affixed to the soil.

(*s*). When a lease of land determines in consequence of an uncertain event over which the lessee has no control, the lessee is entitled to all the crops growing upon the land for the season current when the lease determines, and to free ingress, egress and regress to reap and carry them.

(*t*). Upon the death of the lessor or of the lessee, his legal representative shall have all the rights and be subject to all liabilities of the lessor or lessee whom he represents.

(*u*). If the lessor transfers the property leased, or any part thereof, or any part of his interest therein, the transferee shall possess all the rights and, if the lessee so elects, be subject to all the liabilities of the lessor as to the property or part transferred so long as he is the owner of it; but the lessor shall not by reason only of such transfer cease to be subject to any of the liabilities imposed upon him by the lease, unless the lessee elects to treat the transferee as the person liable to him: Provided that if the lessee pay rent to the lessor without having reason to believe that such transfer has been made, he shall not be liable to pay such rent over again to the transferee.

Where only a part of the property leased is transferred by the lessor, he may determine what proportion of the rent reserved by the lease is payable in respect of the part so transferred.

(*v*). The lessee has a right to transfer his lease. The transferee may again transfer it. The lessee shall not, by reason of such transfer, cease to be subject to any of the liabilities attaching to the lease, unless the lessor elects to treat the transferee as the person subject to such liabilities. Subject as aforesaid, each successive transferee, so long as he is entitled to the property leased, possesses all the rights, and is subject to all the liabilities, of the lessee.

45. Nothing in this Act shall affect any right to distrain which a lessor may exercise under any local law for the time being in force.

Saving of right to distrain.

46. In the absence of any written agreement and of any local law or usage to the contrary, a lease of property for purposes of cultivation shall be a lease from year to year terminable by six months' notice ending with the end of a year of the tenancy; and a lease of property for any other purpose shall be a lease from month to month, terminable by fifteen days' notice ending with the end of a month of the tenancy.

Duration of certain leases in absence of written agreement or local usage.

Every notice under this section must be in writing signed by or on behalf of the party giving it and served on the party who is intended to be bound by it.

47. If a lessee of property remains in possession thereof after the expiration of the lease, and the lessor accepts rent from him, or otherwise assents to his continuing in possession, the lease is, in the absence of an agreement to the contrary, renewed from year to year or from month to month, according to the purpose for which the property is leased, as specified in the last preceding section.

Effect of holding over.

Illustrations.

(*a*). A lets a house to B for five years. B sub-lets the house to C at a monthly rent of Rs. 100. The five years expire, but C continues in possession of the house and pays the rent to A. C's lease is renewed from month to month.

(*b*). A lets a farm to B for the life of C. C dies, but B continues in possession with A's assent. B's lease is renewed from year to year.

CHAPTER VI.

OF EXCHANGES.

48. Exchange is a contract by which the parties mutually give, or agree to give, one thing for another, neither thing or both things being money only.

"Exchange" defined.

Each party has the rights and obligations of a seller as to that which he gives and the rights and obligations of a buyer as to that which he takes.

Rights and obligations of parties.

On an exchange of money, each party thereby warrants the genuineness of the money given by him.

Exchange of money.

CHAPTER VII.

OF SETTLEMENTS.

49. "Settlement" means in this chapter any disposition of property—

"Settlement" defined.

(*a*) which is not testamentary, and is not founded on any valuable consideration, or

(*b*) which is made in consideration of marriage, or

(*c*) which is made for the purpose of dividing property of the settlor among his family or those for whom he desires to provide,

but does not include a gift made by a Hindú Muhammadan or Buddhist.

50. In order that a settlement should be binding, it is not necessary that it should be made for a consideration.

Consideration not necessary to make settlement binding.

51. A settlement made for the purpose of depriving present or future creditors or other persons having demands against the settlor, of their demands on him, is voidable at the option of such creditors or other persons, and so far as regards the demands of such creditors or other persons, but not as against a person who, having no knowledge of the purpose for which the settlement was made, has contracted for or acquired an interest therein by marriage or for other valuable consideration, nor as against claimants under such persons. Such settlement is nevertheless binding on the settlor and on all persons claiming under him.

Voidability of settlement made in fraud of creditors.

EXPLANATION.—Where there is no positive evidence of fraud, the intent to deprive creditors and other persons of their demands on the settlor may be inferred from

(*a*) the indebtedness of the settlor at the date of the settlement,

(*b*) want of consideration for the settlement, and

(*c*) any other circumstance indicative of fraud.

52. A condition or limitation in a settlement or will restraining any person from parting with or disposing of his interest, is void.

Condition restraining alienation of interest.

53. A condition or limitation contained in a settlement or will making an interest thereby reserved or given to or in trust for any person to cease on his becoming insolvent, or endeavouring to transfer or dispose of the same, is void.

Condition making interest determinable on insolvency or alienation.

54. If by a settlement property be given to a person then living in general terms, without indicating the time when it is to be paid or delivered, such person has a vested interest therein from the day of the execution of the settlement, and if he dies without having received it, it shall (subject to any legal disposition thereof which he may have made) pass to his legal representatives.

Vesting of gift in general terms.

55. Where by the terms of a settlement a thing is given to a person not in existence, but he is not entitled to possession of it immediately upon his birth, a right to receive it at the proper time shall, unless a contrary intention appears by the settlement, become vested in such person upon his birth, and shall (subject to any legal disposition thereof which he may have made) pass to his legal representative if he dies before that time, and without having received it. And in such cases it is from his birth said to be vested in interest.

Vesting in interest of gift to unborn person not entitled to possession immediately on birth.

56. The provisions of the Indian Succession Act, 1865, sections 100 to 104, both inclusive, 107 and 108, 111 to 127, both inclusive, and 167, shall be applicable, so far as the nature of the case will admit, to gifts contained in settlements.

Application of sections of Act X of 1865 to gifts contained in settlements.

57. Whenever a person becomes entitled in possession by virtue of a settlement to money or any other property yielding income, he shall be entitled to receive the interest or income thereof from that time.

Right to income of property coming into possession under settlement.

CHAPTER VIII.

OF GIFTS FOR RELIGIOUS AND CHARITABLE PURPOSES.

58. No person having a nephew or niece, or any nearer relative, shall have power to give any property to religious or charitable uses, by any instrument which is required to be registered, unless such instrument be executed not less than twelve months before his death, and duly registered.

Gift to charitable uses by person having certain relatives.

59. Subject to the provisions of the last preceding section, property may be assured in perpetuity for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety, or any other object beneficial to mankind. But no such assurance shall take effect until it has been sanctioned by some public authority to be designated by the Local Government by notification in the official Gazette.

Assurance of property in perpetuity for use of any community or institution.

The grant or refusal of such sanction may be notified by an entry in the book in which the assurance is registered, and the registering officer shall make such entry on receiving from the public authority aforesaid a written order in this behalf.

If no such order is made within two years next after the time when the property becomes applicable for the benefit of the public, it shall be deemed that sanction has been granted.

If such sanction is refused, the property shall devolve as if no such assurance had been made.

CHAPTER IX.

OF APPORTIONMENT.

60. All rents, annuities, pensions, dividends and other periodical payments shall, upon the determination of such payments by the death of the recipient or otherwise, be apportionable as if they had been made to accrue due from day to day, but to be payable on the days appointed for the payment thereof.

Apportionment of rents and other periodical payments.

Nothing in this section shall affect any express provision in any instrument binding on the recipient.

CHAPTER X.

OF CERTAIN RIGHTS AND LIABILITIES OF LIMITED OWNERS.

61. A person having a limited interest in any immoveable property is not entitled to do or omit any act the doing or omitting of which is destructive or permanently injurious to such property.

Rights and obligations of persons having limited interest in property.

EXPLANATION.—No act done in the reasonable use and enjoyment of property is destructive or injurious within the meaning of this section, though it may exhaust the substance of the property.

Illustrations.

(*a*). A Hindú widow is in possession as such of land protected from floods and rendered cultivable by a dyke. She is not entitled to cut the dyke and turn the land into a lake.

(*b*). A is tenant for life of land on which a dwelling-house stands. He is not entitled to pull down the house. Nor must he suffer it to fall for want of necessary repairs.

(*c*). A is tenant for life of land in which coal lies. He is entitled to work and use the coal.

(*d*). A is tenant for life of land planted with trees. He is entitled to cut the trees at maturity, but is not entitled to cut them when immature, except for the purpose of thinning out or otherwise benefiting the plantation.

Save as aforesaid, such person or his legal representative has the same right as a lessee to remove during the continuance of such interest, or within a reasonable time afterwards, all things which he has affixed to the soil in which he had such limited interest, and all crops growing upon the land for the season current when such limited interest determines.

62. A person having a limited interest in possession in any property, is bound to discharge all periodical payments due on account of any mortgage thereon taking effect during the continuance of his interest in priority to such interest; and all taxes and other public periodical charges to which such property is liable.

Obligation of limited owner in possession of property mortgaged.

63. Every advantage or increase of value accruing (accidentally or through the exertions of any one having a limited interest) to any property in which successive interests exist, belongs to all the persons having any interest in the property in the same shares and manner as they are entitled to the property.

Right to increase of value to property in which there are successive interests.

EXPLANATION.—A person having a mortgage on property has not thereby an interest within the meaning of this section.

64. Any person claiming any immoveable property after the death of any minor, married woman, or other person, and having reason to believe that such minor, married woman or other person is dead, and that his or her death is concealed by his or her guardian, husband or any other person, may once a year move the High Court to order the person concealing or suspected to conceal such person to produce him or her at such time and place, and before such persons (if any), as the Court may direct. And the High Court, if it think fit, shall make such order, and in case of disobedience thereto, the person so claiming the property may enter thereon and receive the profits thereof as if the person so concealed or suspected to be concealed were dead.

Discovery of death of tenant for life.

65. Nothing in this chapter applies to lessees.

Saving of lessees.

CHAPTER XI.

OF THE DISCRETION OF THE COURTS TO DEAL WITH SETTLED LAND.

66. If any person having, under a settlement or will, a limited interest in possession in any immoveable property, apply under this section to the High Court or District Court within the local limits of whose ordinary original civil jurisdiction such property or any part thereof is situate, the Court may, if it deem it just and expedient to do so,—

Powers exercisable by Court on application of person interested in possession in settled immoveable property.

(*a*) make such leases of the whole or any part of the property for such terms of years, for such rents, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*b*) make such sales of the whole or any part of the property, for such sums, payable either at once or periodically, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*c*) appropriate any part of the property for the formation of streets, roads, gardens or other open spaces, tanks, sewers, drains or water-courses, and authorize the erection of buildings and works thereon;

and generally deal with the property in any way the Court may think just and beneficial to the persons interested therein.

67. Every such application shall be in writing, and notice thereof shall be served through the Court on all trustees under the settlement or will and on any other persons who in the opinion of the Court ought to be so served, and shall be published in such newspapers as the Court may direct.

Service of notice and advertisement of application.

68. The Court may permit any person, whether interested in the property or not, to appear and be heard in opposition to or in support of any such application on such terms as to costs or otherwise as it thinks fit.

Appearance to oppose or support application.

69. The Court may order the costs of all or any parties to any application under this section to be paid out of any principal money receivable on account of any dealing with the property which is the subject of the application or to be a charge on such property or on any other property belonging to the same owners.

Costs of application.

70. Every lease made under section 66 shall take effect in possession; and on every such lease shall be reserved the best rent that can be reasonably obtained, to be made payable half-yearly or oftener without taking any fine or other benefit in the nature of a fine.

Leases under section 66.

71. All or any part of the proceeds of any lease, sale or disposition under section 66 may, if the Court think fit, be paid into Court.

Payment into Court of money receivable under section 66.

72. The Court shall declare what parts of such proceeds so received shall be considered as income, and may direct the same to be paid to the person for the time being entitled in possession to the property dealt with; and the residue of such money shall be applied as the Court shall direct in one or more of the manners following:—

Power to direct payment of income to person entitled.

Application of residue.

(*a*) the payment of the amount due in respect of any charge on the property dealt with;

(*b*) the purchase of other property or the investment in securities for the benefit of the persons interested in the property dealt with;

(*c*) the payment to any person becoming absolutely entitled to the property dealt with;

EXPLANATION—In this section the term "securities" means—

(*d*) promissory notes, debentures, stock and other securities of the Government of India;

(*e*) bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*f*) stock or debentures of, or shares in, railway or other companies, the interest whereon has been guaranteed by the Government of India; and

(*g*) debentures or other securities for money issued by or on behalf of any municipal body under the authority of any Act of an Indian legislature.

CHAPTER XII.

OF POWERS.

73. Where a person is authorized to determine the disposition of property otherwise than by virtue of his ownership, he is said to have power to appoint such property.

Power to appoint, defined.

The person who gives the power is called the donor, the person to whom the power is given is called the donee, and the persons for whose benefit the power is to be exercised are called the objects of the power. A person to whom any property is appointed is called an appointee.

Donor, donee, objects, appointee, defined.

Illustration.

A grants land to B for life, with remainder to such of B's children as B shall appoint. B appoints to C and D, two of his children, in equal shares. A is the donor of the power, B the donee, B's children the objects, and C and D the appointees.

A power authorising the donee to appoint to whomsoever and for whatsoever interest he pleases, is called a general power.

General power.

A power restricted in respect either of its objects or the interests that may be conferred under it, is called a special power.

Special power.

Rules as to all powers.

74. Where a power is vested in several donees, all who are living must unite in its execution; but in case any one or more of them die during the continuance of the power, it may be exercised by the survivors or the survivor, unless a contrary intention appears by the instrument creating the power.

Exercise of power vested in several donees.

75. The donor may direct that the power shall be exercised by will only or by non-testamentary instrument only.

Modes in which powers may be executed.

If he directs that the power shall be exercised by will only, it must be exercised by will duly executed according to the provisions of the Indian Succession Act, or according to such other law as at the time of the execution of the power may be applicable to a will executed by the donee.

If he directs that the power shall be exercised by non-testamentary instrument only, it must be exercised by an instrument executed as an assurance and registered.

If he imposes no such restriction on the exercise of the power, it may be exercised either by such will or by such instrument as lastly hereinbefore mentioned.

When the power is not properly exercised, no Court shall in any case compel the person in possession of the property to which the power relates to deliver the property as if the power had been properly exercised or shall otherwise aid the defective execution.

Jurisdiction to aid defective executions abolished.

76. All appointments made in the manner directed by section 75 shall be deemed to be executed and attested in proper form, notwithstanding that some other mode of execution or attestation has been prescribed by the donor.

Validity of forms hereby prescribed.

77. Where a power is to be exercised with the consent of several persons, all who are living must concur in the consent, but in case any one or more of them die during the continuance of the power, the consent of the survivors or the survivor is sufficient, unless a contrary intention appears by the instrument creating the power.

Concurrence where power is to be exercised with consent of several persons.

Consent to the exercise of a power must be given by an instrument executed as an assurance and registered.

Consent to the exercise of a power need not be given by the instrument by which the power is exercised, but if it is given by a different instrument, such instrument must be executed at a time not later than the time at which the donee of the power executes the instrument by which he exercises the power.

78. If a person disposes of property in such manner as is authorized by a power vested in him, such disposition shall take effect out of the power, notwithstanding that the power is not mentioned or referred to in the instrument of disposition.

Recital of power not necessary.

Illustration.

Land is settled upon A for life with a special power to charge, by a non-testamentary instrument, portions in favour of his children. Subsequently a general power to dispose of the land by any instrument is vested in A. He executes an assurance, by which he directs that a sum of money shall be raised out of the land and settled on his son B for life, with remainder to B.'s wife and children. Such an appointment cannot take effect under the special power, but may be treated as a valid exercise of the general power.

79. The donee of a power need not exercise it entirely and at once by a single instrument, but he may from time to time exercise any unexhausted part thereof at his discretion.

Power exerciseable by several instruments executed at different times.

If the donee has purported to exercise his power in such a manner that his appointment is void, the power is, to that extent, unexhausted.

80. Where a power given by any instrument is void in its creation, no disposition or gift made by the same instrument shall be deemed void merely because it is intended to take effect after the interests to be appointed under the power or in default of any such appointment.

Disposition intended to take effect after interests appointed under void power.

Illustration.

A marriage-settlement provides that the settled property shall belong to the husband and wife successively for their lives; that after the death of the survivor of them, it shall go to such of the children of the marriage and in such shares as the husband and wife shall jointly appoint, the interest of each such child to become vested in him on his attaining the age of twenty-five years; and that in the event of there being no child of the marriage who shall attain that age, or in default of appointment, the property shall belong to the husband or his legal representative.

Here the power to appoint the property is, under section 56, void in its creation; but the ultimate interest given to the husband takes effect.

General Powers.

81. If the donor confers on the donee a general power, the donee shall, so far as regards his power of disposition, his creditors and all persons who contract with him for valuable consideration to obtain any interest in the property comprised in the power, be deemed to be the absolute owner of such property for such interest therein as the donor could dispose of.

Effect of general power.

This rule is to take effect notwithstanding that the donor has prescribed some particular method for executing the power.

Illustrations.

A, the absolute owner of land, settles it on B for life, with remainder to such purposes as B—

shall appoint, or
shall by deed appoint, or
shall by will appoint, or
shall by deed or will appoint,

and, in case B dies without making any such appointment, on C absolutely.

If B—

grants the land by assurance, or
bequeathes it, or
contracts to sell it, or
incurs debt,

the property is liable, in the hands of either B or C, as the case may be, to the claims of B.'s grantee, legatee, purchaser or creditors, as the case may be.

If B dies having made no disposition of the property, C is entitled to it, subject to any claims which B's creditors may establish against it.

82. If the donor confers on the donee a general power, and makes no disposition of the property in the event of non-appointment, the donee shall be considered as the absolute owner of the property for such interest therein as the donor could dispose of.

Effect of general power without disposition of property in case of non-appointment.

Illustration.

A, the absolute owner of property, settles it on B for life with remainder to such purposes as B shall appoint, and makes no gift over in default of appointment. B dies without making any disposition of the property. The property vests in the representatives of B, and does not revert to A or his representatives.

Special Powers.

83. If the donee has only a special power, he cannot confer any interest in the property comprised therein which could not have been conferred by the donor at the time of the creation of the power.

Interest conferrible by donee of special power.

Illustrations.

(*a*). A settles a fund upon B for life with remainder to such purposes as B shall appoint. After the settlement is made C is born. B then appoints the fund to C for life with remainder to C's children absolutely. The appointment is valid, though C has no children at the time.

(*b*). A settles a fund upon B for life with remainder to his children as he shall appoint. At the date of the settlement B has no child, but afterwards has a son C. B then appoints to C for his life, with remainder to his children. Such interest could not have been conferred by A, and B's appointment is void.

84. Where the donee of a special power purports, in exercise of the power, to appoint to objects authorized by the power and also to objects not so authorized, the appointment in favour of the authorized objects shall take effect if their interests can be separated from those of the unauthorized objects.

Effect of appointment to objects, some authorized and others unauthorized.

Illustration.

Property is settled on A for life, and after his death on such of his children as he shall appoint, and in default of appointment to all A's children equally. A appoints that the property shall go after his death to his widow for her life, and after her death to two of his sons, C and D, in equal shares. There are five children of A. The appointment in favour of A's widow is invalid, and the rents and profits of the property during her life will go to all the five children in equal shares, but after her death to C and D absolutely.

85. Where the donee of a special power purports in exercise of the power to confer a larger interest than is authorized thereby, such appointment shall, if the appointee so elect, be void only for the excess, and good for the residue, if they can be separated.

Appointment in excess of power when voidable at election of appointee.

Illustrations.

(*a*). A has a life-interest in Rámnagar, with power to grant leases thereof for 30 years. A makes a lease of Rámnagar for 50 years. Such lease is good for 30 years only.

(*b*). A having a life-interest in Rámnagar and Sultánpur, with power to grant leases of Rámnagar for 21 years, grants a lease comprising both Rámnagar and Sultánpur for 21 years. After A's death the lessee may, if he thinks fit, elect to retain the lease as a lease of Rámnagar only, till the end of the 21 years.

86. Where, by an appointment under a special power, interests authorized and also interests unauthorized are created, and the interests authorized cannot be distinguished from those unauthorized, the whole is void.

Invalidity of appointment creating authorized and unauthorized interests not separable.

Illustrations.

(*a*). A fund is settled on A during his life, and after his death on his children as he shall appoint. A appoints the annual income for the benefit of his son B and his wife and children, in such manner as trustees shall think fit. The appointment is wholly void.

(*b*). Under a similar settlement, A having legitimate children by B, his wife, and others by C and D, his concubines, appoints the property to be divided among his children by B, C and D, the shares of the sons to be double those of the daughters. Here the interests authorized and unauthorized cannot be distinguished, and the appointment is wholly void.

87. When a person exercising a special power annexes to the gift a condition or qualification which is not authorized by the power, the gift is good and the condition or qualification only is void.

Appointment with unauthorized condition.

Illustrations.

(*a*). A, having a power to appoint a fund among his children, gives a part of it to his son B on condition that B shall settle it on B's children. The condition is void, and the gift is absolute.

(*b*). A, having a power to appoint a fund to a limited class of objects of whom B is one, appoints it to B, adding a condition that B shall release a debt owing to him by A, and also pay Rs. 1,000 to C. The appointment is good; but the condition is void.

88. If a beneficial interest in immoveable property and also a power to let it are given to the same person and he grants his interest in the property, he may enter into a contract not to exercise his power.

Contract not to exercise power of leasing.

89. Save as provided by section 88, an agreement or undertaking not to exercise a power which is given for the benefit of persons other than the donee is void.

Invalidity of agreement not to exercise power.

90. Where a power given for the benefit of persons other than the donee is exercised with a view to the benefit, direct or indirect, of the donee, in any mode not intended by the donor, the appointment is void.

Frauds on powers.

Illustrations.

(*a*). A, having power to appoint a fund in favour of any of her children, appoints the whole fund absolutely to one child, who has previously entered into an agreement with her to give one-half of the fund to A's husband absolutely. The appointment is void.

(*b*). A, having power to appoint a fund in favour of any of his children, appoints a portion of the fund to his son C, a minor, whom he knows to be suffering from a mortal disease; A being the person entitled to C's property in the event of his death. The appointment is void.

(*c*). A, having power to grant leases of certain settled land, exercises the power in favour of B in consideration of Rs. 1,000 paid to A by B as a fine or premium. The lease is void, and A holds the Rs. 1,000 in trust for the persons interested under the settlement.

91. If the instrument by which a power of appointment in favour of specified objects is created does not provide for the event of no appointment being made, the property belongs (subject to any appointment that may have been made) in equal shares to the said objects.

Right to property in default of appointment.

Illustration.

A settles property on B for life with remainder to B's children as he shall appoint, and makes no disposition in default of appointment. B has two children, C and D, and appoints Rs. 1,000, part of the property, to C. Then C dies. Then B dies without making any further appointment. After paying Rs. 1,000 to C or his representative, the residue of the property is divisible in equal moieties between D and the representative of C.

92. Under a power of appointment in favour of several objects, an appointment of the whole property to one or more of such objects exclusively of the others is valid:

Appointment of whole property to some only of several objects in favour of which power is given.

Provided that, where the assurance creating the power declares the minimum amount or value of the share from which no object of the power is to be excluded, the appointment shall be invalid so far as it excludes any such object from any such share, and no farther.

CHAPTER XIII.

OF PROPERTY HELD BY SEVERAL PERSONS.

93. Where property is held by more persons than one, the share of any of them having at the time of his death a beneficial heritable interest therein shall

Right to property by survivorship created only by express words.

become vested in his legal representative, unless the property is held under an instrument which expressly provides that on the death of one his share shall accrue to the survivors.

Nothing in this section applies to property belonging to an undivided Hindú family.

Illustration.

A and B jointly advance money on mortgage. A dies intestate. The money advanced by A belongs to his legal representative.

Partition of immoveable property.

94. When immoveable property is held in possession by joint owners, any one of them may institute a suit in the proper Court, and such Court may direct a partition of the property to be made among the joint owners, and for the purposes of partition may, in order to equalise the value of the shares, direct any money to be paid by one to another or to be charged on one share in favour of another.

Power to direct sale and to distribute proceeds.

If it appear to the Court that a sale of the property and a distribution of the proceeds would be more beneficial for the persons interested than a division of the property between them, the Court may, on the application of any such person, direct a sale of the property.

Power to allow person interested to bid for property sold for purpose of partition.

95. On any sale under the last preceding section, the Court may, if it think fit, allow any of the persons interested in the property to bid at the sale, on such terms as to setting-off or accounting for the purchase-money or any part thereof, or as to any other matters, as to the Court seems reasonable.

Payment into Court.

96. All sums of money paid under the two last preceding sections may if the Court think fit, be paid into Court.

Saving of laws relating to partition of revenue-paying estates.

97. Nothing in this chapter shall affect any local law for the time being in force relating to the partition of estates paying revenue to Government.

Waste by one joint-owner.

98. When one joint-owner of immoveable property commits, or threatens to commit, waste to the same without the consent of the other joint owner, that other may institute a suit to recover compensation for the injury caused to him by the waste or to obtain an injunction to stay the waste, as the case may require.

CHAPTER XIV.

OF ASSIGNMENTS OF THINGS IN ACTION.

Sale, &c., of things in action.

99. No sale or disposition of, or charge on, any debt, and no sale or disposition of, or charge on, any beneficial interest in moveable property, shall have any operation against the debtor or against the person in whom the property is vested, until notice of the sale, disposition or charge is given to him, unless he is a party to such sale, disposition or charge; and every dealing by such debtor or person, not being a party to, and not having received notice of, a sale, disposition or charge, with the debt owing by him, or with the property vested in him, shall be valid as against such sale, disposition or charge.

Illustrations.

(*a*). A owes money to B, who assigns the debt to C. B then demands the debt from A, who having no notice of the assignment, pays B. The payment is valid, and C cannot sue A for the debt.

(*b*). A has jewels deposited with B, a jeweller. A mortgages them to C. A then executes an assignment of them to D, who takes his assignment to B and gets the jewels from him before he, B, has received any notice of C's mortgage. B is justified in handing the jewels to D, and C has no remedy against D.

Notice to be in writing signed.

100. Every such notice must be in writing signed by the person making such sale, disposition or charge, or by his agent duly authorized in this behalf.

Liability of assignee of thing in action.

101. The person to whom a debt or charge is assigned shall take it subject to all the liabilities to which the assignor was subject in respect thereof at the date of the assignment.

Illustration.

(*a*). A debenture is issued in fraud of a public company to A. A sells and transfers the debenture to B, who has no notice of the fraud. The debenture is invalid in the hands of B.

Saving of negotiable instruments.

102. Nothing in this chapter applies to debts secured by negotiable instruments.

THE FIRST SCHEDULE.

(*a*). STATUTES.

Year and chapter.	Subject.	Extent of repeal.
13 Ed. I, c. 22	Waste	The whole.
31 Hen. VIII, c. 1 ...	Partition	The whole.
32 Hen. VIII, c. 62 ...	Do.	The whole.
13 Eliz., c. 5...	Fraudulent Conveyances	The whole.
27 Eliz., c. 4...	Do.	The whole.
6 Anne, c. 72	Discovery of deaths of tenants for life.	The whole.

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
XXIV of 1841	Illusory appointments, &c.	So far as regards illusory appointments.
X of 1865 ...	Succession ...	Illustration (*g*) to sec. 107.
IV of 1872 ...	Panjáb Laws Act ...	So far as it relates to Bengal Regulation I of 1798 and conditional sales made after this Act comes into force.
XX of 1875 ...	Central Provinces Laws Act.	So far as it relates to Bengal Regulation XVII of 1806

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL,—*concluded.*

Number and year.	Subject.	Extent of repeal.
		and mortgages and conditional sales made after this Act comes into force.
XVIII of 1876	Oudh Laws Act ...	So far as it relates to Bengal Regulation XVII of 1806 and mortgages and pledges made after this Act comes into force.

(*c*). REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bengal Regulation I of 1798.	Conditional sales ...	The whole Regulation except as to conditional sales made before this Act comes into force.
Bengal Regulation XVII of 1806.	Redemption ...	The whole Regulation except as to mortgages and conditional sales made before this Act comes into force.
Bombay Regulation V of 1827.	Mortgagees in possession	Section 15 except as to mortgages and pledges made before this Act comes into force.

THE SECOND SCHEDULE.

TRANSFER ON SALE.

(*See section* 8).

This assurance is made the day of 18 , between *A B*, of , and *C D*, of . In consideration of rupees paid to me, *A B*, by *C D*, the receipt whereof I do hereby acknowledge, I, *A B*, do hereby grant all that (*description of property*) unto *C D*. In witness whereof, I have signed these presents.

(*A B*)

CHARGE.

(*a*). This assurance is made the day of 18 , between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with five thousand rupees and interest at the rate of per cent. per , payable on the day of . In witness, &c.

(*b*). This assurance is made the day of 18 between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with the sum which shall be due to him on the balance of my account, not exceeding rupees, together with interest thereupon at the rate of per cent. per . In witness, &c.

LEASE.

(*See section* 42).

This assurance is made the day of , between *A B*, of , and *C D*, of . I, *A B*, do hereby lease to *C D* all that (*description of property*), to hold the same from the day of for the term of at the rent of rupees, payable by equal payments on the day of and the day of in each year. In witness whereof we have, &c.

STATEMENT OF OBJECTS AND REASONS.

This Bill embodies the bulk of the rules submitted in the sixth report of the late Indian Law Commission. One of its chief objects is to bring the rules which regulate the transmission of property between living persons into harmony with the rules affecting its devolution upon death, and thus to furnish the necessary complement of the work commenced in framing the law of succession, now Act X of 1865. Another is to render more simple and efficient the law relating to mortgages and conditional sales. The expediency of legislation on this subject was affirmed by the Judicial Committee of the Privy Council in the case of *Tambasvámi Mudali* v. *Muhammad Husain*, L. R. 2 Indian Appeals, 241. Rules are also laid down on the other subjects hereinafter mentioned.

The Bill is divided into fourteen chapters.

Preliminary.

Chapter I contains the usual preliminary matter. The repealing clause will get rid of several obsolete statutes relating to land which are still in force in the Presidency Towns and, in the case of Europeans, may possibly be in force elsewhere. The saving clause exempts from the operation of the proposed Act acquired rights and liabilities incurred before the Act comes into force, subsequently acquired rights of pre-emption, options of mortgagees to make further advances (such options exist in Malabar and possibly elsewhere), contracts of bottomry and respondentia, transfers of British ships, sales in execution of decrees or for arrears of rent or revenue.

Assurances of Immoveable Property.

Chapter II deals with assurances of immoveable property. It declares (section 4) that every person competent to contract may make an assurance of property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. It declares (sections 5, 6 and 7) that land may be conveyed (*a*) with the benefit of, or subject to, an easement: (*b*) subject to an obligation for the benefit of the public or of the neighbouring owner, or (*c*) with the reservation of any right of user, severance and removal. It lays down rules (section 8) as to the mode in which the transfer *inter vivos* of immoveable property can alone be effected, and applies (section 9) to assurances the rules of construction contained in the Succession Act. It declares (section 10) that, unless a contrary intention appears by the assurance, a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject, and a grant of land shall be deemed to comprise trees and fixtures. Covenants running with the land are dealt with by the same section.

Sales of Immoveable Property.

The Bill then enumerates (section 11) the rights and liabilities which, in the absence of any provision to the contrary, arise in the case of a sale of land. The principal changes in the law here made are as follows: the seller will be responsible for loss caused to the buyer, or any person claiming under him, through any invalidity of the seller's title not known to the buyer when the contract was entered into and the seller's lien for unpaid purchase-money will cease as soon as the assurance is registered. Section 12 declares that, except so far as regards the vendor's lien, a contract for sale shall not of itself have the effect of creating any interest in the property sold: the Bill will thus get rid of much difficult law relating to the purchaser's equitable ownership, and the rights created by charging and assigning it. Lastly, section 13 declares that a person paying the purchase-money for any immoveable property, but having the transfer made to another, will not by reason of the payment be entitled to the property or to any interest therein. It will thus become the absolute property of the transferee, unless he is made a trustee in some way more definite than by the mere payment of the money by another person; and it is hoped that this rule will tend to prevent the litigation which arises from the doctrine of equitable presumption.

Mortgages and Charges.

Chapter IV deals with mortgages and charges. 'Mortgage' is so defined and explained as to include, besides simple mortgages, usufructuary mortgages, mortgages by conditional sale, and their combinations. The Bill declares (section 15) the respective rights of mortgagor and mortgagee on completion of a mortgage. It defines (sections 16, 17 and 18) the rights and duties of a mortgagee in possession. It shews when the mortgagor or the mortgagee may obtain an injunction to stay waste committed or threatened by the other. It provides rules (sections 19—24) as to suits for foreclosure or sale. Powers of sale given by the mortgage-deed to the mortgagee have been held void in the Mufassal: the Bill (section 24) declares them to be valid: but contains provisions for the protection of the mortgagor similar to those in 23 & 24 Vic., c. 145, ss. 11—14. It provides rules (sections 25, 26 and 27) as to suits for redemption. It contains provisions as to interest (section 28) and costs (sections 29, 30). It declares (section 31) that a deposit by a debtor of his title-deeds, shall be deemed to be only evidence of a contract for a mortgage and to entitle the creditor merely to sue for specific performance. Any person having an interest in the property charged may prevent a sale at the suit of a mortgagee (section 35) by paying off the mortgagee who requires it, and the registration of the mortgagee's receipt for the money will be sufficient without any further assurance. If the payment be made by a person having the whole interest in the property subject to the mortgage, the mortgage so paid off will (section 36) cease to exist: if the payment be made by a person not having the whole of such interest, he will acquire (section 37) the rights of the incumbrancer whom he has paid off.

The Bill abolishes the system of tacking, by declaring in sections 38 and 39 that no mortgagee paying off a prior mortgage shall thereby acquire any priority in respect of his original mortgage; that no mortgagee making a subsequent advance to the mortgagor shall thereby acquire any priority in respect of his security for such advance; and that, if the owner of two properties creates separate mortgages upon them by separate assurances, each property may be redeemed or dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

It has been held that, where a mortgage extends to future advances, the mortgagee cannot safely make such advances, if he has notice of an intervening second mortgage. But the Bill (section 34) provides that, if a charge made to secure the balance of a running account expresses the maximum to be secured thereby, a second charge shall be postponed to the first charge in respect of advances not exceeding the maximum, though made subsequently to the second charge with notice thereof.

Leases.

Chapter V deals with leases of immoveable property. It lays down rules (section 43) as to the commencement and duration of leases. It states in some detail (section 44) the obligations which, in the absence of any stipulation to the contrary, are to arise out of the relationship of landlord and tenant. Special notice may be called to the provision enabling a lessee, where the lessor omits to make repairs which he is bound to make, himself to make them and

deduct the expense from the rent, and the similar provision for the case of failure on the part of the lessor to make payments, which, if not made, are recoverable against the thing leased; to the provisions binding tenants to inform their landlords of proceedings to eject, and of encroachments, and to the power of obtaining a decree for the rescission of a lease, in a suit by either party, in case of misconduct by the other.

The rules as to fixtures in section 44, clauses (*q*) and (*r*), are, it is thought, likely to prove useful. No distinction is made between ornamental, trade and agricultural fixtures, save that the landlord is given a right (resembling that conferred by 15 Vic., cap. 25, section 23) to purchase agricultural fixtures.

The rest of this chapter saves (section 45) any right to distrain possessed under any local law: provides rules (section 46) as to the duration of leases in the absence of written agreement or of local law or usage; and treats (section 47) of the effect of holding over.

Exchanges.

Chapter VI deals with Exchange or Barter. It is taken from the New York Civil Code, and merely declares that each party has the rights and obligations of a seller as to that which he gives, and those of a buyer as to that which he takes; and that, on an exchange of money, each party warrants the genuineness of the money given by him.

Settlements.

Chapter VII deals with settlements, which are defined so as to include endowments and absolute gifts to children and others, excluding, however, gifts by Natives. The Bill declares (section 50) that a settlement may be binding, though not made for a consideration. Settlements made in fraud of creditors will be voidable (section 51) at their option; but not as against persons who, without notice and for valuable consideration, have acquired interests thereunder. The English law, by which a voluntary settlor of land can by subsequent sale defeat the settlement he has made, is not perpetuated here. Conditions restraining any person from parting with his or her interest will be void (section 52), and when property is settled on a married woman, it will therefore no longer be possible to deprive her of the power of anticipation. Such power is the logical consequence of a married woman's capacity, under Act IX of 1872, to enter into contracts. The Bill also contains provisions as to making interests under settlements or wills determinable on insolvency or attempted alienation (section 53), as to the vesting of gifts in general terms (section 54), as to the vesting of a gift to an unborn person not entitled to possession immediately on birth (section 55). Various sections of the Indian Succession Act (100—104, 107, 108, 111—127, 167) are applied (section 56), so far as the nature of the case will admit, to gifts contained in settlements.

Gifts for Religious and Charitable purposes.

In accordance with the Succession Act, the Bill prohibits (section 58) persons who have near relatives from giving property to religious or charitable uses unless by an instrument executed not less than twelve months before their death and duly registered. And while allowing property to be given in perpetuity for such uses, the Bill requires (section 59) that it shall be given with the sanction of some public authority to be designated by the Government. A mode of notifying the grant or refusal of such sanction is provided. Where the sanction is refused, the property will devolve as if the gift had not been made.

Apportionment.

Chapter IX consists of a single section (60) treating of the apportionment of rents and other periodical payments.

Rights and Liabilities of limited Owners.

In Chapter X, the Bill abolishes the distinction between limited owners with, and those without, impeachment of waste. Such persons (section 61) will not be entitled to do any act destructive or permanently injurious to the property; but it is explained that no act done in the reasonable enjoyment of property (such, for example, as working a mine) is 'destructive' or 'injurious,' though it may exhaust the substance of the property. The power of such persons and their representatives to remove fixtures will be the same as that given to tenants under a lease. Persons having limited interests in possession will be bound (section 62) to discharge periodical payments due under prior mortgages and also taxes and other public periodical charges. The right to increase in the value of property in which there are successive interests is declared (section 63); and a provision (resembling that made by 6 Anne, chapter 72, section 1) is made for the production of tenants for life, when the remainder-man has reason to suspect fraud.

Leases and Sales of settled Estates.

Chapter XI is suggested by the English Statute 19 & 20 Vic., cap. 20. It gives the Courts (here defined to mean only the High Courts and the District Courts) a power to deal with lands subject to a settlement or will, by lease or sale, or by appropriating any part of the property for the formation of streets, roads, gardens, tanks, &c. The various modes in which the proceeds of the sales or leases may be applied are specified.

Powers.

Chapter XII treats of powers, *i. e.*, rights to determine the disposition of property otherwise than by virtue of ownership. It reproduces the principal rules of the English law on the subject. But the Bill does not propose to give the Courts power to aid defective executions of powers. This jurisdiction does not rest on any sound principle, and is, indeed, hardly consistent with a strict system of registration. In the case of the exercise of a power given to several donees some of whom die before it has been fully exercised, the Bill declares (section 74) that the survivors may do all that might have been done by the whole number. An analogous declaration is made (section 77) as to a power exercisable with the consent of several persons.

Property held by several Persons.

Chapter XIII contains some rules as to the devolution of shares of several persons holding the same property. The Bill proposes to declare that a right by survivorship can be created only by express words. This chapter also contains some provisions (sections 94, 95, 96) as to partitions of immoveable property, which may be useful in cases to which no local law as to the partition of revenue-paying estates applies. In case of illegal waste by one of several persons holding the same property, power is given (section 98) to sue for compensation or to obtain an injunction.

Assignments of Things in Action.

Chapter XIV deals with the assignment of debts and other things which are not in the possession of the person entitled to them, but for the recovery of which he may be obliged to sue. The only change proposed to be made in what is now the law in all Indian Courts is, that the Bill requires (section 99) the assignee to complete his title by giving the debtor notice in writing of the assignment. Negotiable instruments are excluded from the operation of this chapter.

The subject of the Bill is one of great difficulty and complexity, and errors will doubtless be found in the present draft. Ample time will be given for the searching criticism which it is hoped the draft will receive at the hands of the Local Governments, the Judges and the legal profession.

SIMLA,
The 10th May 1877.

WHITLEY STOKES.

A. PHILLIPS,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JUNE 30, 1877. Register No. 33.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877:—

No. 11 of 1877.

A Bill to amend the Bombay Revenue Jurisdiction Act, 1876.

WHEREAS it is expedient to exempt from the operation of the fourth section of the Bombay Revenue Jurisdiction Act, 1876, certain suits instituted in the Districts mentioned in the Schedule hereto annexed; It is hereby enacted as follows:— Preamble.

1. To section five of the said Act the following clause shall be added (namely)— Addition to section 5, Act X of 1876.

"and nothing in section four shall be held to prevent the Civil Courts in the Districts mentioned in the second Schedule hereto annexed from exercising such jurisdiction as, according to the terms of Acts No. XI of 1852, No. XXIII of 1871, and Bombay Acts No. II of 1863, No. VII of 1863 and No. III of 1874, or of any other law in force on the twenty-eighth day of March 1876, they could have exercised over claims against Government—

"(*a*) relating to any property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act No. III of 1874, or any other law for the time being in force, or of any other village-officer or servant:

"(*b*) to hold land wholly or partially free from payment of land-revenue;

"(*c*) to receive payments charged on, or payable out of, the land-revenue."

2. The following Schedule shall be added to the said Bombay Revenue Jurisdiction Act, 1876, (namely)— Schedule added to Act X of 1876.

"THE SECOND SCHEDULE.

The District of Ahmedabad.

The District of Kaira, exclusive of the Panch Mahâls.

The District of Broach.

The District of Surat, exclusive of the lapsed State of Mándvi, as described in the schedule annexed to Act X of 1848.

The District of Tanna.

The District of Colába, exclusive of the lapsed State of Colába mentioned in Act VIII of 1853.

The District of Ratnágiri.

The District of Kanara."

STATEMENT OF OBJECTS AND REASONS.

1. The Bombay Revenue Jurisdiction Act (X of 1876), section 4, sub-section (*a*), article 1, and sub-section (*f*), articles 1 and 2, withdraw from the jurisdiction of the Civil Courts in every part of the Bombay Presidency (1) claims against Government relating to property appertaining to the office of any hereditary officer appointed or recognized under Bombay Act III of 1874, or any other law for the time being in force, or of any other village-officer or servant, and (2) claims against Government to hold land wholly or partially free from payment of land-revenue, or to receive payments charged on, or payable out of, the land-revenue.

2. The object of this Bill is to restore to the Civil Courts, so far as the Old Provinces are concerned, whatever jurisdiction has been taken away by the articles above referred to.

3. The reasons for the Bill are shortly as follows: In the Old Provinces the Courts had, to a certain extent, cognizance of the claims in question; obscure and disputed claims to exemption from land-revenue or from enhanced assessments are commoner there than in other parts of India; and for these and other causes the change effected by the articles above mentioned is distasteful to the population.

SIMLA, *The 19th April* 1877. } A. J. ARBUTHNOT.

A. PHILLIPS,
Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877:—

No. 12 OF 1877.

A Bill to amend the Chutia Nágpur Encumbered Estates Act, 1876.

Preamble.

FOR the purpose of amending the Chutia Nágpur Encumbered Estates Act No. VI of 1876; It is hereby enacted as follows:—

Amendment of Act VI of 1876, section 12, clause 2.

1. For the word "six" shall be substituted the word "twelve" in the second clause of the twelfth section of the said Act.

STATEMENT OF OBJECTS AND REASONS.

The Government of Bengal being of opinion that the period of six months provided by section 12 of the Chutia Nágpur Encumbered Estates Act, 1876, is too short for deciding whether an estate should be retained under management or relinquished under that section, the period of six months is, by the amending Bill, increased to twelve months, which period it is believed will be sufficient for the purpose.

SIMLA; *The 25th May* 1877. } A. J. ARBUTHNOT.

A. PHILLIPS,
Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th June 1877, and was referred to a Select Committee:—

No. 13 of 1877.

THE TRANSFER OF PROPERTY BILL, 1877.

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A Bill to define and amend the law relating to the Transfer of Property.

WHEREAS it is expedient to define and amend the law relating to the transfer of property; It is hereby enacted as follows :— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Transfer of Property Act, 1877 :" Short title.

It extends to the whole of British India ; Extent.

And it shall come into force on the day of 1878. Commencement.

2. On and from that day the enactments specified in the first schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof. Repeal of Acts.

Nothing herein contained shall be deemed to affect— Saving of certain rights, liabilities, &c.

(*a*) any right or liability acquired or incurred before this Act comes into force or any remedy in respect of any such right or liability :

(*b*) any right of pre-emption acquired after this Act comes into force :

(*c*) any option of a mortgagee to make further advances required by the mortgagor :

(*d*) any contract of bottomry or respondentia :

(*e*) any sale, mortgage or other transfer of a British ship :

(*f*) any sale in execution of a decree or order, or for arrears of rent or revenue :

(*g*) the construction of any instrument executed before this Act comes into force.

3. In this Act, unless there be something repugnant in the subject or context— Interpretation-clause.

"assurance" means any instrument not testamentary, creating, transferring or otherwise disposing of any interest in immoveable property : "assurance."

the person so creating, transferring or otherwise disposing, is called a grantor : the person in whose favour such creation, transfer or disposition is made, is called a grantee ; and the operation effected by an assurance is called a grant : "grantor." "grantee." "grant."

"registered" means registered in British India under the law for the time being regulating the registration of documents. "registered."

"affixed to the soil" means— "affixed to the soil."

(*a*) imbedded in the soil, as in the case of walls ;

(*b*) permanently resting upon it, as in the case of buildings ; or

(*c*) permanently attached to what is so imbedded or so rests, as by means of nails, bolts or screws.

and all words occurring in this Act and defined in the Indian Contract Act, 1872, shall have the meaning attributed to them respectively by that Act. Words defined in Act I of 1872.

CHAPTER II.

OF ASSURANCES OF IMMOVEABLE PROPERTY.

4. Every person competent to contract may make an assurance of any immoveable property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. Persons competent to make assurances.

5. Immoveable property may be granted with the right to an easement affecting any other immoveable property belonging to the grantor, or subject to an easement for the benefit of any other property. Conveyance of easements.

Easements may be made the subject of separate grants.

Where any easement is actually enjoyed with any property the subject of any grant, the grant shall, unless a contrary intention appears by the assurance, be deemed to pass such easement.

6. Immoveable property may be granted subject to an obligation for the benefit of the public or of any neighbouring owner. Power to convey subject to obligation for benefit of public or neighbour.

Such obligation shall bind the grantee and all persons claiming the granted property under him, and may be the subject of a separate grant.

Whenever such an obligation is created for the benefit of the public, it may be enforced by the grantor and his legal representatives or by the Government as a civil right.

Illustrations.

(*a*). A grants certain land to Z subject to the condition that Z shall not, without the consent of A, build any dwelling-house within a hundred yards of certain adjoining land of A. A and all persons claiming such land under him may enforce this obligation on Z, and all persons claiming the granted land under him.

(*b*). A grants certain land to Z, subject to the condition that Z shall for ever maintain thereon a fountain for the use of travellers.

Z, being the owner of certain land, covenants with A that he will for ever maintain thereon a fountain for the use of travellers.

In each case either A or the Government may enforce the obligation against Z, and all persons claiming the land under him.

7. Immoveable property may be granted with the reservation of any right of using the same or of severing and removing any part thereof. Such rights may be the subject of separate grant. Power to convey with reservation of certain rights.

Illustrations.

(*a*). A may grant to B his lands of Rámnagar, reserving to himself the right to dig for and remove the coal and other minerals thereon, and to do in person, or by his servants, whatever is necessary for obtaining and removing the coal and other minerals.

(*b*). A may grant to B, by a separate assurance, the right to plant fruit-trees on A's lands of Rámnagar, and to gather the fruit.

8. An assurance may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention thereby, and without any further act, to grant any interest in immoveable property. Form of assurance.

9. The rules of construction which apply to testamentary instruments shall also be applicable to assurances, so far as the different nature of assurances will permit. Application of rules of construction.

10. Unless a contrary intention appears by the assurance, Operation of assurance.

a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject of the grant, and to comprise—

(*a*) trees and all other products of the soil ;

(*b*) things affixed to the soil, and, in the case of machinery so affixed, the moveable parts thereof ;

(*c*) in the case of a house, the locks, keys, bars, doors and windows,

and a covenant by the grantee concerning the subject of the assurance binds all persons claiming such subject under the grantee, and may be enforced by all persons claiming under the grantor, and a like covenant by the grantor binds all persons claiming the subject under the grantor, and may be enforced by all persons claiming under the grantee. Covenants concerning its subject.

CHAPTER III.

OF SALES OF IMMOVEABLE PROPERTY.

11. Unless a contrary intention appears from the assurance or, when no assurance has been made, from the contract, the seller and the buyer of immoveable property respectively possess the rights and are subject to the liabilities mentioned in the nine rules next following, or such of them as are applicable to the property sold : Rights and liabilities of seller and buyer.

(*a*). If the buyer, or any person claiming under him, suffers loss by reason of any invalidity of the seller's title not known to the buyer when the contract was entered into, the seller, or, where the seller is not the person for whose benefit the consideration was received, then such other person, is responsible for the loss so suffered.

(*b*). The seller has a charge upon the property for the amount of the purchase-money, or any part thereof, remaining unpaid; but as soon as the assurance (if any) is registered, such charge shall cease.

EXPLANATION.—Money for which a bill of exchange has been taken remains unpaid, within the meaning of this clause, until the bill is paid.

(*c*). After the contract has been made, the seller is entitled to the rents and profits of the property until the time fixed for the completion of the sale, and if he has received any such rents and profits which accrued after that time, he must on completion account for them to the buyer. The buyer must, on completion, pay to the seller interest on the purchase-money from the time fixed for the completion of the sale. But this is not to preclude either party from obtaining compensation where loss has been occasioned by the default or delay of the other party.

(*d*). The buyer is entitled to a charge on the property for the amount of any purchase-money properly paid by him in anticipation of the completion of the sale.

(*e*). In the absence of fraud or misrepresentation the seller is not answerable for any latent defect in the property sold.

(*f*). After the contract has been made, the buyer is liable to bear any loss arising from the destruction or decrease in value of the property, and not caused by the seller's fault, and is entitled to the benefit of any improvement in, or increase in value of, the property.

(*g*). The seller is bound to execute a proper assurance of the property when the buyer tenders it to him for execution at a proper time and place.

(*h*). When the buyer has been let into beneficial possession of the property pending discussions as to the seller's title thereto, and the contract is not completed owing to defects in such title, the buyer is not liable to pay for his use of the property.

(*i*). When the completion of the contract is delayed by the buyer, and, after the day fixed for completing it, the seller expends money on the property, the seller is entitled to recover the amount so expended, provided that such expenditure was required for the preservation of the property, or by any law for the time being in force.

12. Save as provided by section 11, clause (*b*), a contract for the sale of, or relating to, immoveable property, whether registered or not, shall not have the effect of creating any interest in, or charge on, such property ; but the only right of any person under the contract shall be to apply for specific performance, or for compensation, or for both, according to the rules laid down in the Indian Contract Act, 1872, and the Specific Relief Act, 1877. Contract for sale not of itself to create interest in property.

13. A person paying the consideration for any immoveable property, but having the transfer of it made to another person, is not, by reason of such payment, entitled to such property or to any interest therein. Purchase of immoveable property which buyer causes to be transferred to another.

CHAPTER IV.

OF MORTGAGES AND CHARGES.

Mortgage, mortgagor and mortgagee defined.

14. When any interest in specific property is actually or contingently transferred by one person to another for the purpose of securing the payment of money, the transfer is called a mortgage, the transferor is called a mortgagor, the transferee a mortgagee, the money of which payment is secured is called the mortgage-money, and the instrument (if any) by which the transfer is effected is called a mortgage-deed.

For the purposes of this chapter, any person claiming as heir, legatee, assignee, lessee or otherwise the interest of the transferor in the property subject to the mortgage, or any part of such interest, is a mortgagor; and any person claiming as heir, legatee, assignee or otherwise the interest of the transferee under the mortgage, or any part thereof, is a mortgagee.

EXPLANATION.—A judgment-creditor who attaches any mortgaged property or mortgage-money claims under the transferor or transferee (as the case may be) within the meaning of the second paragraph of this section.

Illustrations.

(*a*). A binding himself personally for the repayment of a loan, pledges certain land to B as collateral security for such repayment, but does not actually deliver possession.

(*b*). A not so binding himself, pledges certain land as in illustration (*a*), and covenants that in default of payment of the loan on a certain date the land pledged shall pass to B.

(*c*). A borrows money from B, and gives up certain land to B that he may retain possession thereof until he has from the rents and profits of the land repaid himself the sum so lent.

(*d*). A binding himself as in illustration (*a*), pledges certain land to B as a collateral security for the repayment, and permits B to receive the rents and profits of the land until he has repaid himself the loan, but does not actually deliver possession.

(*e*). A not so binding himself covenants that on default of payment of the loan on a certain date the land pledged shall pass to B. A meanwhile puts B into possession of the land, and allows him to receive the rents and profits in discharge of the loan.

(*f*). A charges certain land in favour of B with Rs. 1,000 and interest at the rate of twelve per cent. per annum.

(*g*). A charges a certain fund in favour of B with the amount which shall be due to him on the balance of A's account not exceeding Rs. 1,000, together with interest thereon at the rate of twelve per cent. per annum.

(*h*). A borrows Rs. 10,000 from B and conveys certain land to B in trust that the same shall stand charged with the payment to B of the Rs. 10,000 and interest and subject thereto in trust for C and others, and the deed confers express power on B in default of payment to sell the land.

Each of these transactions is a mortgage. A is the mortgagor, B the mortgagee.

(*i*). A, in consideration of a loan of money paid to him by B, makes over his land to B for a term of twenty years, but does not bind himself to pay to B principal or interest. This is not a mortgage.

Respective rights of mortgagor and mortgagee.

15. On the completion of a mortgage the mortgagor has the following rights:—

(*a*) he may, at any time after the mortgage-money has become payable, or has been paid, and before his right to redeem the mortgaged property is foreclosed or the property is sold, institute a suit (hereinafter called a suit for redemption) to have the mortgaged property re-transferred to him;

(*b*) he may, at any time after the mortgage-money has become payable and before such suit is barred, tender to the mortgagee or deposit in the principal Civil Court within the local limits of whose ordinary original civil jurisdiction the mortgaged property or any part thereof is situate, to the account of the mortgagee, the whole amount for the time being due on the mortgage.

And the mortgagee has the following rights:—

(*c*) he may take possession of the mortgaged property at or after the time, if any, specified in the mortgage-deed for payment of the mortgage-money, or, if no time is so specified, at any time after the mortgage-money has become payable to him;

(*d*) he may, at any time after he is entitled to take possession of the mortgaged property, and before it is redeemed, institute a suit against the mortgagor (1) for a foreclosure of his right to redeem the property, with or without possession thereof, or (2) for a sale of the property, or (3) for either of such remedies;

(*e*) where the mortgagor deposits money in court under clause (*b*) of this section, the Court shall forthwith cause written notice of the deposit to be served on the mortgagee, and the mortgagee may, on depositing the mortgage-deed (if any) in the same Court and on filing a written statement (verified in manner prescribed by law for the verification of plaints) of the amount due to him under the mortgage, apply for and receive in payment of such amount the money so deposited;

(*f*) if at the date of the mortgage the mortgaged property is insured against fire, the mortgagee, in case of damage to the property by fire, may (in the absence of a contract to the contrary) require the insurance-money to be laid out in reinstating the property.

Rights and duties of mortgagee in possession.

16. When, during the continuance of the mortgage, the mortgagee takes possession of the mortgaged property, he has the following duties and rights:—

(*a*) he shall manage the property as a person of ordinary prudence would manage it if it were his own;

(*b*) he shall collect all rents and other profits arising out of the property;

(*c*) he shall, in the absence of an express contract to the contrary, pay out of the income of the property the Government revenue and all other charges of a public nature due in respect thereof and keep down the interest due on all mortgages of the property prior to his own, and on all mortgages of the property subsequent to his own, of which he has notice;

(*d*) he may spend such money as is necessary for the due management and preservation of the property and add it to the principal money secured, at the same rate of interest;

(*e*) where the property is by its nature insurable, he may insure and keep insured from loss or damage by fire the whole or any part of such property, and add the premiums paid for any such insurance to the principal money secured, at the same rate of interest;

(*f*) he shall keep accurate accounts of all sums received and spent by him as mortgagee;

(*g*) he shall, at any time during the continuance of the mortgage, give the mortgagor, at his request and cost, true copies of such accounts and of the vouchers by which they are supported.

Receipts of mortgagee in possession.

17. When the mortgagee is in possession of the mortgaged property, unless there is an express contract in writing between the mortgagee and the mortgagor that his net receipts therefrom shall, so long as the mortgagee is in possession thereof, be taken in lieu of interest on the principal sum secured by the mortgage, such receipts shall be debited against him in reduction of the amount (if any) from time to time due to him on account of interest on the principal sum so secured, or, so far as such receipts exceed any interest due, in reduction of such principal sum.

Injunctions to restrain waste.

18. Where the mortgagor remains in possession of the mortgaged property or any part thereof, and commits or threatens to commit waste thereon, the mortgagee may obtain an injunction to stay the waste: provided that the security is insufficient or will be rendered insufficient by the waste complained of. Where the mortgagee takes possession of the mortgaged property or any part thereof and commits or threatens to commit waste thereon, the mortgagor may obtain an injunction to stay the waste.

EXPLANATION.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of houses, exceeds by one-half, the mortgage-money.

Foreclosure and Sale.

Preliminary decree in foreclosure-suit.

19. In a suit for foreclosure or sale, if the plaintiff succeed, the Court shall pass a preliminary decree, ordering—

(*a*) that an account be taken of what will be due to the mortgagee for principal and interest on the mortgage and for his costs of the suit, on the day next hereinafter referred to,

(*b*) that, upon the defendant paying to the plaintiff or into Court the amount so due, on a day within six months from the date of the decree, to be fixed by the Court, the mortgagor shall, if necessary, be put in possession of the mortgaged property by the mortgagee free from all incumbrances created by the mortgagee or any person claiming under him, or, where the mortgagee claims by derived title, by those under whom he claims; but

(*c*) that, if such payment is not made on or before such day, the mortgagor shall be absolutely foreclosed of all right to redeem such property.

Procedure in case of payment of amount due and subsequent costs.

If payment is so made of such amount and of such subsequent costs as are mentioned in section 30, the mortgagor shall (if necessary) be put into possession of the mortgaged property.

Final decree for foreclosure.

If such payment is not so made, the plaintiff shall be at liberty to apply to the Court for a decree for the foreclosure of the said mortgage, and the Court may then pass a decree ordering the defendant to be foreclosed of all right to redeem the mortgaged property, and may, if necessary, deliver possession of the property to the mortgagee; and thereupon the mortgagor's right to redeem and the debt secured by the mortgage shall both be extinguished.

Power to order sale at instance of mortgagee.

20. In any suit by the mortgagee under this chapter, the Court may, at the instance of the plaintiff, decree that in default of the defendant paying to the plaintiff or into court the amount for the time being due on the mortgage and the plaintiff's costs of the suit, the mortgaged property or a sufficient part thereof be sold, and that the proceeds of the sale (after defraying thereout the expenses of the sale) be paid into court and applied in payment of what is due for the time being to the plaintiff on the mortgage, and that the balance, if any, be paid to the defendant or other persons entitled to receive the same.

Power to decree sale in foreclosure-suit.

21. When the mortgagee sues only for a foreclosure, the Court may, at the instance of the mortgagor, decree that in default of such payment, the mortgaged property or a sufficient part thereof be sold, if (*a*) the Court considers that the mortgagee will not be damnified thereby, and (*b*) the mortgagor furnishes such security, if any, as the Court thinks fit for the payment of the balance due for the time being by him on the mortgage.

Mortgagee not to bid at sale.

22. At any sale under section 20 or section 21, the mortgagee shall not bid for or acquire any interest in the property sold without the leave of the Court, or without submitting to such conditions as the Court may impose.

Recovery of balance due on mortgage.

23. If the nett proceeds of any such sale are insufficient to pay the amount due for the time being on the mortgage, the balance may be recovered in the same suit in the same manner as under a decree for money, or by any other legal process open to the mortgagee.

Power of sale.

24. Power may be expressly conferred by the mortgage-deed on the mortgagee to sell or concur in selling the mortgaged property, or any part thereof, on default made in payment of any principal money or interest, payment of which is secured by the mortgage-deed. But in exercising such a power, the mortgagee shall be subject to the following rules (namely)—

(*a*) he shall use all reasonable diligence to obtain a fair price for the property;

(*b*) no such sale shall be made (1) until after six months' notice in writing of the intended sale has been given to the mortgagor, or (2) after the amount for the time being due on the mortgage has been paid or tendered to the mortgagee by or on behalf of the mortgagor, or (3) pending a suit for redemption of the property, or (4) so as to give the mortgagee any interest in the property.

When a sale has been effected in professed exercise of any such power, the title of the purchaser shall not be liable to be impeached on the ground that no such default had been made or that the rules so prescribed had not been complied with.

Receipts for purchase-money given by the mortgagee exercising such power shall discharge the purchasers therefrom.

The proceeds of every such sale shall be applied as follows:—

first, in defraying the expenses incident to the sale, or properly incurred in any attempted sale under the power;

secondly, in or towards satisfaction of the amount for the time being due on the mortgage; and

thirdly, the surplus (if any) of the said proceeds shall be paid to the mortgagor.

Redemption.

Preliminary decree in redemption-suit.

25. In a suit for redemption, if the plaintiff succeed, the Court shall pass a preliminary decree for taking the accounts, as provided by section 19, between the mortgagor and mortgagee, and directing that upon the mortgagor paying within six months from the date of the decree to the mortgagee or into Court what (if anything) is found due to the mortgagee for principal, interest and costs, the mortgagee shall re-convey the mortgaged property to the mortgagor, free from the mortgage, and from all incumbrances created by the mortgagee or any persons claiming under him, and that if such amount is not so paid, the plaintiff's suit shall thenceforth stand dismissed, and that he shall be foreclosed of all right to redeem the mortgaged property.

Loss occasioned by mortgagee's default.

26. If the mortgagee fail to perform any of the duties imposed upon him by section 16, he may, when the said accounts are taken, be debited with the loss, if any, occasioned by such failure.

Procedure where nothing due or amount paid.

27. If on taking the accounts nothing is found due to the mortgagee, or if the amount found due together with such subsequent costs as are mentioned in section 30 is paid according to the decree, the mortgagor shall, if necessary, be put into possession of the property. But if such amount and costs are not so paid, the mortgagor shall be absolutely foreclosed of all right to redeem the property, and the Court shall, if necessary, deliver possession thereof to the mortgagee.

Procedure when amount due is not paid.

Interest.

Payment of interest.

28. When the mortgagor and mortgagee have contracted as to the payment of interest on the principal money for the time being due to the mortgagee under the mortgage, interest shall be payable in accordance with such contract: Provided that where the mortgagor has tendered or deposited in Court the whole amount due to the mortgagee, such interest shall cease from the date of the tender or from the time when the mortgagee could take such amount out of Court, as the case may be.

Proviso.

Costs.

Costs of mortgagee.

29. The mortgagee is ordinarily entitled to add to his debt his costs properly incurred of any suit under this chapter. But such costs, or any part thereof, may be disallowed if the mortgagor has tendered to the mortgagee or has deposited in Court the whole amount due to him under the mortgage, and if the mortgagee has unreasonably refused to accept such tender or to take such money out of Court in discharge of his claim, or if he has prevented a mortgagor willing and able to make such tender or deposit from making it by refusing or neglecting to give him proper information as to the state of the accounts required to be kept under section 16.

Costs of mortgagee subsequent to decree.

30. In finally adjusting the amount to be paid to a mortgagee in case of a redemption or a sale by the Court under this chapter, the Court shall, unless the conduct of the mortgagee has been such as to disentitle him to costs, add to the principal debt such costs of suit as have been properly incurred by him since the decree for foreclosure, redemption or sale up to the time of actual payment.

Deposit of Title-deeds.

Effect of deposit of title-deeds.

31. The deposit of title-deeds with intent to create a mortgage on the property comprised therein, but without actual transfer of such property, shall be deemed to be only evidence of a contract for a mortgage of the property, and shall entitle the depositee merely to institute a suit for specific performance of such contract.

Sale of property subject to prior mortgage.

Sale of property subject to prior mortgage.

32. If any property the sale of which is directed under this chapter is subject to a prior mortgage, the Court may, with the consent of the prior mortgagee, order that the property be sold free from the same, giving to such prior mortgagee the same interest in the proceeds of the sale as he had in the property sold.

Application of proceeds.

33. Such proceeds shall be brought into Court and applied as follows:

first, in payment of all expenses incident to the sale or properly incurred in any attempted sale;

secondly, if the property has been sold free from any prior mortgage, in payment of whatever is due on account of such mortgage;

thirdly, in payment of all interest due on account of the mortgage in consequence whereof the sale was directed, and of the costs of the suit in which the decree directing the sale was made;

fourthly, in payment of all principal moneys due on account of that mortgage; and

fifthly, the residue (if any) shall be paid to the person proved to be interested in the property sold, or if there be more such persons than one, then to such persons according to their respective interests therein.

Mortgage to secure balance of account.

34. If a mortgage made to secure the balance of a running account expresses the maximum to be secured thereby, a subsequent mortgage on the same property shall, if made with notice of the prior mortgage, be postponed to the prior mortgage in respect of all advances or debits not exceeding the maximum, though made or allowed with notice of the subsequent mortgage.

Illustration.

A gives to his bankers, B & Co., a charge on Sultánpur to secure the balance of his account with them to the extent of Rs. 10,000. A then gives to C a charge on Sultánpur to secure Rs. 10,000; and C gives notice thereof to B & Co. At the date of the second charge, the balance due to B & Co. does not exceed Rs. 5,000. B & Co. subsequently advance to A sums making the balance of the account against him exceed the sum of Rs. 10,000. B & Co. are entitled, to the extent of Rs. 10,000, to priority over C.

Right to pay off mortgagee in order to prevent sale.

35. Any person having an interest in mortgaged immoveable property may, at any time before a sale of such property has taken place under this chapter, tender to the next prior mortgagee the amount due to him on account of his mortgage. Such mortgagee is bound to accept such tender and to give a receipt for the sum due, and on such receipt being registered, his interest in the property in respect of the mortgage shall absolutely cease.

Effect of such payment by person having whole interest in property charged.

36. In such case, where the person making the tender has, subject to the mortgage, the absolute ownership of the property, the mortgage shall cease to exist and the property shall vest in the person making such tender.

Effect of payment by person only partially interested.

37. If the tender be made by a person not having, subject to the mortgage, the absolute ownership of the property, he shall acquire in respect of the property all the rights and powers of the mortgagee to whom he has made such tender.

Tacking abolished.

38. No mortgagee paying off a prior mortgage, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his original security. And no mortgagee making a subsequent advance to the mortgagor, whether with or without notice of an intermediate mortgage, shall thereby acquire any priority in respect of his security for such subsequent advance.

Redemption of one of two properties separately mortgaged.

39. If the owner of two or more properties creates separate mortgages on them by separate assurances, each mortgage may be dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

Illustration.

A, the owner of farms Z and Y, mortgages Z to B for Rs. 1,000. A afterwards mortgages Y to B for Rs. 1,000, making no stipulation as to any additional charge on Z. A may institute a suit for the redemption of the mortgage on Z alone.

Rights and powers of transferee of mortgage-debt or mortgaged property.

40. If property subject to a mortgage, or the right to receive mortgage-money, be transferred to a third person, the transferee has all the rights and powers of his transferor, under the mortgage, and is subject to the liabilities existing between his transferor and the mortgagor or mortgagee, as the case may be.

Where such a transfer is made for the purpose of securing the payment of money, the original mortgage-debt, if recovered by either the transferor or the transferee, is applicable, *first*, in payment of the costs of such recovery, *secondly*, in or towards satisfaction of the amount for the time being secured by the transfer; and the residue, if any, belongs to the transferor.

Charge made by assurance or will.

41. If by any assurance other than a mortgage-deed, or by any will, or under the provisions of this or any other Act, or by operation of law, certain property of one person is made security for the payment of certain money to another, all the provisions hereinbefore applied to a mortgagor shall apply to the owner of such property, and all the provisions hereinbefore applied to a mortgagee shall apply to the owner of such money.

CHAPTER V.

OF LEASES OF IMMOVEABLE PROPERTY.

Form of written lease.

42. A lease may be made in the form in the second schedule hereto annexed, or in any other form which expresses an intention of the parties to give and take, for rent or a fine, possession of, or profits derived from, immoveable property, for a time shorter in duration than the lessor's interest therein.

Exclusion of day on which term commences.

43. Where the time limited by a lease is expressed as commencing from a particular day, in computing that time such day shall be excluded.

Duration of term.

Where the time so limited is a year or a number of years, in the absence of any express agreement to the contrary, the lease shall last during the whole anniversary of the day on which such time commences.

Option to determine lease.

Where the time so limited is expressed to be determinable before its expiration, and there is no express agreement as to the party having the option of determining it, the lessee shall have such option.

Rights and liabilities of lessor and lessee.

44. Unless a contrary intention appears from the lease, the lessor and the lessee, as against one another, respectively possess the rights and are subject to the liabilities mentioned in the twenty-two rules next following, or such of them as are applicable to the property leased:—

(*a*). During the continuance of the lease, the lessee is entitled to the enjoyment of all lights, waters, water-courses, drains, ways and other easements enjoyed as incident to the property leased at the time when the lease was made.

(*b*). The lessor is bound to put the lessee in possession of the property leased, and to deliver it to him in a condition reasonably fit for the purpose for which both parties contemplate that the lessee is to use it.

(*c*). If the lessee is, by reason of the invalidity of the lessor's title, or by any act or default of the lessor, or of any person claiming under him, or of any person claiming by a superior title to his, disturbed in the peaceable enjoyment of the property leased, the lessee is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*d*). If the lessee is, by reason of the invalidity of the lessor's title, deprived of any substantial part of the property leased, or of anything essential to his enjoyment thereof, he is entitled to compensation from the lessor for any loss thereby caused, and may also obtain from any Court of competent jurisdiction a decree for the rescission of the lease.

(*e*). In the absence of fraud or misrepresentation, the lessor is not answerable for any latent defect in the thing leased.

(*f*). The lessor is bound to do all things necessary for maintaining the roof, walls, beams, floors, stairs and drains of any house or other building comprised in the lease, and may for that purpose enter such building at all reasonable times.

(*g*). In all other respects the lessee is bound to keep, and at the end of the lease to restore, the property leased in as good condition as it was in at the time when he was put in possession, subject only to reasonable wear and tear.

(*h*). Deteriorations arising from want of painting or plastering, or from breaking of glass, are not to be considered as wear and tear, but shall be made good by the lessee.

(*i*). If by fire, tempest or flood, or violence of an army or of a mob, or other superior force, any part of the property leased be wholly destroyed or rendered substantially unfit for the purposes for which it was let, the obligation of the lessor as to that part shall cease unless he consents to reinstate the part so destroyed or rendered unfit; but in case of refusal or neglect to reinstate the same, the lessee shall be entitled to be discharged from his lease.

If the injury be occasioned by the wrongful act of either party, such party shall not be entitled to avail himself of the benefit of this provision.

(*j*). In case any rent remains unpaid at the end of a month from the time when it was payable and demanded, or in case within a reasonable time after notice default is made by the lessee in the performance of any of his other obligations under the lease, the lessor may institute a suit for a decree for the rescission of the lease and for possession of the property leased, unless the lessee shall, within a time to be specified by the Court, pay such arrears and perform such obligations, and also pay all costs and expenses sustained by the lessor through the lessee's default.

(*k*). In case the lease is rescinded for the default of the lessee, he is bound to pay the rent up to the time of such rescission, and also to make compensation for any other loss resulting from his default.

(*l*). If the lessor neglects to make, within a reasonable time after notice, repairs which he ought to make, the lessee may make the same himself, and deduct the expense of such repairs from the rent, or otherwise recover it from the lessor.

(*m*). If the lessor neglects to make any payment which he is bound to make, and which if not made is recoverable against the property leased, the lessee may make such payment himself, and deduct it from his rent, or otherwise recover it from the lessor.

(*n*). Every lessee who receives notice of any proceeding to recover the property leased to him or any part thereof, is bound to give notice thereof to the lessor with reasonable diligence; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*o*). The lessee is bound to give notice to the lessor, within a reasonable time, of any encroachment made upon, or any interference with the lessor's rights concerning, the property leased; and, in default of so doing, he is liable to make compensation to the lessor for any loss or expenses occasioned by such omission.

(*p*). The lessee may use the soil and its products for all purposes of enjoyment as a reasonable owner would use them: but he may not destroy them wastefully, nor remove them after the expiration of the lease.

(*q*). No lessee of immoveable property who erects thereon any building, engine or machinery for agricultural purposes shall remove the same without first giving to the lessor or his agent one month's previous notice in writing of his intention so to do, and thereupon the lessor or his agent may elect to purchase the thing so proposed to be removed, and the lessee's right to remove the same shall thereby cease, and the same shall belong to the lessor, and the value thereof shall in case of dispute be ascertained and determined by two referees, one to be chosen by each party, or by an umpire to be named by such referees, and shall be paid or allowed in account by the lessor.

(*r*). Subject to the provisions of clause (*g*) and clause (*q*), the lessee has a right to remove at any time during his possession of the property leased, or within a reasonable time afterwards, all things not being products of the soil which he has affixed to the soil.

(*s*). When a lease of land determines in consequence of an uncertain event over which the lessee has no control, the lessee is entitled to all the crops growing upon the land for the season current when the lease determines, and to free ingress, egress and regress to reap and carry them.

(*t*). Upon the death of the lessor or of the lessee, his legal representative shall have all the rights and be subject to all liabilities of the lessor or lessee whom he represents.

(*u*). If the lessor transfers the property leased, or any part thereof, or any part of his interest therein, the transferee shall possess all the rights and, if the lessee so elects, be subject to all the liabilities of the lessor as to the property or part transferred so long as he is the owner of it; but the lessor shall not by reason only of such transfer cease to be subject to any of the liabilities imposed upon him by the lease, unless the lessee elects to treat the transferee as the person liable to him: Provided that if the lessee pay rent to the lessor without having reason to believe that such transfer has been made, he shall not be liable to pay such rent over again to the transferee.

Where only a part of the property leased is transferred by the lessor, he may determine what proportion of the rent reserved by the lease is payable in respect of the part so transferred.

(*v*). The lessee has a right to transfer his lease. The transferee may again transfer it. The lessee shall not, by reason of such transfer, cease to be subject to any of the liabilities attaching to the lease, unless the lessor elects to treat the transferee as the person subject to such liabilities. Subject as aforesaid, each successive transferee, so long as he is entitled to the property leased, possesses all the rights, and is subject to all the liabilities, of the lessee.

Saving of right to distrain.

45. Nothing in this Act shall affect any right to distrain which a lessor may exercise under any local law for the time being in force.

Duration of certain leases in absence of written agreement or local usage.

46. In the absence of any written agreement and of any local law or usage to the contrary, a lease of property for purposes of cultivation shall be a lease from year to year terminable by six months' notice ending with the end of a year of the tenancy; and a lease of property for any other purpose shall be a lease from month to month, terminable by fifteen days' notice ending with the end of a month of the tenancy.

Every notice under this section must be in writing signed by or on behalf of the party giving it and served on the party who is intended to be bound by it.

Effect of holding over.

47. If a lessee of property remains in possession thereof after the expiration of the lease, and the lessor accepts rent from him, or otherwise assents to his continuing in possession, the lease is, in the absence of an agreement to the contrary, renewed from year to year or from month to month, according to the purpose for which the property is leased, as specified in the last preceding section.

Illustrations.

(*a*). A lets a house to B for five years. B sub-lets the house to C at a monthly rent of Rs. 100. The five years expire, but C continues in possession of the house and pays the rent to A. C's lease is renewed from month to month.

(*b*). A lets a farm to B for the life of C. C dies, but B continues in possession with A's assent. B's lease is renewed from year to year.

CHAPTER VI.

OF EXCHANGES.

"Exchange" defined.

48. Exchange is a contract by which the parties mutually give, or agree to give, one thing for another, neither thing or both things being money only.

Rights and obligations of parties.

Each party has the rights and obligations of a seller as to that which he gives and the rights and obligations of a buyer as to that which he takes.

Exchange of money.

On an exchange of money, each party thereby warrants the genuineness of the money given by him.

CHAPTER VII.

OF SETTLEMENTS.

"Settlement" defined.

49. "Settlement" means in this chapter any disposition of property—

(*a*) which is not testamentary, and is not founded on any valuable consideration, or

(*b*) which is made in consideration of marriage, or

(*c*) which is made for the purpose of dividing property of the settlor among his family or those for whom he desires to provide,

but does not include a gift made by a Hindú Muhammadan or Buddhist.

Consideration not necessary to make settlement binding.

50. In order that a settlement should be binding, it is not necessary that it should be made for a consideration.

Voidability of settlement made in fraud of creditors.

51. A settlement made for the purpose of depriving present or future creditors or other persons having demands against the settlor, of their demands on him, is voidable at the option of such creditors or other persons, and so far as regards the demands of such creditors or other persons, but not as against a person who, having no knowledge of the purpose for which the settlement was made, has contracted for or acquired an interest therein by marriage or for other valuable consideration, nor as against claimants under such persons. Such settlement is nevertheless binding on the settlor and on all persons claiming under him.

EXPLANATION.—Where there is no positive evidence of fraud, the intent to deprive creditors and other persons of their demands on the settlor may be inferred from

(*a*) the indebtedness of the settlor at the date of the settlement,

(*b*) want of consideration for the settlement, and

(*c*) any other circumstance indicative of fraud.

Condition restraining alienation of interest.

52. A condition or limitation in a settlement or will restraining any person from parting with or disposing of his interest, is void.

Condition making interest determinable on insolvency or alienation.

53. A condition or limitation contained in a settlement or will making an interest thereby created or given to or in trust for any person to cease on his becoming insolvent, or endeavouring to transfer or dispose of the same, is void.

Vesting of gift in general terms.

54. If by a settlement property be given to a person then living in general terms, without indicating the time when it is to be paid or delivered, such person has a vested interest therein from the day of the execution of the settlement, and if he dies without having received it, it shall (subject to any legal disposition thereof which he may have made) pass to his legal representatives.

Vesting in interest of gift to unborn person not entitled to possession immediately on birth.

55. Where by the terms of a settlement a thing is given to a person not in existence, but he is not entitled to possession of it immediately upon his birth, a right to receive it at the proper time shall, unless a contrary intention appears by the settlement, become vested in such person upon his birth, and shall (subject to any legal disposition thereof which he may have made) pass to his legal representative if he dies before that time, and without having received it. And in such cases it is from his birth said to be vested in interest.

Application of sections of Act X of 1865 to gifts contained in settlements.

56. The provisions of the Indian Succession Act, 1865, sections 100 to 104, both inclusive, 107 and 108, 111 to 127, both inclusive, and 167, shall be applicable, so far as the nature of the case will admit, to gifts [illegible] in settlements.

Right to income of property coming into possession under settlement.

57. Whenever a person becomes entitled in possession by virtue of a settlement to money or any other property yielding income, he shall be entitled to receive the interest or income thereof from that time.

CHAPTER VIII.

OF GIFTS FOR RELIGIOUS AND CHARITABLE PURPOSES.

Gift to charitable uses by person having certain relatives.

58. No person having a nephew or niece, or any nearer relative, shall have power to give any property to religious or charitable uses, by any instrument which is required to be registered, unless such instrument be executed not less than twelve months before his death, and duly registered.

Assurance of property in perpetuity for use of any community or institution.

59. Subject to the provisions of the last preceding section, property may be assured in perpetuity for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety, or any other object beneficial to mankind. But no such assurance shall take effect until it has been sanctioned by some public authority to be designated by the Local Government by notification in the official Gazette.

The grant or refusal of such sanction may be notified by an entry in the book in which the assurance is registered, and the registering officer shall make such entry on receiving from the public authority aforesaid a written order in this behalf.

If no such order is made within two years next after the time when the property becomes applicable for the benefit of the public, it shall be deemed that sanction has been granted.

If such sanction is refused, the property shall devolve as if no such assurance had been made.

CHAPTER IX.

OF APPORTIONMENT.

Apportionment of rents and other periodical payments.

60. All rents, annuities, pensions, dividends and other periodical payments shall, upon the determination of such payments by the death of the recipient or otherwise, be apportionable as if they had been made to accrue due from day to day, but to be payable on the days appointed for the payment thereof.

Nothing in this section shall affect any express provision in any instrument binding on the recipient.

CHAPTER X.

OF CERTAIN RIGHTS AND LIABILITIES OF LIMITED OWNERS.

Rights and obligations of persons having limited interest in property.

61. A person having a limited interest in any immoveable property is not entitled to do or omit any act the doing or omitting of which is destructive or permanently injurious to such property.

EXPLANATION.—No act done in the reasonable use and enjoyment of property is destructive or injurious within the meaning of this section, though it may exhaust the substance of the property.

Illustrations.

(*a*). A Hindú widow is in possession as such of land protected from floods and rendered cultivable by a dyke. She is not entitled to cut the dyke and turn the land into a lake.

(*b*). A, is tenant for life of land on which a dwelling-house stands. He is not entitled to pull down the house. Nor must he suffer it to fall for want of necessary repairs.

(*c*). A is tenant for life of land in which coal lies. He is entitled to work and use the coal.

(*d*). A is tenant for life of land planted with trees. He is entitled to cut the trees at maturity, but is not entitled to cut them when immature, except for the purpose of thinning out or otherwise benefiting the plantation.

Save as aforesaid, such person or his legal representative has the same right as a lessee to remove during the continuance of such interest, or within a reasonable time afterwards, all things which he has affixed to the soil in which he had such limited interest, and all crops growing upon the land for the season current when such limited interest determines.

Obligation of limited owner in possession of property mortgaged.

62. A person having a limited interest in possession in any property, is bound to discharge all periodical payments due on account of any mortgage thereon taking effect during the continuance of his interest in priority to such interest, and all taxes and other public periodical charges to which such property is liable.

Right to increase of value to property in which there are successive interests.

63. Every advantage or increase of value accruing (accidentally or through the exertions of any one having a limited interest) to any property in which successive interests exist, belongs to all the persons having any interest in the property in the same shares and manner as they are entitled to the property.

EXPLANATION.—A person having a mortgage on property has not thereby an interest within the meaning of this section.

Discovery of death of tenant for life.

64. Any person claiming any immoveable property after the death of any minor, married woman, or other person, and having reason to believe that such minor, married woman or other person is dead, and that his or her death is concealed by his or her guardian, husband or any other person, may once a year move the High Court to order the person concealing or suspected to conceal such person to produce him or her at such time and place, and before such persons (if any), as the Court may direct. And the High Court, if it think fit, shall make such order, and in case of disobedience thereto, the person so claiming the property may enter thereon and receive the profits thereof as if the person so concealed or suspected to be concealed were dead.

Saving of lessees.

65. Nothing in this chapter applies to lessees.

CHAPTER XI.

OF THE DISCRETION OF THE COURTS TO DEAL WITH SETTLED LAND.

Powers exercisable by Court on application of person interested in possession in settled immoveable property.

66. If any person having, under a settlement or will, a limited interest in possession in any immoveable property, apply under this section to the High Court or District Court within the local limits of whose ordinary original

civil jurisdiction such property or any part thereof is situate, the Court may, if it deem it just and expedient to do so,—

(*a*) make such leases of the whole or any part of the property for such terms of years, for such rents, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*b*) make such sales of the whole or any part of the property, for such sums, payable either at once or periodically, with such powers, and with such conditions, reservations and exceptions as the Court thinks fit;

(*c*) appropriate any part of the property for the formation of streets, roads, gardens or other open spaces, tanks, sewers, drains or water-courses, and authorize the erection of buildings and works thereon;

and generally deal with the property in any way the Court may think just and beneficial to the persons interested therein.

Service of notice and advertisement of application.

67. Every such application shall be in writing, and notice thereof shall be served through the Court on all trustees under the settlement or will and on any other persons who in the opinion of the Court ought to be so served, and shall be published in such newspapers as the Court may direct.

Appearance to oppose or support application.

68. The Court may permit any person, whether interested in the property or not, to appear and be heard in opposition to or in support of any such application on such terms as to costs or otherwise as it thinks fit.

Costs of application.

69. The Court may order the costs of all or any parties to any application under this section to be paid out of any principal money receivable on account of any dealing with the property which is the subject of the application or to be a charge on such property or on any other property belonging to the same owners.

Leases under section 66.

70. Every lease made under section 66 shall take effect in possession; and on every such lease shall be reserved the best rent that can be reasonably obtained, to be made payable half-yearly or oftener without taking any fine or other benefit in the nature of a fine.

Payment into Court of money receivable under section 66.

71. All or any part of the proceeds of any lease, sale or disposition under section 66 may, if the Court think fit, be paid into Court.

Power to direct payment of income to person entitled.

72. The Court shall declare what parts of such proceeds so received shall be considered as income, and may direct the same to be paid to the person for the time being entitled in possession to the property dealt with; and the residue of such money shall be applied as the Court shall direct in one or more of the manners following:—

Application of residue.

(*a*) the payment of the amount due in respect of any charge on the property dealt with;

(*b*) the purchase of other property or the investment in securities for the benefit of the persons interested in the property dealt with;

(*c*) the payment to any person becoming absolutely entitled to the property dealt with;

EXPLANATION—In this section the term "securities" means—

(*d*) promissory notes, debentures, stock and other securities of the Government of India;

(*e*) bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*f*) stock or debentures of, or shares in, railway or other companies, the interest whereon has been guaranteed by the Government of India; and

(*g*) debentures or other securities for money issued by or on behalf of any municipal body under the authority of any Act of an Indian legislature.

CHAPTER XII.

OF POWERS.

Power to appoint, defined.

73. Where a person is authorized to determine the disposition of property otherwise than by virtue of his ownership, he is said to have power to appoint such property.

Donor, donee, objects, appointee, defined.

The person who gives the power is called the donor, the person to whom the power is given is called the donee, and the persons for whose benefit the power is to be exercised are called the objects of the power. A person to whom any property is appointed is called an appointee.

Illustration.

A grants land to B for life, with remainder to such of B's children as B shall appoint. B appoints to C and D, two of his children, in equal shares. A is the donor of the power, B the donee, B's children the objects, and C and D the appointees.

General power.

A power authorising the donee to appoint to whomsoever and for whatsoever interest he pleases, is called a general power.

Special power.

A power restricted in respect either of its objects or the interests that may be conferred under it, is called a special power.

Rules as to all powers.

Exercise of power vested in several donees.

74. Where a power is vested in several donees, all who are living must unite in its execution; but in case any one or more of them die during the continuance of the power, it may be exercised by the survivors or the survivor, unless a contrary intention appears by the instrument creating the power.

Modes in which powers may be executed.

75. The donor may direct that the power shall be exercised by will only or by non-testamentary instrument only.

If he directs that the power shall be exercised by will only, it must be exercised by will duly executed according to the provisions of the Indian Succession Act, or according to such other law as at the time of the execution of the power may be applicable to a will executed by the donee.

If he directs that the power shall be exercised by non-testamentary instrument only, it must be exercised by an instrument executed as an assurance and registered.

If he imposes no such restriction on the exercise of the power, it may be exercised either by such will or by such instrument as lastly hereinbefore mentioned.

When the power is not properly exercised, no Court shall in any case compel the person in possession of the property to which the power relates to deliver the property as if the power had been properly exercised or shall otherwise aid the defective execution.

Jurisdiction to aid defective executions abolished.

76. All appointments made in the manner directed by section 75 shall be deemed to be executed and attested in proper form, notwithstanding that some other mode of execution or attestation has been prescribed by the donor.

Validity of forms hereby prescribed.

77. Where a power is to be exercised with the consent of several persons, all who are living must concur in the consent, but in case any one or more of them die during the continuance of the power, the consent of the survivors or the survivor is sufficient, unless a contrary intention appears by the instrument creating the power.

Concurrence where power is to be exercised with consent of several persons.

Consent to the exercise of a power must be given by an instrument executed as an assurance and registered.

Consent to the exercise of a power need not be given by the instrument by which the power is exercised, but if it is given by a different instrument, such instrument must be executed at a time not later than the time at which the donee of the power executes the instrument by which he exercises the power.

78. If a person disposes of property in such manner as is authorized by a power vested in him, such disposition shall take effect out of the power, notwithstanding that the power is not mentioned or referred to in the instrument of disposition.

Recital of power not necessary.

Illustration.

Land is settled upon A for life with a special power to charge, by a non-testamentary instrument, portions in favour of his children. Subsequently a general power to dispose of the land by any instrument is vested in A. He executes an assurance, by which he directs that a sum of money shall be raised out of the land and settled on his son B for life, with remainder to B.'s wife and children. Such an appointment cannot take effect under the special power, but may be treated as a valid exercise of the general power.

79. The donee of a power need not exercise it entirely and at once by a single instrument, but he may from time to time exercise any unexhausted part thereof at his discretion.

Power exercisable by several instruments executed at different times.

If the donee has purported to exercise his power in such a manner that his appointment is void, the power is, to that extent, unexhausted.

80. Where a power given by any instrument is void in its creation, no disposition or gift made by the same instrument shall be deemed void merely because it is intended to take effect after the interests to be appointed under the power or in default of any such appointment.

Disposition intended to take effect after interests appointed under void power.

Illustration.

A marriage-settlement provides that the settled property shall belong to the husband and wife successively for their lives; that after the death of the survivor of them, it shall go to such of the children of the marriage and in such shares as the husband and wife shall jointly appoint, the interest of each such child to become vested in him on his attaining the age of twenty-five years; and that in the event of there being no child of the marriage who shall attain that age, or in default of appointment, the property shall belong to the husband or his legal representative.

Here the power to appoint the property is, under section 56, void in its creation; but the ultimate interest given to the husband takes effect.

General Powers.

81. If the donor confers on the donee a general power, the donee shall, so far as regards his power of disposition, his creditors and all persons who contract with him for valuable consideration to obtain any interest in the property comprised in the power, be deemed to be the absolute owner of such property for such interest therein as the donor could dispose of.

Effect of general power.

This rule is to take effect notwithstanding that the donor has prescribed some particular method for executing the power.

Illustrations.

A, the absolute owner of land, settles it on B for life, with remainder to such purposes as B—

shall appoint, or
shall by deed appoint, or
shall by will appoint, or
shall by deed or will appoint,

and, in case B dies without making any such appointment, on C absolutely.

If B—

grants the land by assurance, or
bequeathes it, or
contracts to sell it, or
incurs debt,

the property is liable, in the hands of either B or C, as the case may be, to the claims of B.'s grantee, legatee, purchaser or creditors, as the case may be.

If B dies having made no disposition of the property, C is entitled to it, subject to any claims which B's creditors may establish against it.

82. If the donor confers on the donee a general power, and makes no disposition of the property in the event of non-appointment, the donee shall be considered as the absolute owner of the property for such interest therein as the donor could dispose of.

Effect of general power without disposition of property in case of non-appointment.

Illustration.

A, the absolute owner of property, settles it on B for life with remainder to such purposes as B shall appoint, and makes no gift over in default of appointment. B dies without making any disposition of the property. The property vests in the representatives of B, and does not revert to A or his representatives.

Special Powers.

83. If the donee has only a special power, he cannot confer any interest in the property comprised therein which could not have been conferred by the donor at the time of the creation of the power.

Interest conferrible by donee of special power.

Illustrations.

(*a*). A settles a fund upon B for life with remainder to such purposes as B shall appoint. After the settlement is made C is born. B then appoints the fund to C for life with remainder to C's children absolutely. The appointment is valid, though C has no children at the time.

(*b*). A settles a fund upon B for life with remainder to his children as he shall appoint. At the date of the settlement B has no child, but afterwards has a son C. B then appoints to C for his life, with remainder to his children. Such interest could not have been conferred by A, and B's appointment is void.

84. Where the donee of a special power purports, in exercise of the power, to appoint to objects authorized by the power and also to objects not so authorized, the appointment in favour of the authorized objects shall take effect if their interests can be separated from those of the unauthorized objects.

Effect of appointment to objects, some authorized and others unauthorized.

Illustration.

Property is settled on A for life, and after his death on such of his children as he shall appoint, and in default of appointment to all A's children equally. A appoints that the property shall go after his death to his widow for her life, and after her death to two of his sons, C and D, in equal shares. There are five children of A. The appointment in favour of A's widow is invalid, and the rents and profits of the property during her life will go to all the five children in equal shares, but after her death to C and D absolutely.

85. Where the donee of a special power purports in exercise of the power to confer a larger interest than is authorized thereby, such appointment shall, if the appointee so elect, be void only for the excess, and good for the residue, if they can be separated.

Appointment in excess of power when voidable at election of appointee.

Illustrations.

(*a*). A has a life-interest in Rámnagar, with power to grant leases thereof for 30 years. A makes a lease of Rámnagar for 50 years. Such lease is good for 30 years only.

(*b*). A having a life-interest in Rámnagar and Sultánpur, with power to grant leases of Rámnagar for 21 years, grants a lease comprising both Rámnagar and Sultánpur for 21 years. After A's death the lessee may, if he thinks fit, elect to retain the lease as a lease of Rámnagar only, till the end of the 21 years.

86. Where, by an appointment under a special power, interests authorized and also interests unauthorized are created, and the interests authorized cannot be distinguished from those unauthorized, the whole is void.

Invalidity of appointment creating authorized and unauthorized interests not separable.

Illustrations.

(*a*). A fund is settled on A during his life, and after his death on his children as he shall appoint. A appoints the annual income for the benefit of his son B and his wife and children, in such manner as trustees shall think fit. The appointment is wholly void.

(*b*). Under a similar settlement, A having legitimate children by B, his wife, and others by C and D, his concubines, appoints the property to be divided among his children by B, C and D, the shares of the sons to be double those of the daughters. Here the interests authorized and unauthorized cannot be distinguished, and the appointment is wholly void.

87. When a person exercising a special power annexes to the gift a condition or qualification which is not authorized by the power, the gift is good and the condition or qualification only is void.

Appointment with unauthorized condition.

Illustrations.

(*a*). A, having a power to appoint a fund among his children, gives a part of it to his son B on condition that B shall settle it on B's children. The condition is void, and the gift is absolute.

(*b*). A, having a power to appoint a fund to a limited class of objects of whom B is one, appoints it to B, adding a condition that B shall release a debt owing to him by A, and also pay Rs. 1,000 to C. The appointment is good; but the condition is void.

88. If a beneficial interest in immoveable property and also a power to let it are given to the same person and he grants his interest in the property, he may enter into a contract not to exercise his power.

Contract not to exercise power of leasing.

89. Save as provided by section 88, an agreement or undertaking not to exercise a power which is given for the benefit of persons other than the donee is void.

Invalidity of agreement not to exercise power.

90. Where a power given for the benefit of persons other than the donee is exercised with a view to the benefit, direct or indirect, of the donee, in any mode not intended by the donor, the appointment is void.

Frauds on powers.

Illustrations.

(*a*). A, having power to appoint a fund in favour of any of her children, appoints the whole fund absolutely to one child, who has previously entered into an agreement with her to give one-half of the fund to A's husband absolutely. The appointment is void.

(*b*). A, having power to appoint a fund in favour of any of his children, appoints a portion of the fund to his son C, a minor, whom he knows to be suffering from a mortal disease; A being the person entitled to C's property in the event of his death. The appointment is void.

(*c*). A, having power to grant leases of certain settled land, exercises the power in favour of B in consideration of Rs. 1,000 paid to A by B as a fine or premium. The lease is void, and A holds the Rs. 1,000 in trust for the persons interested under the settlement.

91. If the instrument by which a power of appointment in favour of specified objects is created does not provide for the event of no appointment being made, the property belongs (subject to any appointment that may have been made) in equal shares to the said objects.

Right to property in default of appointment.

Illustration.

A settles property on B for life with remainder to B's children as he shall appoint, and makes no disposition in default of appointment. B has two children, C and D, and appoints Rs. 1,000, part of the property, to C. Then C dies. Then B dies without making any further appointment. After paying Rs. 1,000 to C or his representative, the residue of the property is divisible in equal moieties between D and the representative of C.

92. Under a power of appointment in favour of several objects, an appointment of the whole property to one or more of such objects exclusively of the others is valid:

Appointment of whole property to some only of several objects in favour of which power is given.

Provided that, where the assurance creating the power declares the minimum amount or value of the share from which no object of the power is to be excluded, the appointment shall be invalid so far as it excludes any such object from any such share, and no farther.

CHAPTER XIII.

OF PROPERTY HELD BY SEVERAL PERSONS.

93. Where property is held by more persons than one, the share of any of them having at the time of his death a beneficial heritable interest therein shall

Right to property by survivorship created only by express words.

become vested in his legal representative, unless the property is held under an instrument which expressly provides that on the death of one his share shall accrue to the survivors.

Nothing in this section applies to property belonging to an undivided Hindú family.

Illustration.

A and B jointly advance money on mortgage. A dies intestate. The money advanced by A belongs to his legal representative.

Partition of immoveable property.

94. When immoveable property is held in possession by joint owners, any one of them may institute a suit in the proper Court, and such Court may direct a partition of the property to be made among the joint owners, and for the purposes of partition may, in order to equalise the value of the shares, direct any money to be paid by one to another or to be charged on one share in favour of another.

Power to direct sale and to distribute proceeds.

If it appear to the Court that a sale of the property and a distribution of the proceeds would be more beneficial for the persons interested than a division of the property between them, the Court may, on the application of any such person, direct a sale of the property.

Power to allow person interested to bid for property sold for purpose of partition.

95. On any sale under the last preceding section, the Court may, if it think fit, allow any of the persons interested in the property to bid at the sale, on such terms as to setting-off or accounting for the purchase-money or any part thereof, or as to any other matters, as to the Court seems reasonable.

Payment into Court.

96. All sums of money paid under the two last preceding sections may if the Court think fit, be paid into Court.

Saving of laws relating to partition of revenue-paying estates.

97. Nothing in this chapter shall affect any local law for the time being in force relating to the partition of estates paying revenue to Government.

Waste by one joint-owner.

98. When one joint-owner of immoveable property commits, or threatens to commit, waste to the same without the consent of the other joint owner, that other may institute a suit to recover compensation for the injury caused to him by the waste or to obtain an injunction to stay the waste, as the case may require.

CHAPTER XIV.

OF ASSIGNMENTS OF THINGS IN ACTION.

Sale, &c., of things in action.

99. No sale or disposition of, or charge on, any debt, and no sale or disposition of, or charge on, any beneficial interest in moveable property, shall have any operation against the debtor or against the person in whom the property is vested, until notice of the sale, disposition or charge is given to him, unless he is a party to such sale, disposition or charge; and every dealing by such debtor or person, not being a party to, and not having received notice of, a sale, disposition or charge, with the debt owing by him, or with the property vested in him, shall be valid as against such sale, disposition or charge.

Illustrations.

(*a*). A owes money to B, who assigns the debt to C. B then demands the debt from A, who having no notice of the assignment, pays B. The payment is valid, and C cannot sue A for the debt.

(*b*). A has jewels deposited with B, a jeweller. A mortgages them to C. A then executes an assignment of them to D, who takes his assignment to B and gets the jewels from him before he, B, has received any notice of C's mortgage. B is justified in handing the jewels to D, and C has no remedy against D.

Notice to be in writing signed.

100. Every such notice must be in writing signed by the person making such sale, disposition or charge, or by his agent duly authorized in this behalf.

Liability of assignee of thing in action.

101. The person to whom a debt or charge is assigned shall take it subject to all the liabilities to which the assignor was subject in respect thereof at the date of the assignment.

Illustration.

(*a*). A debenture is issued in fraud of a public company to A. A sells and transfers the debenture to B, who has no notice of the fraud. The debenture is invalid in the hands of B.

Saving of negotiable instruments.

102. Nothing in this chapter applies to debts secured by negotiable instruments.

THE FIRST SCHEDULE.

(*a*). STATUTES.

Year and chapter.	Subject.	Extent of repeal.
13 Ed. I, c. 22	Waste	The whole.
31 Hen. VIII, c. 1 ...	Partition	The whole.
32 Hen. VIII, c. 62 ...	Do.	The whole.
13 Eliz., c. 5...	Fraudulent Conveyances	The whole.
27 Eliz., c. 4...	Do.	The whole.
6 Anne, c. 72	Discovery of deaths of tenants for life.	The whole.

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
XXIV of 1841	Illusory appointments, &c.	So far as regards illusory appointments.
X of 1865 ...	Succession ...	Illustration (*g*) to sec. 107.
IV of 1872 ...	Panjáb Laws Act ...	So far as it relates to Bengal Regulation I of 1798 and conditional sales made after this Act comes into force.
XX of 1875 ...	Central Provinces Laws Act.	So far as it relates to Bengal Regulation XVII of 1806

(*b*). ACTS OF THE GOVERNOR GENERAL IN COUNCIL,—*concluded*.

Number and year.	Subject.	Extent of repeal.
		and mortgages and conditional sales made after this Act comes into force.
XVIII of 1876	Oudh Laws Act ...	So far as it relates to Bengal Regulation XVII of 1806 and mortgages and pledges made after this Act comes into force.

(*c*). REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bengal Regulation I of 1798.	Conditional sales ...	The whole Regulation except as to conditional sales made before this Act comes into force.
Bengal Regulation XVII of 1806.	Redemption ...	The whole Regulation except as to mortgages and conditional sales made before this Act comes into force.
Bombay Regulation V of 1827.	Mortgagees in possession	Section 15 except as to mortgages and pledges made before this Act comes into force.

THE SECOND SCHEDULE.

TRANSFER ON SALE.

(*See section* 8).

This assurance is made the day of 18 , between *A B*, of , and *C D*, of . In consideration of rupees paid to me, *A B*, by *C D*, the receipt whereof I do hereby acknowledge, I, *A B*, do hereby grant all that (*description of property*) unto *C D*. In witness whereof, I have signed these presents.

(*A B*)

CHARGE.

(*a*). This assurance is made the day of 18 , between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with five thousand rupees and interest at the rate of per cent. per , payable on the day of . In witness, &c.

(*b*). This assurance is made the day of 18 between *A B*, of , and *C D*, of . I, *A B*, do hereby charge Sultánpur to *C D*, with the sum which shall be due to him on the balance of my account, not exceeding rupees, together with interest thereupon at the rate of per cent. per . In witness, &c.

LEASE.

(*See section* 42).

This assurance is made the day of , between *A B*, of , and *C D*, of . I, *A B*, do hereby lease to *C D* all that (*description of property*), to hold the same from the day of for the term of at the rent of rupees, payable by equal payments on the day of and the day of in each year. In witness whereof we have, &c.

STATEMENT OF OBJECTS AND REASONS.

This Bill embodies the bulk of the rules submitted in the sixth report of the late Indian Law Commission. One of its chief objects is to bring the rules which regulate the transmission of property between living persons into harmony with the rules affecting its devolution upon death, and thus to furnish the necessary complement of the work commenced in framing the law of succession, now Act X of 1865. Another is to render more simple and efficient the law relating to mortgages and conditional sales. The expediency of legislation on this subject was affirmed by the Judicial Committee of the Privy Council in the case of *Tambasvámi Mudali* v. *Muhammad Husain*, L. R. 2 Indian Appeals, 241. Rules are also laid down on the other subjects hereinafter mentioned.

The Bill is divided into fourteen chapters.

Preliminary.

Chapter I contains the usual preliminary matter. The repealing clause will get rid of several obsolete statutes relating to land which are still in force in the Presidency Towns and, in the case of Europeans, may possibly be in force elsewhere. The saving clause exempts from the operation of the proposed Act acquired rights and liabilities incurred before the Act comes into force, subsequently acquired rights of pre-emption, options of mortgagees to make further advances (such options exist in Malabar and possibly elsewhere), contracts of bottomry and respondentia, transfers of British ships, sales in execution of decrees or for arrears of rent or revenue.

Assurances of Immoveable Property.

Chapter II deals with assurances of immoveable property. It declares (section 4) that every person competent to contract may make an assurance of property of which he is the owner, or which he is entitled to transfer, or on which he is entitled to create a charge. It declares (sections 5, 6 and 7) that land may be conveyed (*a*) with the benefit of, or subject to, an easement: (*b*) subject to an obligation for the benefit of the public or of the neighbouring owner, or (*c*) with the reservation of any right of user, severance and removal. It lays down rules (section 8) as to the mode in which the transfer *inter vivos* of immoveable property can alone be effected, and applies (section 9) to assurances the rules of construction contained in the Succession Act. It declares (section 10) that, unless a contrary intention appears by the assurance, a grant shall be deemed to pass to the grantee all the interest which the grantor is capable of passing in the subject, and a grant of land shall be deemed to comprise trees and fixtures. Covenants running with the land are dealt with by the same section.

Sales of Immoveable Property.

The Bill then enumerates (section 11) the rights and liabilities which, in the absence of any provision to the contrary, arise in the case of a sale of land. The principal changes in the law here made are as follows: the seller will be responsible for loss caused to the buyer, or any person claiming under him, through any invalidity of the seller's title not known to the buyer when the contract was entered into and the seller's lien for unpaid purchase-money will cease as soon as the assurance is registered. Section 12 declares that, except so far as regards the vendor's lien, a contract for sale shall not of itself have the effect of creating any interest in the property sold: the Bill will thus get rid of much difficult law relating to the purchaser's equitable ownership, and the rights created by charging and assigning it. Lastly, section 13 declares that a person paying the purchase-money for any immoveable property, but having the transfer made to another, will not by reason of the payment be entitled to the property or to any interest therein. It will thus become the absolute property of the transferee, unless he is made a trustee in some way more definite than by the mere payment of the money by another person; and it is hoped that this rule will tend to prevent the litigation which arises from the doctrine of equitable presumption.

Mortgages and Charges.

Chapter IV deals with mortgages and charges. 'Mortgage' is so defined and explained as to include, besides simple mortgages, usufructuary mortgages, mortgages by conditional sale, and their combinations. The Bill declares (section 15) the respective rights of mortgagor and mortgagee on completion of a mortgage. It defines (sections 16, 17 and 18) the rights and duties of a mortgagee in possession. It shews when the mortgagor or the mortgagee may obtain an injunction to stay waste committed or threatened by the other. It provides rules (sections 19—24) as to suits for foreclosure or sale. Powers of sale given by the mortgage-deed to the mortgagee have been held void in the Mufassal: the Bill (section 24) declares them to be valid: but contains provisions for the protection of the mortgagor similar to those in 23 & 24 Vic., c. 145, ss. 11—14. It provides rules (sections 25, 26 and 27) as to suits for redemption. It contains provisions as to interest (section 28) and costs (sections 29, 30). It declares (section 31) that a deposit by a debtor of his title-deeds, shall be deemed to be only evidence of a contract for a mortgage and to entitle the creditor merely to sue for specific performance. Any person having an interest in the property charged may prevent a sale at the suit of a mortgagee (section 35) by paying off the mortgagee who requires it, and the registration of the mortgagee's receipt for the money will be sufficient without any further assurance. If the payment be made by a person having the whole interest in the property subject to the mortgage, the mortgage so paid off will (section 36) cease to exist: if the payment be made by a person not having the whole of such interest, he will acquire (section 37) the rights of the incumbrancer whom he has paid off.

The Bill abolishes the system of tacking, by declaring in sections 38 and 39 that no mortgagee paying off a prior mortgage shall thereby acquire any priority in respect of his original mortgage; that no mortgagee making a subsequent advance to the mortgagor shall thereby acquire any priority in respect of his security for such advance; and that, if the owner of two properties creates separate mortgages upon them by separate assurances, each property may be redeemed or dealt with irrespectively of the other, though the mortgages are created in favour of the same mortgagee.

It has been held that, where a mortgage extends to future advances, the mortgagee cannot safely make such advances, if he has notice of an intervening second mortgage. But the Bill (section 34) provides that, if a charge made to secure the balance of a running account expresses the maximum to be secured thereby, a second charge shall be postponed to the first charge in respect of advances not exceeding the maximum, though made subsequently to the second charge with notice thereof.

Leases.

Chapter V deals with leases of immoveable property. It lays down rules (section 43) as to the commencement and duration of leases. It states in some detail (section 44) the obligations which, in the absence of any stipulation to the contrary, are to arise out of the relationship of landlord and tenant. Special notice may be called to the provision enabling a lessee, where the lessor omits to make repairs which he is bound to make, himself to make them and deduct the expense from the rent, and the similar provision for the case of failure on the part of the lessor to make payments, which, if not made, are recoverable against the thing leased; to the provisions binding tenants to inform their landlords of proceedings to eject, and of encroachments, and to the power of obtaining a decree for the rescission of a lease, in a suit by either party, in case of misconduct by the other.

The rules as to fixtures in section 44, clauses (*q*) and (*r*), are, it is thought, likely to prove useful. No distinction is made between ornamental, trade and agricultural fixtures, save that the landlord is given a right (resembling that conferred by 15 Vic., cap. 25, section 23) to purchase agricultural fixtures.

The rest of this chapter saves (section 45) any right to distrain possessed under any local law: provides rules (section 46) as to the duration of leases in the absence of written agreement or of local law or usage; and treats (section 47) of the effect of holding over.

Exchanges.

Chapter VI deals with Exchange or Barter. It is taken from the New York Civil Code, and merely declares that each party has the rights and obligations of a seller as to that which he gives, and those of a buyer as to that which he takes; and that, on an exchange of money, each party warrants the genuineness of the money given by him.

Settlements.

Chapter VII deals with settlements, which are defined so as to include endowments and absolute gifts to children and others, excluding, however, gifts by Natives. The Bill declares (section 50) that a settlement may be binding, though not made for a consideration. Settlements made in fraud of creditors will be voidable (section 51) at their option; but not as against persons who, without notice and for valuable consideration, have acquired interests thereunder. The English law, by which a voluntary settlor of land can by subsequent sale defeat the settlement he has made, is not perpetuated here. Conditions restraining any person from parting with his or her interest will be void (section 52), and when property is settled on a married woman, it will therefore no longer be possible to deprive her of the power of anticipation. Such power is the logical consequence of a married woman's capacity, under Act IX of 1872, to enter into contracts. The Bill also contains provisions as to making interests under settlements or wills determinable on insolvency or attempted alienation (section 53), as to the vesting of gifts in general terms (section 54), as to the vesting of a gift to an unborn person not entitled to possession immediately on birth (section 55). Various sections of the Indian Succession Act (100—104, 107, 108, 111—127, 167) are applied (section 56), so far as the nature of the case will admit, to gifts contained in settlements.

Gifts for Religious and Charitable purposes.

In accordance with the Succession Act, the Bill prohibits (section 58) persons who have near relatives from giving property to religious or charitable uses unless by an instrument executed not less than twelve months before their death and duly registered. And while allowing property to be given in perpetuity for such uses, the Bill requires (section 59) that it shall be given with the sanction of some public authority to be designated by the Government. A mode of notifying the grant or refusal of such sanction is provided. Where the sanction is refused, the property will devolve as if the gift had not been made.

Apportionment.

Chapter IX consists of a single section (60) treating of the apportionment of rents and other periodical payments.

Rights and Liabilities of limited Owners.

In Chapter X, the Bill abolishes the distinction between limited owners with, and those without, impeachment of waste. Such persons (section 61) will not be entitled to do any act destructive or permanently injurious to the property; but it is explained that no act done in the reasonable enjoyment of property (such, for example, as working a mine) is 'destructive' or 'injurious,' though it may exhaust the substance of the property. The power of such persons and their representatives to remove fixtures will be the same as that given to tenants under a lease. Persons having limited interests in possession will be bound (section 62) to discharge periodical payments due under prior mortgages and also taxes and other public periodical charges. The right to increase in the value of property in which there are successive interests is declared (section 63); and a provision (resembling that made by 6 Anne, chapter 72, section 1) is made for the production of tenants for life, when the remainder-man has reason to suspect fraud.

Leases and Sales of settled Estates.

Chapter XI is suggested by the English Statute 19 & 20 Vic., cap. 20. It gives the Courts (here defined to mean only the High Courts and the District Courts) a power to deal with lands subject to a settlement or will, by lease or sale, or by appropriating any part of the property for the formation of streets, roads, gardens, tanks, &c. The various modes in which the proceeds of the sales or leases may be applied are specified.

Powers.

Chapter XII treats of powers, *i. e.*, rights to determine the disposition of property otherwise than by virtue of ownership. It reproduces the principal rules of the English law on the subject. But the Bill does not propose to give the Courts power to aid defective executions of powers. This jurisdiction does not rest on any sound principle, and is, indeed, hardly consistent with a strict system of registration. In the case of the exercise of a power given to several donees some of whom die before it has been fully exercised, the Bill declares (section 74) that the survivors may do all that might have been done by the whole number. An analogous declaration is made (section 77) as to a power exercisable with the consent of several persons.

Property held by several Persons.

Chapter XIII contains some rules as to the devolution of shares of several persons holding the same property. The Bill proposes to declare that a right by survivorship can be created only by express words. This chapter also contains some provisions (sections 94, 95, 96) as to partitions of immoveable property, which may be useful in cases to which no local law as to the partition of revenue-paying estates applies. In case of illegal waste by one of several persons holding the same property, power is given (section 98) to sue for compensation or to obtain an injunction.

Assignments of Things in Action.

Chapter XIV deals with the assignment of debts and other things which are not in the possession of the person entitled to them, but for the recovery of which he may be obliged to sue. The only change proposed to be made in what is now the law in all Indian Courts is, that the Bill requires (section 99) the assignee to complete his title by giving the debtor notice in writing of the assignment. Negotiable instruments are excluded from the operation of this chapter.

The subject of the Bill is one of great difficulty and complexity, and errors will doubtless be found in the present draft. Ample time will be given for the searching criticism which it is hoped the draft will receive at the hands of the Local Governments, the Judges and the legal profession.

SIMLA,
The 10th May 1877.

WHITLEY STOKES.

A. PHILLIPS,
Secy. to the Govt. of India.

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